


# Legislature of Ontario Debates

Wednesday, June 8, 1966 — Friday, July 8, 1966

No. 134




# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Wednesday, June 8, 1966

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Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JUNE 8, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today students from the following schools: in the west gallery, Bradford public school, Bradford; and in the east gallery, Ester Road public school, Sudbury.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

## THE COMMUTER SERVICES ACT, 1965

Hon. C. S. MacNaughton moves first reading of bill intituled, An Act to amend The Commuter Services Act, 1965.

Motion agreed to; first reading of the bill.

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, the simple explanation of this bill is that this amendment removes the need for an order-in-council to approve acquisition of any rolling stock, equipment, apparatus or thing, or of any land or interest in land. The amendment also provides for the disposal by the Minister of any rolling stock, equipment, apparatus, or thing, or any land or interest in land that is no longer required for the purposes of this Act.

**Mr. V. M. Singer** (Downsview): We also create another expropriation authority.

**Mr. Speaker:** Order!

## THE PAWNBROKERS ACT, 1966

Hon. A. A. Wishart moves first reading of bill intituled, The Pawnbrokers Act, 1966.

Motion agreed to; first reading of the bill.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, this Act was last revised in 1911 and the bill brings the Act into line with present-day conditions and business practices, and with law enforcement requirements.

## THE INSURANCE ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Insurance Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this bill to amend The Insurance Act is primarily a revision of part 6 of The Insurance Act and deals with automobile insurance.

It is the result of a five-year study by the superintendents of insurance of all the provinces of Canada and the insurance industry. A uniform revision. This is a uniform Act, in the sense that we anticipate its adoption in all the provinces, except Quebec, as was recommended by the association of provincial superintendents.

The main purposes of the revision are to bring medical payment coverage within the scope of automobile insurance, and to extend automobile insurance to include uninsured motorist coverage with a type of basic accident compensation irrespective of fault.

This latter type of coverage will be available to the motorist who wishes to have this form of coverage for himself and family upon payment of a premium therefor.

There are some other amendments inherent in the revision of this part of The Insurance Act which deal with the forms of policies and the statutory authorities with respect to automobile insurance.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, would the hon. Attorney General permit one question on this bill? Does this, in fact, reverse the debate which we had on the estimates of The Department of Transport to provide compensation without fault in automobile accident cases?

**Hon. Mr. Wishart:** I would say no to that; there is an optional—there would be a provision that such type of insurance can be obtained from the insurer in the policy by the insured.

## RAISING OF MONEY ON CREDIT OF CONSOLIDATED REVENUE FUND

Hon. J. N. Allan moves first reading of bill intituled, An Act to authorize the raising of money on the credit of the consolidated revenue fund.

Motion agreed to; first reading of the bill.

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Speaker, the amount is $400 million.

**Mr. R. M. Whicher** (Bruce): Is the hon. Provincial Treasurer not going to give us the detail on that amount or does that mean nothing to him?

## THE AGRICULTURAL DEVELOPMENT ACT

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Agricultural Development Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Allan:** Mr. Speaker, owing to the decrease in the volume of work, the administration of this Act is being absorbed into the general operations of the Treasury department.

## THE PUBLIC SERVICE ACT, 1961-1962

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Public Service Act, 1961-1962.

Motion agreed to; first reading of the bill.

**Hon. Mr. Allan:** Mr. Speaker, this amendment is being introduced for the purpose of bringing the Act into line with changes being made in The Public Service Superannuation Act with respect to the cessation of contributions to the public service superannuation fund and the commencement of allowances and annuities. It also provides for the reconstituting of the joint council and the referral to a mediator of matters upon which agreement cannot be reached in the joint council.

**Mr. E. Sargent** (Grey North): I have a question submitted to the hon. Minister of Health, but possibly the House leader could answer it.

**Mr. Speaker:** No, I have been in touch with the Minister of Health and he will answer the question when he comes to the House tomorrow.

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, I have a question to ask of the hon. Attorney General.

In view of the fact that the matter of an originating notice by the hon. Attorney General to commit to jail for contempt of court 27 persons involved in picketing at Tilco Plastics in Peterborough is still sub judice in that Chief Justice Gale has not dealt with the matter of penalties, is it the opinion of the Attorney General an editorial published in the *Globe and Mail* today on page 6 is contempt of court *ex facie curi*? I may say by way of explanation, the question applies *mutatis mutandis* to the Toronto *Daily Star*. Only the *Telegram* had good sense today.

**Mr. Speaker:** The member has a second part to his question if he would read it, please.

**Mr. Sopha:** Oh, yes!

If such is his opinion, does the hon. Attorney General intend to take appropriate proceedings against the *Globe and Mail*? I might add the Toronto *Daily Star*.

**Hon. Mr. Wishart:** I have barely had an opportunity to read the editorial referred to in the question. I have not had time to examine it to the extent that I would like to, in order to furnish an opinion. I could perhaps do this tomorrow.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I would like to answer a question asked previously by the hon. member for York South with reference to the railroad overpass on the 13th line in East Zorra township, constructed as part of the Gordon Pittock dam development.

There are three parts to this question:

(a) What is the cost of the structure?

(b) What is the cost of the fill?

(c) Who pays for this and in what proportion?

The answer: The cost of the bridge is $40,438. The cost of the fill is $15,868. The province is paying 37.5 per cent, the authority is paying 65.5 per cent.

**Mr. J. P. Spence** (Kent East): Mr. Speaker, I have a question to ask of the Minister of Highways, of which I have already given notice.

I have received a note from the Minister of Highways which is very reasonable, and I will withhold my question till a later date.

**Hon. Mr. MacNaughton:** I wonder if I could indicate to the hon. member that I am prepared to answer his question today if he wishes to present it now.

**Mr. Spence:** It will wait until a later date, Mr. Speaker, thank you.

**Mr. K. Bryden** (Woodbine): It is a pity to have the hon. Minister all wound up like that.

**Mr. D. C. MacDonald** (York South): My question is to the hon. Attorney General. In view of the statement by Judge Bruce MacDonald, chairman of the Windsor police commission, when reimposing on Monday the restrictive order regarding 1966 Ford model police cruisers that, and I quote:

> The safety of the individual police officers and the safety of the public are endangered under the present conditions,

and after two further cases of faulty brake systems were reported over the weekend, can the hon. Attorney General assure the House that the general public across Ontario will be alerted to the danger involved in these models? Furthermore, what action is going to be taken to correct the faulty brake system on cars now on the road?

**Hon. Mr. Wishart:** A question regarding this matter was asked by the hon. member a few days ago. Investigating the matter at that time, I discussed it with the chief of the Windsor police force and the facts were that the order was imposed by the deputy chief of the Windsor force after an officer had alleged that his accident in a pursuit situation, where he was driving a Ford vehicle at a very high speed, was due to faulty brakes.

The answer further indicated, as I stated in the House at that time, that extensive tests were made under extreme conditions at that time and no mechanical fault was found with the brakes. It is my understanding that since that incident, additional vehicles of the same model have been added to the force. There are 28 now employed by the Windsor police force.

There was a suggestion, as a result of the testing, that a manual adjusting feature be added to assist in the minor adjustment of the brakes.

Now the order was imposed by the deputy chief; the testing was done by the Windsor board of works and at that point I had no knowledge, and still have no knowledge, that the Windsor police commission had any part in the matter. The order will likely be removed as some further adjusting is going forward, as I understand it.

Judge Bruce MacDonald, the chairman of the Windsor police commission has, although I have been unable to reach him, apparently said to leave the order in force as there are further complaints which he wishes to have checked out, which is, I think, quite proper. But I have not been able to reach him yet nor has the Ontario police commission, although it has been trying to do so.

I am not aware of what is in his mind or what the actual facts of the matter are.

Now as to what is to be done to correct the faulty brake system in the cars now on the road, I cannot at this time, accept the question as admitting that there is a faulty brake system. The information I have so far is that there is not. I have read the newspaper articles and am aware of how it is being played up, but I think it would perhaps be the height of irresponsible action to tell the public of this province that they cannot safely drive this particular vehicle.

The incident out of which this faulty brake action arose was a high pursuit speed at which ordinarily, I think, the public does not drive.

Furthermore, I have had the Ontario police commission conduct an investigation. Metropolitan Toronto police chief Mackey advises that they have many Fords of this model on the force and they find no fault at all.

I am having this pursued and investigated with the Ontario provincial police force, which uses a great many of these vehicles. I have no complaints, but I am going to get a positive answer to satisfy myself and to satisfy the hon. members of this House that this vehicle is proper, but until this matter has been determined finally and I think this will be very shortly—it is not a matter for delay—I think it would be very irresponsible of me to broadcast to the public that this vehicle is not safe.

That is not what the facts so far indicate.

**Mr. MacDonald:** Mr. Speaker, I wonder if I could make just a very brief comment and a question to the hon. Minister?

I agree it might be irresponsible on the hon. Minister's part if he were to make that statement now. But it may be equally irresponsible if this situation is not clarified. The public works engineer said everything was fine. Within 24 hours they had two further incidents of faulty brakes and Judge MacDonald, the chairman of the police commission reimposes the order.

This is too serious, it seems to me, to

play with for any length of time, and I suggest if the hon. Attorney General is pursuing this, he is on the right course, but I hope it will be resolved very quickly.

**Hon. Mr. Wishart:** I heartily agree with the sentiments expressed by the hon. member.

**Mr. Speaker:** As the member for Grey North will be absent tomorrow, and the Minister of Health is not in his seat today, I shall allow the member for Grey North to ask his question.

**Mr. Sargent:** Mr. Speaker, inasmuch as six provinces have indicated they will participate with the federal government in a national health care plan, can the hon. Minister indicate to the House whether Ontario will join in such a scheme?

My supplementary question would have been—

**Mr. Speaker:** I am sorry; no supplementary questions.

**Mr. Sargent:** Mr. Speaker, you allowed a supplementary comment down here. I will make a comment now.

**Mr. Speaker:** The member must appreciate that he would have to ask the Minister if he would answer a supplementary question.

**Mr. Sargent:** Well, he does not have to answer it. The House leader—

**Mr. Speaker:** I am afraid I cannot assume that the Minister would allow a supplementary question.

**Mr. Sargent:** May I ask the House leader a supplementary question, then?

Mr. House leader, if not, how much is this costing the taxpayers of Ontario—your not joining the federal scheme?

**Hon. H. L. Rowntree** (Minister of Labour): That is a political speech and the hon. member knows that this is not the time and place for a political speech.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Hon. J. Yaremko** (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following reports:

1. The Ontario northland transportation commission 65th annual report for the year ending December 31, 1965.

2. The 34th annual report of The Minister of Public Welfare, 1964-65.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 10th order; resuming the adjourned debate on the motion for second reading of Bill 130, An Act respecting legal aid.

## LEGAL AID
*(continued)*

**Mr. K. Bryden** (Woodbine): Mr. Speaker, if the hon. member who moved the adjournment of the debate is not here, perhaps I could fill in for him. I had planned to make one or two comments, supplementary to those already made, and I will take advantage of this opportunity to do so.

I would like once again, Mr. Speaker, to put it to the hon. Attorney General that this legislation should clearly establish the right of a person to have legal counsel in cases where the only bar to that is lack of financial means.

I do not have the actual text of the bill in front of me at the moment, but I am looking it up. There are a couple of terms used in it that I want to refer to.

The law society has frequently gone on record as opposing the delegation of power to administrative tribunals of one kind or another. It has—in my opinion in an exaggerated form—called attention to the dangers that admittedly can inure in this process. Yet we have before us a bill to which I imagine the law society has assented—it probably has been consulted in the drafting of it—which, in effect, would delegate to the law society powers from this Legislature with very little power of review by the Legislature.

What we are being asked to do here is to provide money to the law society, and to provide discretionary powers to appointees of the law society. True, the fund that is to be established by the money we provide will be audited by the provincial auditor. This will eliminate any possiblity of misuse of the funds. Also a report is to be filed with the hon. Minister and tabled in the Legislature from year to year so that, I suppose, we will be advised in a general way once a year as to what is going on.

But essentially there is no real power of review. Where, sir, can we call to account the law society for what it does with the money we vote to it in the event that we are not satisfied with the manner in which it is carrying out its duties? There are to be area directors in each area of the province. These area directors are being given wide discretion. In fact, as far as I can see complete

discretion to decide whether or not public funds will be made available to provide legal assistance to a person who does not have the financial resources to provide it for himself.

I find it very hard, Mr. Speaker, to justify this delegation of power without any essential power of recall by this Legislature.

We also give to the Cabinet broad powers to make regulations which can be quite material to the operation of the Act and the fairness in which it is administered. As we all know, this House really has no power to review regulations at all. There is no established procedure whereby orders-in-council and regulations ever come back to this House or any committee of it. More and more we are getting ourselves into the position where we enact skeleton laws giving power to others to make the substantive law and giving power to still others to administer the law with a wide degree of discretion.

We will have very little idea of what is going on. What happens, for example if the area director arbitrarily refuses to make legal aid available to an individual because he does not happen to like the individual? What remedy does this person have? I hope that if he has any remedy the Attorney General will call attention to it when he winds up this debate, but I cannot see that he has any remedy at all. These area directors will become little nabobs in their communities. They will have the power to dispense this favour or to withhold it.

We in this Legislature will have put up the money but we will have no control over the spending of the money once it goes into the fund established by the law society. I do not think it is good enough to say that the law society would not appoint people who would do such things. I am not making any criticism of the law society and I imagine that it will attempt to appoint people whom it considers to be entirely responsible and fair minded. I am quite ready to concede that. What we should bear in mind, nevertheless, is that it is always possible for any organization, when it is not subject to review and it is not held to account by anybody, to abuse the power given to it.

The law society, more than any body I can think of has objected to the principle which the Attorney General, no doubt with the consent of the law society, now is asking us to enact in this statute. As I say, there have been occasions when I thought the law society and similar organizations went overboard in objecting to the proliferation of administrative tribunals in references to the new despotism and that sort of thing. I think there are areas where we have to have—

**Mr. V. M. Singer** (Downsview): What if the offender is not a member of the law society?

**Mr. Bryden:** I said "and similar bodies." He was a member of the same profession I believe, and it is the profession of which the law society is the representative in this province. It has frequently taken objection to this trend. I am certainly not suggesting that this is a matter that we should not be concerned with. As I say, I think they have often objected to the establishment of tribunals where they were very necessary in this modern society, but I do not think it is necessary to give the type of discretionary power in this case. I am in favour of the principle of legal aid and I see no objection to the law society being the body which will assign lawyers, shall we say, to cases.

But I do not see why the law society and its agents, or its appointees, should be in what is essentially an irresponsible position, a position to dispense money voted by this Legislature without really being accountable to anyone except in terms of the overall spending of the money, with no accountability to anyone in the way it treats an individual in any specific case, and with no right of appeal for that individual that I can see. If the area director happens not to like him or for any other reason, good or bad, decides not to give him any aid, where does he get off at?

My friend from Riverdale put the case to the Attorney General that the very least we could do in this bill would be to lay it down as an absolute principle that, provided the individual can demonstrate his financial need, he is entitled to the aid provided.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I wonder if the hon. member would permit me to direct his attention to section 14 of the bill, and particularly to subsection 3, and subsection 4?

**Mr. Bryden:** If the junior appointee of the law society says no, the individual can appeal to the senior appointee. Is that what it means?

**Hon. Mr. Wishart:** No, Mr. Speaker, the area committee, not the area director.

**Mr. Bryden:** All right then, he can appeal to another group of the law society.

**Hon. Mr. Wishart:** The director!

**Mr. Bryden:** My friend from Riverdale, sotto voce, has called to my attention the fact that this section is applicable only to certain types of cases. It is not uniformly applicable, and in any case it still leaves the law society as the dispenser of these benefits. Admittedly, the more people that you can take it to, the less the chance of arbitrary decision on the part of any individual. I would agree with that principle, even if it is all within the same organization. But I still see no reason why a private society—constituted under a statute of this province, I agree, but not in any sense accountable to this Legislature even though we have provided the law under which they operate—should be able to disburse public funds to individuals in this way.

At any rate, I was a moment ago, before the hon. Attorney General intervened, harking back to the point that the hon. member for Riverdale made yesterday, that we should not leave this phase of the matter as a matter of discretion or benevolence by the law society. I particularly object when it is our money that they are being benevolent with, the people's money—not our money as individuals, but the money of the people whom we collectively represent. I object to anybody, any private party or any private group, being in a position to dispense benefits from a fund formed in that way. It is not the law society in particular I am directing my complaints against. We could solve the problem I am speaking about and an even larger problem that the hon. member for Riverdale spoke about, if we put it clearly in the Act that a person is entitled to receive the benefits according to certain provisions that are laid down.

The basic provision, of course, is that there must be a certain demonstration of need. As it stands now, local welfare officers are going to be used to determine need. I would like to see even that matter, as far as possible, moved from the area of individual discretion. I would like to see the same principle incorporated here as was put in the OMSIP legislation, that a person demonstrates his need if he demonstrates that he did not pay any income tax or that his taxable income was below a certain amount.

It seems to me that if we are going to provide the benefits as suggested in this Act, we should remove the whole question of eligibility, as far as possible, from the area of individual judgment. We should attempt to establish the rights essentially as rights. That, I think, can be laid down quite clearly in words, and there will not be any need for the individual discretion which is now an integral principle of the Act. It is up to the discretion of certain individuals as to whether or not a person will qualify for legal aid. I think that is a bad feature of the bill.

Notwithstanding that bad feature, I would still support the bill—even as it stands. Obviously, it is a step forward in the field of legal aid. I would hope, though, that the hon. Attorney General might give further thought to the point that my friend from Riverdale and I have tried to put before him.

**Mr. J. B. Trotter** (Parkdale): Mr. Speaker, I want to point out briefly three principles that I do not think are in this bill and which should be a part of it.

The first one—I think it is the most important—was dwelt on when the hon. member for Riverdale was speaking on this bill—in this bill there is no section or no principle set out whereby an accused should have a right to counsel.

I think the member for Riverdale went too far when he included civil cases as well as criminal cases. But I think that we should establish, at least for a beginning, in this province, the right of an accused who is on trial for his liberty to have counsel. I have seen, in my own experience, cases where I felt an individual would not have been found guilty had a lawyer been there to speak on his behalf. I think there is a great danger in a modern society, particularly where there are large urban areas such as the one we are in now, where the courts become a machine that is grinding out justice like a sausage machine.

Any magistrate, no matter how anxious he might be to see that everyone receives his fair share of justice, is bound to miss some important points. I think that it is very obvious that although we say that everyone is equal before the law, in actual practice this simply is not true. Anyone who can afford to get a top counsel, one who knows how to go about seeing that he is defended, can nearly always have a better case prepared for him in the courts than the person who does not know his rights, and does not have the money, and who just stands before the judge or the magistrate.

Admittedly, this is a good bill in that it goes a long way in helping those people who did not have the funds to defend themselves. But this does not cure the problem where a magistrate—if he was impatient or in a bad mood—could force an individual to go on for trial even though he did not have a lawyer with him.

We are going to have to develop a system —and this may be the start of it—where a

court of first appearance will be set up; where a case will be adjourned for at least seven days or some period of time like that; where a case can be scrutinized to see that the accused individual will have a counsel, or will certainly have the situation thoroughly explained to him.

There are far too many cases going on in the courts of the city of Toronto today where the accused is asked: "Are you ready to proceed?" He mumbles something and nods his head, and the case rolls on.

We have a duty to put a stop to this. We should know that everyone in this province has a right to counsel, and that there has been thorough opportunity for him to brief a counsel on his case. This is a matter that is becoming of increasing importance, and even though in part recognizing the importance of that principle in this bill, we do not go nearly far enough.

Another basic principle that we overlook in this bill and, in fact, seem to fly in the face of it, is that if a man has been convicted once, he is not necessarily entitled to receive legal aid under this bill. This is obviously flying in the face of the principle that every man is deemed to be innocent until he is proved guilty.

The hon. member for Downsview mentioned two or three cases that have actually taken place before our courts in recent years where men who had previous records were subsequently convicted of another offence, and then it was found that they were not guilty. Even if a man has been guilty of a second offence, it is a known fact that if a good defence is put up for him that the sentence he receives is far less than what he might have received. So it is not just a matter of being convicted, it is the amount of time he serves and it is the amount of fine that he has to pay. A man might plead guilty to an offence and there may be a reasonable excuse for it, but we should see to it that he has the opportunity to have his reasonable excuse put before the court in a proper and able manner.

This is an important principle that we overlook, and I would hope that before this bill comes up for third reading, and before we get into committee of the whole that the necessary amendment to the particular section concerned, will be brought in.

The last principle I would like to deal with is the matter that is in section 17, having to do with the welfare officer where a person who is a social worker looks into the background and into the financial affairs of an accused to see if he is entitled to help under this Act. I do not like the idea that equality before the law is a matter of welfare, and I think we are getting off on the wrong foot when we come before this House with a bill looking upon justice as part of welfare. Even the idea that a welfare officer may be able to estimate how much the court costs are going to be is really a surprising thing to me, because even lawyers with a great deal of experience find it very difficult in many cases to estimate how much the actual costs are going to be.

But here we are suggesting in this bill that a welfare officer, who probably has little or no experience in courts or litigation, either criminal or civil, is now going to be able to estimate court costs. Rather than using so-called welfare officers, I think that we could use the system that operates in England. It is more of an honour system. There are many stringent bars to what a person can do and cannot do, but at the same time it keeps away from this idea of welfare, and their honour system has worked.

If an individual who is seeking legal aid under this bill lies about his assets, his certificate under this Act can be cancelled. If any applicant has to make an affidavit and he lies, or commits perjury in that affidavit, then action can be taken against him such as refusing the services, and even charging him with perjury. So again I would ask the hon. Minister to reconsider section 17, to reconsider the whole setup of the use of a welfare officer, and leave this matter in charge of the men I think who are very able in looking after it, namely, the judges and the lawyers who are carrying on the system of law here in the province of Ontario.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I would like to make two brief comments with regard to the principle of this bill and both of them are addressed with regret for the failure to live up to the basic principle of legal aid, namely, the provision of assistance to a person who is in need of it. I was interested in the comments of the hon. member for Parkdale who said that he felt the hon. member for Riverdale had gone too far in contending that civil actions should be included as well as criminal actions. Well, as a layman, viewing these disputes among the lawyers, I am a little puzzled. Let me pose to the House a couple of cases by way of illustration. If a man, for example, finds his child has been run over by a car and a suit, a court action follows and this person has very limited means and, therefore, he is going to be in need of legal assistance, do you

mean to say that that person is not as entitled to get the legal assistance as a person who has been charged with a criminal offence?

Or alternatively, if we have any one of these thousand-and-one efforts on behalf of fly-by-night operators in the community, whether they be selling aluminum sidings or what you will, in which the person finds that he has to take action but he is not—

**Mr. Singer:** If he has flown, it is pretty hard to take civil action.

**Mr. MacDonald:** Well, there are lots of cases that are now being dealt with in which there is action being taken to chase down people who have gone through a partial flight—from one company to another company—there are many of them. Indeed, they are now being chased down in some instances by the rackets squad. But without getting into the full detail of it, Mr. Speaker, my point is, what is the difference, what is the justification for this kind of distinction between civil and criminal action if the basic principle is that if a person is in need of legal asssistance he should get it.

Now, the second point that I wanted to raise briefly is that I—

**Hon. Mr. Wishart:** I wonder if at this point I might perhaps get this clear? Is the hon. member saying that a person who has a criminal charge against some other person—

**Mr. MacDonald:** No, a civil charge.

**Hon. Mr. Wishart:** Civil charge?

**Mr. MacDonald:** Right!

**Hon. Mr. Wishart:** Well, does not section 12 cover those things when it says, "shall" give a certificate?

**Mr. MacDonald:** I misinterpreted the distinction that the hon. member for Parkdale was raising then.

Let me go to a second point that I wanted to raise with regard to the contention that such assistance will not be made available to a person who has had a previous conviction. Now, quite apart from the fact, as the hon. member for Parkdale has just indicated, that by not having a lawyer to defend a person, a person on subsequent offences is going to get a much stiffer sentence than perhaps he is deserving of.

I am reminded of what seems to be an inequity in this situation as a result of a case that was drawn to the attention, I think, of most members of the House just last week. We were all in receipt of a copy of the Sudbury *Star* as a result of still another of these prosecutions because of raffles being conducted, in this instance by the local legion. You have three or four members, officers of the legion, being fixed with a criminal offence and conviction because they happened to be officers of the legion and the legion is a body and could not be convicted of a criminal offence. Now, I just draw to the attention of the Attorney General—

**Mr. Singer:** Mr. Speaker, on a point of order, surely my friend is addressing himself to the provisions of the criminal code, not to the provisions of this bill. Legal aid in this instance would not have made a bit of difference. It is a question of interpretation of the law.

**Mr. MacDonald:** I do not think the hon. gentleman is listening—

**Mr. Singer:** Oh, I am listening very carefully.

**Mr. MacDonald:** I say these people are now going to have a criminal conviction.

**Mr. Singer:** With or without legal aid.

**Mr. MacDonald:** Right.

**Mr. Singer:** The hon. member is addressing himself to the usual mixed up point that he does not understand.

**Mr. MacDonald:** I understand it, but now suppose there is another charge on some later occasion and they have a criminal conviction against them, as in this instance, which is a nominal criminal conviction in that they have to take it as a person instead of the legion.

**Mr. Singer:** The hon. member did not say that.

**Mr. MacDonald:** Well, if the hon. member had been listening he might have heard instead of his impetuous interruption.

**Mr. Speaker:** Order!

**Mr. Singer:** I was listening. The point has been made by five speakers ahead of the hon. member.

**Mr. MacDonald:** Now, that we have clarified it with the fuzzy hon. member for Downsview, perhaps I can proceed with the Attorney General, who will listen, I know, with care. My point is that here is the case of a person who is going to have a criminal conviction against him for the rest of his life, but it is a criminal conviction because

it was the only way that the court could finalize the case. It had to be done with an individual rather than a corporate body, and yet this person henceforth will be barred from getting legal aid.

**Hon. Mr. Wishart:** No.

**Mr. MacDonald:** No?

**Hon. Mr. Wishart:** No, Mr. Speaker. The section dealing with that—and I deal with it at the moment—is section 13, it reads: "A certificate may be issued to a person otherwise entitled thereto: (c) who has been convicted." It may be issued to him, this is a discretionary thing, but that does not bar him.

**Mr. Singer:** No fuzzy thinking there; he just has not read the Act.

**Mr. MacDonald:** Well then, we will see how this works out in the fuzzy experience.

**Hon. Mr. Wishart:** Mr. Speaker, I think perhaps I should make a few remarks. The discussion has been good. I do not agree with several of the points put forward, and I think I must first of all clarify what has been stated here as the principle of the bill by the last speaker, the hon. member for York South. I think his words were that everyone shall be entitled to legal aid. I believe the hon. member for Riverdale wanted the bill to have an assertion in it as a statement of principle—a statment of purpose—the assertion of the right of every person to have legal aid and to be represented by counsel. That is not the principle of the bill and I take exception to the suggestion that that is the intention, or the purpose of the bill.

What this bill does—and it is not just a step forward, it is a long march forward, it is a great reach forward in this field—what it does is say that no person in this province of Ontario shall be denied the right of counsel, the right of legal aid by reason of his financial status.

**Mr. Bryden:** It does not say that.

**Hon. Mr. Wishart:** That is what it does. That is what the bill does.

**Mr. Bryden:** Where?

**Hon. Mr. Wishart:** The bill does not say that every person in this province has a right to call for a lawyer on every occasion, but it says that nobody shall suffer lack of legal assistance and counsel in court by reason of inability to pay. That is what the bill says. If the member reads it and pursues it he will see that is what the intention is. That is what it provides, that persons who have not the financial status to get a lawyer or counsel, a solicitor, or barrister to go to court, shall not be deprived of that assistance by virtue of the fact that their financial status is such they cannot pay, either in whole or in part.

Almost every type of case, civil and criminal is provided for. There shall be legal assistance for persons desiring it, if they cannot afford it, or can only afford part of it, in almost every type of case.

Mr. Speaker, the question of control, of authority, was raised and I would direct the attention of the House to sections 2 and 3, which provide—section 2, that subject to the approval of the Attorney General the law society is empowered to establish and administer a legal aid plan in accordance with the Act and the regulations.

There is the first authority and the first chain of responsibility—the first link in the chain of responsibility back to government.

Section 3 following—subject to the approval of the Attorney General the law society shall appoint a director of legal aid.

This leads me to the remarks of the hon. member for Woodbine. The question of responsibility. The government through its Minister, sir, takes by the Act the responsibility of the appointment of the director and various other things in section 3, and we move down in the scheme or plan. It will be administered by the law society according to the discretion, the judgments exercised by the local area committee, from which there is an appeal to the director. So that if that responsibility at any time is found to be not properly exercised, if the workings of the plan are such that they need to be reviewed, the authority is very direct, because the Attorney General, the Minister of the Crown responsible for the administration of the Act, can control it through the appointment of the director and can give his direction through that director with the aid of the law society.

Speaking of the law society, I would remind the members of the House that this legal aid bill arose from a long study over a period of some years, with the law society —a joint study with the law society and officials particularly of The Department of the Attorney General and other departments of this government. I think we are very fortunate and I should like to take a moment to pay some tribute to the great work

that was done, particularly by members of the legal profession.

I hold no brief especially for the members of my profession, but they have given a great deal of assistance, a great deal of study, a great deal of consideration, to this Act. They have offered to administer it for the government, and our part I think, which we have attempted to carry out in this bill on the part of the government, was to see that we had the controls.

The hon. member for Woodbine says, I do not like to be paying out money unless I have some control as to how it is being spent. I agree with him heartily, fully, and I think we have established those controls in the Act, as I have indicated.

**Mr. Bryden:** This House loses control completely.

**Hon. Mr. Wishart:** We have to, of course, see this Act in operation, and I beg of you that you will permit it at least to get into operation before you assume that it will not work. I am satisfied it will.

I think we are very fortunate that we as a government are not having to appoint boards and tribunals in every county and district of this province, or every area, however you may divide it, to administer a legal aid system. I can see in such a situation, which I think is completely avoided here, a government—any government—being involved having such a scheme greatly coloured in a political sense. By the operation of this plan by the law society, I submit to this House it will be entirely free of any political tinge whatsoever. It will be administered by lawyers. There will be no political control or exercise or pressure. I think this is a wonderful thing. I think it grows out of what has been carried on by the law society in each county and district in this province, the voluntary system of legal aid which proved quite a good thing, quite a satisfactory thing, up to a point.

But as laws grew greatly in number, and more sophisticated, and as people became less capable of following them and knowing the import and the extent of the law, and as lawyers became busier in this very complex world in which we live, the voluntary scheme was not adequate. So we move to the point where we say we will provide legal aid to anyone who needs it, if they cannot afford to pay for it.

We lay on certain safeguards and I would like to deal very briefly with those.

I think you would have to have some discretion; you have to have some safeguards. I think any lawyer will tell you he is quite a free agent in practice. He will not, probably, take into court every case that comes into his office, because with the utmost fairness and the best of his judgment, on hearing the facts put before him by a client, he will say to that client, "You have not got a case, you would be a fool to go to court. You would be wasting my time, and your money, if I require you to pay me a retainer. You should not go to court."

To take the principle suggested here by some that everyone has the right to go in and say, "I have got a case, I demand a lawyer to go to court," can you not see what a road—

**Mr. J. Renwick** (Riverdale): Mr. Speaker, will the hon. Attorney General permit a comment?

In the course of this debate no such statement was made at any time. The statement—so that the Attorney General can direct his remarks to the point which we made—was simply this: If a citizen of this province in financial need is summonsed to a court where he is answerable to either a criminal charge or a civil claim, in which case he has no alternative but to appear in a court, he is entitled to be defended if his financial need discloses it.

If, on the other hand, he believes he has a claim against a third party, another person, and he accepts technical competent legal advice which advises him that this is a claim which should be adjudicated in the courts, then he should be entitled to be represented in the court. And I would ask the Attorney General if he would direct his remarks toward that statement of the principle we are asserting.

**Hon. Mr. Wishart:** That is stated a little differently than it was yesterday by the hon. member. It is a very broad principle he asks for, and if I had *Hansard* I could read the words back to him.

**Mr. Singer:** My memory is the same as the hon. Attorney General's on that point.

**Hon. Mr. Wishart:** In any event, in the case which the member now cites, I still submit there must be a discretion. If that client, that person, has a case and he establishes it to the satisfaction of the area committee, they will give him a certificate saying, "Go to court and here is your counsel; you have a right to counsel."

All I am saying is that there must be a discretion. There must not be the broad

absolute principle that anyone in this province—I can see a tremendous morass and a mishmash, as someone used the expression, if you say to every citizen of the province, you can get a lawyer any time you like and go to court. Lawyers do not operate that way. They assess the case. They advise if there is no case. They advise you sometimes to plead guilty. You have a right to say, I will not, and go to court, and there are people who love nothing better than to spend all the time in court.

Now you cannot have a scheme using public funds to the point where everybody who likes to be a litigant—and some of them love to be litigants all the time—can go to court every time they feel like it, and clutter up the courts with useless cases, take the time of the judges, the lawyers, the officials of our courts. We must have a discretion, and where better place the discretion than in the hands of the members of what I suggest is a very responsible profession, which has voluntarily, for many years, given a good deal of its time individually and as an association to the supplying of legal aid to persons in need.

I think this government, this province, this House, is indebted to the law society that they take on this responsibility. I would just pursue that further, very briefly, Mr. Speaker.

We have in the regulations of the Act, and perhaps these words may not have been as significant in their purport as they might be when I have spoken to them, in the regulations there is provision under section 24(j), that is the regulation section, for the Lieutenant-Governor in council, the law society, or subject to the approval of the Lieutenant-Governor, the law society may make regulations, (j) respecting the fees to be paid to barristers and solicitors for professional services, and (k) providing for the settlement of accounts for professional services.

This is another area of control to prevent the abuse of the Act by solicitors, barristers, lawyers, and there are those who would abuse it. This has been apparent in the activities of the profession. There are those who might well abuse it, even though they are prepared to serve and must serve under this Act, at three-quarters of what would be the usual fee. This provides an area for the examination of the fee, settlement of the account, and a taxing of it.

In the same section 24, subsection 2, the Attorney General may designate persons for the purposes of clause (k), which is providing for the settlement of accounts. I may tell the House it is intended that there shall be a special officer, perhaps he will be called a taxing officer, with his attention and his services devoted to this bill and the work that will be done under the legal aid bill. So it will achieve, I think, two things at least; a certain uniformity in the charges that may be made for the same type of service by barristers, solicitors and lawyers across the province. There will be some relation between what is charged in Kenora and what is charged in Ottawa, Hamilton, London or Toronto. He will be the official who will be scrutinizing these accounts and seeing that service is given for the allowed charge, so as not to waste the public money and so as to see that persons getting legal aid get value from the person who gives the legal aid.

I believe that a great deal—and I should like to say this, this is my last word and I should like it to go on the record of this House—of the success of this Act will greatly depend upon the direction which is given to the plan by the legal profession, by the law society of Upper Canada, and by the director —I think he is a most important person—by the director who is appointed to administer the plan, and by the honest, the earnest service that will be given by the members of the legal profession to it.

It could be subject to abuse unless it is subject to the type of control that we have put in it, and those controls will have to be continuously and definitely exercised. I believe that we may rely on the law society, subject to what controls we have in government, to see that the plan is well administered and that it shall not be abused.

There was a suggestion by one of the speakers that we should do as in England and not bring in the welfare side to determine, or to advise, rather, as to eligibility on the financial side. I would just say this. If members would cast their minds forward to the actual working of the legal aid system in a county or district of Ontario, should it be that a panel of lawyers or lawyers and other persons in a particular case should be asked to investigate the circumstances of a person who comes forward to get legal aid, when you already have a welfare service, a very efficient and capable welfare service in the province?

That is one thing; you have it there available to give some advice. And the other thing is the time it would take for lawyers to go in and investigate. There was the suggestion that there should be no welfare person in there at all. Somebody has to investigate.

**Mr. Singer:** I agree, but they should not be out of the Public Welfare department.

**Hon. Mr. Wishart:** Well, I do not think that the lawyers should be asked to investigate. I think that people would resent other persons investigating. We have welfare now, this is a well established scheme and I do not think we should have others also investigating. Now, in Britain, in England, this is not the case, but I think members may be aware that one of the great concerns over there is the tremendous extent, particularly in the last year, to which it seems quite apparent people are taking advantage of the Act and the cost of it is becoming far beyond anything contemplated, and it is considered that there are so many abuses.

There are persons claiming aid who are not suffering, who are not in a financial state where they need to get legal aid at the expense of the state. This, I think, we can prevent. I think it is important that we do so and I will leave it at that.

I dealt with some of the other points as we were discussing it today, the question of persons who had some criminal record, I think that it is clear they are not denied. They are permitted, but there is a discretion. The other details may wait for discussion of this bill in committee.

**Mr. Renwick:** Mr. Speaker, may I, with permission, read the *Hansard* record that the Attorney General mentioned in the course of his remarks.

**Mr. Speaker:** I think perhaps if the member for Riverdale has any further questions of the Attorney General, he could wait until the bill reaches a further stage, committee of the whole House, and then he could bring this matter up. We have had exceptions, of course, that a member could speak more than once on second reading but I think perhaps it is getting a little out of hand and I would like to bring it back to a respectable degree of proper procedure whereby a member speaks only once on second reading of a bill.

**Mr. Renwick:** I was respectfully asking that I be permitted to do so because it was a short quotation directly from *Hansard* which would correct the impression that the Attorney General left, that I had stated some other—

**Mr. Speaker:** Would the member bring the quotation forward when discussion reaches that section of the bill in committee of the whole House?

Motion agreed to; second reading of the bill.

## THE FARM PRODUCTS MARKETING ACT

Hon. W. A. Stewart moves second reading of Bill 143, An Act to amend The Farm Products Marketing Act.

**Hon. W. A. Stewart** (Minister of Agriculture): Mr. Speaker, I would suggest this bill go to the committee on agriculture.

Motion agreed to; second reading of the bill.

## RULE AGAINST PERPETUITIES

Hon. Mr. Wishart moves second reading of Bill 131, An Act to modify the rule against perpetuities.

**Mr. Renwick:** Mr. Speaker, I would like to speak on this question of Bill 131, and the rule against perpetuities. I do so because the bill has left me in a quandary as to whether the House, in fact, understands what the Attorney General proposes in the bill which he has before the Legislature. The principle of the bill, Mr. Speaker, as stated in section 2 of the bill, is that the rule of law known as the rule against perpetuities shall continue to have full effect except as provided in this Act.

I think the point which is of concern to me is that the matter of this bill, which has been reported on by the law reform commission, deals only with the aspects of this rule as they relate to legal technicalities. The law reform commission is neither competent to, nor has it seen fit to, deal with the fact that this rule is a judge-made rule having economic consequences in the province of Ontario and having very substantial consequences upon the revenue of the province at the present time and has had that effect for the period since 1892 when The Succession Duty Act was originally introduced into the province.

Now, without commenting at all upon the delightful legal intricacies in which one could become engrossed in a discussion of such a rule as the rule against perpetuities, what in substance this rule means and it was stated many, many years ago and is some three or four centuries old, is that a person can so leave his property that it need not become the property absolutely of another person for a period of time upwards of 100 years,

and the law reform commission report so states that the outside limit of this rule is a period of about 100 years.

This therefore means that a person who has accumulated property in his lifetime is able by giving that property on a series of discretionary trusts as to the use of the income, in fact, to prevent it becoming the absolute property of another person for a period of time extending to about 100 years.

Now, Mr. Speaker, the hon. members may ask, "What has this to do with the revenues of the province?", and I would like to point out to the House with certain simple illustrations that it in fact limits distinctly and in a substantial measure, the revenue which this province derives from the succession duties which are levied under The Succession Duty Act. If one would take as an example, Mr. Speaker, the situation of a man and his wife, aged 50, two children aged 25 and four grandchildren ages one to five, and the question then arises as to how the man would dispose of an estate of $100,000, he has available to him at least three alternatives—three simple alternatives—he can leave his estate outright to his widow, in which case a tax would be payable to the province of Ontario of $3,881 and if his wife then lives for 20 years and leaves the estate to her two children, the succession duty levied is $5,750 and the revenue to the province of Ontario would be a total of $9,631.

The second alternative available to a man in such a position is to leave the life income from the $100,000 to his widow for her lifetime and with the capital of the estate on her death, to the two children. In that case, and you will recognize that at that point, the children receive the identical estate at the identical time that they did under the first example which I gave, the tax collected by the province in that instance is $2,461, as distinct from the $9,631 which was collected by the province in the first instance. This would mean that instead of a period of 20 years during which the province would collect $9,631, it would be a period of 50 years or more before the province would levy any further tax in addition to the $2,461 to which I have referred.

If, as a third alternative, the man were to choose to leave the life income of his estate to his widow, and after her death the life income to his two children, and on the death of one of the children or the last of the survivors of the children to leave the capital of the estate to his grandchildren, after a period of 21 years, the tax to the province of Ontario would be $2,461, leviable almost immediately and there would be no further tax collected by the province of Ontario for a period of upwards of 70 years or more. It may well be 100 years, and it could well be that at that time the tax would not be collected in the full amount.

Now, if I were to transpose those figures to a $1 million estate, you would find that in the first example which I gave the tax collected by the province within 20 years would be $386,326; in the second case, the only tax collected during a period of 50 years or more would be $162,883—

**Hon. Mr. Wishart:** Mr. Speaker, I wonder if the hon. member would permit me to ask him if he worked out those examples having in mind the amendments suggested by the second report—the law commission reform report No. 1-A, or were they worked out on the basis of the first report?

**Mr. Renwick:** I must confess, Mr. Speaker, that I am not aware of that. Perhaps the hon. Attorney General would explain it to me.

**Hon. Mr. Wishart:** If I might then, Mr. Speaker. Last year report No. 1 of the Ontario law reform commission was a report on the rule against perpetuities and was tabled during the last session. That report contained a bill to modify the rule against perpetuities which is a court-made rule. It contained also a bill amending The Trustee Act. The appendix A was a bill to modify the rule against perpetuities; there is an appendix B, An Act to amend The Accumulations Act; appendix C, An Act to amend The Trustee Act; and appendix D, a very short bill to amend The Conveyancing and Law of Property Act.

In the further study since this report No. 1 was filed—at the time my statement was that the Act, the report and the bills which it contained would be left tabled for study and consideration by all persons interested, members of the House and conveyancers, members of the law society, trust companies, solicitors interested in revenue for government purposes, and so on—in the interim there were further studies made and a number of briefs presented to the law reform commission. I believe that when I introduced the bill at first reading here, that I tabled with it this additional report No. 1-A which makes a number of amendments to the bill as filed with report No. 1.

**Mr. Bryden:** Did the hon. Minister put just one copy on the table?

**Hon. Mr. Wishart:** I think that at the time I just put one copy on the table.

**Mr. Bryden:** We did not see it.

**Hon. Mr. Wishart:** Well, it is a rather technical thing, of course, but I would be glad to make copies available.

I would say this to the hon. member, Mr. Speaker, that I think the amendments in report No. 1-A—I think there is much merit in what the hon. member said if he was relying on report No. 1—but I believe that the amendments in report No. 1-A take away much of the force of his remarks.

**Mr. Bryden:** Mr. Speaker, I wonder if, in view of the statement the hon. Attorney General has made, the House leader would be prepared to hold this bill until hon. members have had an opportunity to see the report he referred to. He tabled it in the House, but as we all know, Mr. Speaker, we do not have time to look at every document that is on the table. It has become customary to make documents of his kind available o hon. members; we have not seen it. We did not get one even for the group, and there has been no opportunity to study it. It is rather difficult to discuss the bill at second reading when an important report of this kind has really not been available in a form in which we could have consuled it.

**Hon. Mr. Wishart:** Mr. Speaker, I would request that the hon. House leader not accede to the hon. member's request. I appreciate that he has not read report No. 1-A, sir, but there surely will be an opportunity in committee and I should be glad—

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, with respect to this matter, I wonder if I might speak to it. The tabling of documents such as this report is one of historic procedure and practice, and I can understand that it is possible that the hon. member did not ask to look into it. But it has been tabled. It was not tabled recently —say an hour or so ago—and I think in these circumstances that with the notice that has been given of second reading that this matter should go forward.

It leaves the opportunity to the Opposition or, indeed, to any hon. member of this House, to come in to the House in committee with an amendment if they think that the bill does not carry forth the principles that are suggested. I think we must go forward with this.

**Mr. Renwick:** Mr. Speaker, I will be quite happy to continue with my remarks on the second reading of the bill because I had on two occasions requested—and this is no criticism of the hon. Attorney General—from the law reform commission, through the Attorney General's office, that I be placed on the mailing list for any reports which came out, and I regret that I do not have report No. 1-A.

However, the point is of sufficient merit that if the hon. Attorney General did not choose in his opening statement, on the introduction of the bill, to make any such remark about a fundamental change which apparently is reflected in this report, then I think that the House should have the explanation of the purpose of the bill at the present time, and the effect which it will have. If it does not have this effect, I am sure that the hon. Attorney General, in the course of this debate, will reply to it.

Mr. Speaker, I was reciting that, in the case of a person leaving an estate of $1 million, if a man left it outright to his widow and on her death to his two children so that the vesting took place within 20 years, the province of Ontario collected a tax of $386,326. If, on the other hand, he chose the second alternative which I listed above which would limit the vesting of the property for 50 years or more, then the province of Ontario in the initial instance would collect—unless a further option were exercised—$162,883.70, and in the third instance which I stated, would collect $160,698 in a period of 70 years.

Now, Mr. Speaker, the tax consequences of this bill are matters which surely are within the purview of the hon. Provincial Treasurer. I would have anticipated that if such a bill were being introduced that the estimation would be made that if any changes were to be made in the procedures under the bill which would affect the revenue of this province, we should now know whether or not the province will collect more money or less money on the basis of the proposed procedure apparently to be adopted in this bill to amend the rule against perpetuity and the companion bills.

Now, regardless of the effect of the report to which the hon. Attorney General has referred, I think it would be very important that the economic and tax consequences of such a bill as this—if it has those consequences—should be explained to the House and should be explained in substantial detail. The reason why it is now of concern to us particularly, and would have been of concern otherwise, is that you will have noted there has been a substantial move on

foot which has been successful in the province of Alberta, to repeal The Succession Duty Act in that province entirely. Also, I am certain, members of the House will be well aware, that there is a growing volume of opinion amongst the well-to-do business leaders of the country that in some way or other succession duties should be eliminated. The reasons given for the elimination of succession duties which basically depend on this rule is to permit the additional accumulation of the capital in estates, and that the province does not derive any substantial revenue from succession duties. I think the House should clearly understand that the failure of the province to derive substantial revenue from succession duties is because of the provisions of this rule.

The second reason which is usually given is that some way or other allowing people to accumulate a substantial estate so that they may convey it to their children or their grandchildren is one of the ways in which we would retain in Canada a substantial number of people with skills and ability. I would certainly like to record my dissent from the proposition that one of the ways in which we can spuriously attempt to accomplish the aim of retaining skilled and intelligent people in this country is only if we abolish the succession duties.

In closing my remarks, Mr. Speaker, I would simply refer to the fact that it is a well known and accepted proposition that the immediate and crucial purpose of the rule against perpetuity is to enable people to extend the time during which succession duties are payable to the jurisdiction in which they reside or are domiciled. I believe in the illustrations which I have given I have been able to suggest to this House that this bill deserves serious consideration and debate. For that purpose, Mr. Speaker, I move, seconded by my colleague, Mr. Bryden, that the motion be amended by striking out all the words after "that" and substituting the following:

> In the opinion of this House, the rule against perpetuities should be restated to invalidate interests which vest after more than one generation.

And I so move.

**Mr. Singer:** I would like to speak to that amendment.

**Mr. Speaker:** It has not been put yet.

**Mr. Singer:** I am sorry.

**Mr. Speaker:** Moved by the member for Riverdale, seconded by the member for Woodbine, that the motion be amended by striking out all the words after "that" and substituting the following:

> In the opinion of this House, the rule against perpetuities should be restated to invalidate interests which vest after more than one generation.

**Mr. Singer:** Mr. Speaker, I have listened with some interest to the remarks of the hon. member for Riverdale. I can recall my days at law school when I desperately attempted to understand the teachings of Dean Wright as he propounded the rule against perpetuities. I have studied at some length the various reports that have emanated from the law reform commission and the bills that have been brought forward.

My friend seems to be off on a tangent that I frankly admit I do not thoroughly understand. And in the amendment that he moves he is now suggesting that a man who wishes to leave his estate, as I understand it, if I am wrong I am sure he will correct me, cannot leave it past one generation, he cannot leave it to his grandchildren, is that right?

**Mr. Bryden:** He cannot escape taxes on it.

**Mr. Singer:** Well, there are a variety of ways of extending or minimizing taxes, but the way my friend has phrased his amendment it would seem to me to suggest that if a man makes his will today he cannot leave any part of his estate to his grandchildren. I do not think this is any answer to anything.

Without saying too much more, Mr. Speaker, I cannot see how this amendment can be supported. My friend may have a point; if he has any, I have not been able to quite follow him. But as he has phrased his amendment, if he suggests that the law be that a person be not able to bequest any part of his estate to his grandchildren, then I think it does not make any sense and we cannot support it.

**Hon. Mr. Wishart:** Mr. Speaker, the origin of the rule against perpetuities, which is a court-made rule, was brought about by the attempt of the courts and the actions of the courts to put a limitation on the time during which property could be retained or entailed so as to go down to a number of persons, particularly in family situations. The courts drew a line and established a rule known as the rule against perpetuities which said you cannot tie property forever to pass down and down, it can only be given for a life or lives in being and 21 years thereafter. So you could leave the property to the widow or a brother or a relative or any person and for that

person's life and 21 years thereafter. That was the limitation.

There was nothing wrong with the rule particularly except that conveyancers, persons drawing wills, even lawyers—if I may say that—lawyers, but particularly persons who are not trained in the law, preparing wills would create what was quite on its face a proper disposition by way of will or devise, but the mere fact that there could be a possibility, just the mere fact there could be a possibility, of the situation extending beyond the life in being and beyond 21 years made the will, insofar as that disposition was concerned, void, and that is the way the courts interpreted it. They threw the whole thing out, although it was quite a legitimate attempt to keep property in the hands of a family of children for their lives, if the language of the will—the devise as we call a will—was such as to permit the slightest possibility of the breaching of the rule against perpetuities that the property could stay in those hands to which it was extended by the will, for more than the life existing at the death and 21 years thereafter, the whole thing was out. And the great evil therefore of the rule against perpetuities was that it created a tremendous amount of litigation. It destroyed a great many legitimate gifts that were otherwise legitimate except for this rule. It became fantastic and ridiculous, in the lengths to which the rule was carried.

I could take report No. 1, or if you want some fantastic reading, read report No. 1, of the really fantastic results that come about by the application of this rule.

So what has happened is that for years there has been an agitation to get some certainty into this situation, to—not necessarily to limit the time, but to make it certain.

What the law reform commission said in its report No. 1, was modify this rule to this extent, that if a will is written which may offend, but which is otherwise legitimate as to time, if it could happen within the period, let us wait and see if these conditions, these factors, these things come about, the deaths or whatever, wait and see, and that is the principle that is applied by rule No. 1.

Now that is report No. 1. It has been modified to some extent in report No. 2, and I suggest to the hon. member for Riverdale that if he will—I do regret that he did not get the report, because I must confess if he asked me to put him on the mailing list, I either neglected to do it or forgot about it. If he would look at report No. 1-A, he will find that while he may perhaps be able to create the examples he gave the House today, I think it is altogether unlikely that he will find that those examples fully apply. Actually, what the law reform commission is recommending is that there simply be a little more certainty inserted. The time is not really extended. It could in some instances extend, on the wait and see principle, for some little time, but I do submit that this will not affect to any degree whatsoever revenues which will be collected by succession duty officers of this province.

There may be the occasional case where you could create an example and say, if you followed the legislation as now proposed, as amended by report No. 1-A, you could have a longer tenure of land and therefore you would not collect the tax quite as soon. But over the period, I think it will make not one cent difference in the collection of succession duties.

We fell heir to this rule as a part of our British common law. It is a court rule. In Britain, the law was changed and our report of the law reform commission followed it quite closely. It was changed in Britain in 1964. They called it there The Perpetuities and Accumulations Act and it was a recommendation of the English law reform committee. It was adopted and legislated into effect.

In Western Australia, they had anticipated the mother country in its action, and it enacted its statute—also based on the studies which were being done in the English law reform commission—it enacted its statute in 1962, so we are not new in this. There are other provinces which have considered it. I am not sure—I have not got my notes—whether this has been done in any other province of Canada, but in many other jurisdictions the rule against perpetuities, which is a common law rule in the British law system, has been abandoned. It is something we should do. I do not feel it will affect revenues of our province.

I would be glad to discuss this at length in committee, and if it is made apparent that the matter is as serious as the hon. member believes it to be, and we can be shown that, particularly in the light of what would be found by way of amendment in report No. 1-A, then I think we should come back to this House with amendments further to those now proposed. But the bill as now proposed is as contained in report No. 1 of the law reform commission, with the amendments as contained in report No. 1-A, and I speak against the amendment.

**Mr. Bryden:** Mr. Speaker, when I asked that the bill be allowed to stand, I momentarily had the impression from the Attorney General's interjection that there was relevant information at which we had not looked, and which might cast serious doubt on the figures and other arguments presented by my friend from Riverdale. It now becomes quite clear to me, both from what the Attorney General has now said and also from the very sketchy remarks he made on first reading that the argument presented by my hon. friend from Riverdale is completely valid.

I would say that this bill could quite reasonably be entitled, An Act to confirm a legal method of escaping succession duties or estate taxes.

What we object to is not the clarification of this judge-made law, which has been part of the law of the land and of other lands for a long time. What we object to is confirming the principle contained in it, in a statute of this province. The effect of it essentially is that people with large estates escape succession duties, and I judge from what the hon. Attorney General has said that the period of escape may be even longer than it was before. We objected to the length of time during which they could escape under the law even as it stood before the hon. Attorney General brought his bill in.

We have put forward in our amendment an alternative principle that there should be a reasonable limit on this time. I naturally am not going to try to get into the technicalities of the rule against perpetuities and of the modifications proposed in this bill. I attempted to read report No. 1 and I must admit I got lost fairly soon along the way. However, my friend from Riverdale translated the essential parts of the report into English for me and I think I have at least grasped the main principles contained in the bill and in the report.

We have not seen report No. 1-A, but I would judge from what the hon. Attorney General said when he introduced the bill on first reading, that the bill now before us was not significantly changed in any case as a result of that report. So we are really back where we were last year, with much the same bill before us.

I have before me, Mr. Speaker, an example of what can happen as a result of the conventions now permitted under the law and which will be confirmed with minor modifications in the bill before us.

The example I have is about four years old, but in a field of this kind it is rather difficult to get current examples. I suppose if one was in this field of law, or in the administration of estates, one would have many examples before him. But people like myself, who rely mainly on the information we pick up in the press and other journals, do not have as much access to information.

However, I was rather interested in an item that appeared in the Winnipeg *Free Press* of March 1, 1962. It is interesting that this item related to an estate in the province of Ontario. Yet as far as I know, the information contained in that story in the Winnipeg *Free Press* did not appear in any Ontario newspaper.

This is the sort of difficulty we laymen are up against in trying to find out what goes on, but I think this item that appeared in the Winnipeg *Free Press* is a good example of the sort of thing we are complaining about. I am going to read most of the item, if not all of it; it is quite short. The heading is, "Wright fortune multiplies," and the story is datelined Toronto, Canadian Press.

> The estate of William Henry Wright, valued at $7,700,000 in 1951 has swollen to considerably more than $20 million, it was disclosed Wednesday. Mr. Wright staked the property which became the Wright-Hargreaves Mine, and in 1936 founded the Toronto *Globe and Mail*.
>
> He died at Barrie in September 1951 at the age of 75. The value of the estate was disclosed in an affidavit Wednesday by Kenneth Burn, general manager of the Chartered Trust Company, one of the executors.
>
> He said the increase in value of the assets is due notably to investments in the Globe Printing Company and the Crown Life Assurance Company. The affidavit was submitted in a court hearing in which Mr. Justice F. M. Shatz increased to $8,000 from $1,200 the annual income which seven relatives receive from the estate.
>
> The seven beneficiaries include three children of Mrs. Wright's sister, Mrs. Francis Hargreaves of Barrie. Mr. Wright directed that the estate capital not be divided until 21 years after the death of the youngest beneficiary born during his lifetime.

As I understand that last sentence he was taking maximum advantage of the leeway that was permitted under the rule against perpetuities. I do not know anything about the Wright family situation but it is quite possible that he had a young grandchild

when he died in 1951, and this estate would escape taxation among other things during the entire life of that infant who would live to 70 or 80 years of age, plus 21 years beyond that. In other words, a concrete example of the approximately 100 year lag that my hon. friend from Riverdale was talking about. All the time the estate is multiplying in value; there is a tremendous concentration of capital in one estate. Several people along the way are going to be dipping into it for a great many years, reaping where they have not sowed.

The hon. Provincial Treasurer of Ontario and also the Minister of National Revenue in Ottawa are frozen out of the picture. The public gets no benefit at all in the form of estate taxes for a period which will extend beyond the lifetime of all of us here. This is the thing we object to. While we have no objection to a man making a provision whereby, shall we say, his widow would be able to benefit from the income of his estate during her lifetime without succession duties being collected, we believe that when there is the next transfer after the death of the widow, or some such period as that, then the public has a right to obtain its share through taxation.

We object to escaping from succession duty and estate taxes for a period that is so long that it might as well almost be called an infinite period. My hon. friend from Riverdale has suggested, and I believe that he is right, that this is costing a large amount of revenue to the province of Ontario. Succession duties are not, it is true, a major source of revenue in this province at the present time. They are not an unimportant source, but they are not a major source. They are much smaller than certain others such as sales tax with its heavy impact on the man of limited income, or the gasoline tax which is also a form of sales tax, or the income tax or the corporation tax. They constitute at the present time a much smaller source than any of those others.

We believe that they could become a much more important source if something were done to limit the leeway that is now permitted under the rule against perpetuities as it has been interpreted by the courts and as it is now being put in statutory form with minor modifications in this bill. At a time when taxes are rapidly increasing, when as I have stated many times in this House before the burden of taxation is steadily being shifted from the rich to the poor, we believe that this source of taxation should be exploited more fully.

We should not allow this gaping loophole that exists for all rich men. After all, a succession duty is one of the most painless forms of taxation. After provision has been made for a widow and dependent children you are really taxing nobody. The man who earned the money and the property, and the man who owned it, he is dead. You cannot hurt him any more, and all you are doing is taking into the public domain a certain percentage of it which would otherwise go to people who did nothing to earn it and who make no contribution to the community in return for the income and property they are receiving. What could be a more reasonable and a less painful form of taxation?

**Hon. Mr. Wishart:** The widow who is left her husband's estate and is taxed for succession duty did nothing to earn it?

**Mr. Bryden:** I was suggesting that full provision should be made for the widow. I think the import of our amendment, and we are not concerned about having a legal interpretation of it, is clear enough, that the person making the will should be allowed to tie it up for the lifetime of his widow. We have no objection to that, we have no objection to full provision being made for a widow and dependent children, but when it gets beyond that point, we suggest that there is no reason at all.

Some men, of course, try to acquire immortality through their estates. It is a futile game, they do not achieve it, and I am not sure that St. Peter will be very much impressed, but somehow while they are still alive they seem to get a certain satisfaction in thinking that if there is a huge and growing estate that is held intact and has got a name attached to it, they will acquire some form of immortality. I do not think we have to cater to that foible of human beings; they obviously are quite mistaken. We are suggesting that, especially at this time of rapidly increasing taxes and of a steady increase in the regressiveness of taxation, we should no longer leave largely unexplointed this important source of revenue to the people of Ontario. That is why we have put forth our amendment, Mr. Speaker.

As I say we are not concerned to get into a legal quibble as to precisely what the words mean. I think they convey the idea we are trying to get across, and we believe that if legislative action is to be taken at all with regards to the rule against perpetuity, then it should be taken in a constructive and progressive manner in accordance with the thinking of the second half of the twentieth

century rather than the thinking of 300 years ago when the rule was first enunciated by the courts, according to the information my friend from Riverdale has given to me.

**Mr. Speaker:** Second reading of Bill 131 carried? All those in favour of the motion, will please say "aye." Of the bill being now read a second time, say "aye."

All those opposed, will please "nay."

I believe the "ayes" have it.

Call in the members.

All those in favour of Bill 131 being now read a second time, will please rise.

All those opposed, will please rise.

| Ayes | Nays |
|---|---|
| Auld | Bryden |
| Bales | Freeman |
| Beckett | Gisborn |
| Ben | Lewis |
| Boyer | (Scarborough West) |
| Bukator | MacDonald |
| Butler | Renwick—6. |
| Cass | |
| Cecile | |
| Connell | |
| Cowling | |
| Demers | |
| Downer | |
| Dymond | |
| Eagleson | |
| Edwards | |
| Farquhar | |
| Gaunt | |
| Gomme | |
| Gordon | |
| Grossman | |
| Guindon | |
| Hamilton | |
| Harris | |
| Henderson | |
| Hodgson | |
| (Scarborough East) | |
| Johnston | |
| (Carleton) | |
| Knox | |
| Mackenzie | |
| MacNaughton | |
| Morningstar | |
| Nixon | |
| Olde | |
| Oliver | |
| Peck | |
| Pittock | |
| Price | |
| Racine | |
| Randall | |
| Reaume | |
| Reilly | |

Ayes

Reuter
Rollins
Root
Rowe
Rowntree
Simonett
Singer
Smith
Spence
Spooner
Stewart
Trotter
Villeneuve
Walker
Wardrope
Welch
Wells
Whicher
Whitney
Wishart
Worton
Yakabuski—**63.**

**Clerk of the House:** Mr. Speaker, the "ayes" are 63, the "nays" 6.

Motion agreed to; second reading of the bill.

## THE ACCUMULATIONS ACT

Hon. Mr. Wishart moves second reading of Bill 132, An Act to amend The Accumulations Act.

Motion agreed to; second reading of the bill.

## THE TRUSTEE ACT

Hon. Mr. Wishart moves second reading of Bill 133, An Act to amend The Trustee Act.

Motion agreed to; second reading of the bill.

## THE CONVEYANCING AND LAW OF PROPERTY ACT

Hon. Mr. Wishart moves second reading of Bill 134, An Act to amend The Conveyancing and Law of Property Act.

Motion agreed to; second reading of the bill.

## THE HOUSING DEVELOPMENT ACT

Hon. S. J. Randall (Minister of Economics and Development) moves second reading of

Bill 136, An Act to amend The Housing Development Act.

Motion agreed to; second reading of the bill.

## AMBULANCE SERVICES AND STANDARDS

Hon. M. B. Dymond (Minister of Health) moves second reading of Bill 137, An Act to promote ambulance services and improve their standards.

Motion agreed to; second reading of the bill.

## THE CEMETERIES ACT

Hon. Mr. Dymond moves second reading of Bill 138, An Act to amend The Cemeteries Act.

Motion agreed to; second reading of the bill.

## THE AIR POLLUTION CONTROL ACT

Hon. Mr. Dymond moves second reading of Bill 139, An Act to amend The Air Pollution Control Act.

Motion agreed to; second reading of the bill.

## THE ONTARIO MENTAL HEALTH FOUNDATION ACT, 1960-1961

Hon. Mr. Dymond moves second reading of Bill 140, An Act to amend The Ontario Mental Health Foundation Act, 1960-1961.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, on Bill 140, the transfer of the forensic clinic from the Toronto psychiatric hospital to the new C. K. Clarke institute, I think raises certain matters of principle which I would like to bring forward in the House at this moment.

It raises in large part the principle—not first enunciated, but alluded to by the hon. Minister of Health yesterday—of the community boards for psychiatric hospitals, a principle which I think is highly commendable and desirable and one that I hope the hon. Minister will pursue with great energy and which this bill reflects, because of course the C. K. Clarke institute will be run by a community board and it may bring the professional staff back to the institutions hitherto deprived. It may raise salaries as a result of the pressure. It may remove the sense of isolation that so many of these hospitals have felt and it may involve other aspects of health, physical as well as mental.

But the point I want to make, Mr. Speaker, and it derives directly from the shift of the forensic clinic, is that any shift of this kind, and this is the first experiment, should not be excessively disruptive and I suggest to you that in this case it has been. I am going to document that in a moment's time.

I think it is something which should cause some concern to the community as a whole and to the hon. Minister in particular. It is worthy of careful viewing and it began, if I can remind the hon. Minister, with the resignation of Frank Rubenstein several months ago. The letter which became the subject of much controversy in the press of Metropolitan Toronto, a letter of resignation which I have before me, is addressed to Professor Henry from Dr. Rubenstein, and in order to give a quick framework for my remarks, I would like to read the first paragraph into the record:

> Dear Professor Henry:
>
> As you are all aware, I have been giving a great deal of thought to my future as a member of the Toronto psychiatric hospital and the possibility of continuing in such a role at the Dr. C. K. Clarke institute of psychiatry.
>
> You will remember our conversations in which I indicated some unhappiness and distress about that future. Since the first of the year it has become increasingly obvious that at least at this time there is little if any role for the paramedical personnel to play at the programming and policy level of the new institute. Since this is contrary to my prior experience I have been most unhappy about it.
>
> Further, I find that communication even amongst the senior staff in relationship to nonmedical personnel is practically nonexistent and hence makes my current position almost untenable in respect to attempting to deal with both the members of my staff and the professional community who are concerned about the new institute.

There was then dramatized in the community some of the problems which arise when you shift from a place like the Toronto psychiatric hospital to the C. K. Clarke institute, the shift to the community board. There followed Dr. Rubenstein's letter, and this is not, I think, recognized, a series of resignations so great in number that it is most curious.

Recently, if I can put it that way, the complement at the psychological staff level of the Toronto psychiatric hospital, when you in-

clude research personnel and special projects and University of Toronto personnel, was 21. My understanding, and I have gone over it very carefully, I assure the hon. Minister, is that of those 21 people, 18 resigned in the transfer to the C. K. Clarke institute.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, on a point of order, and with very great respect to the hon. member, and despite the fact that this is of great importance and very worthy of being brought before the House if it is deemed that this is the place, I submit that it has nothing whatsoever to do with this bill.

This bill is only to provide the legislative power necessary to continue the work of the forensic clinic under the C. K. Clarke institute. It is now under the Toronto psychiatric hospital, an institution which is fading from existence, indeed has now faded from existence. But we want to continue the services it provided, under the aegis of the new C. K. Clarke institute.

But the internal operation of it, I submit, has got nothing whatsoever to do with this bill. This is under the control of the board.

**Mr. Speaker:** I think the Minister's point of order is well taken. I was just reading the bill mystelf and I think that perhaps the member's remarks do not come within the purpose of this bill, which is to update and extend the scope of the provisions of the Act respecting forensic clinics—I am talking about 141 and 140, as the Minister has said—is simply to bring it in line with the Clarke institute.

**Mr. S. Lewis:** I will confine my remarks exclusively then to the forensic clinic, and point out to the Minister that in the transfer to the forensic clinic all four social workers have been lost. I do not know the number that have subsequently been hired by the C. K. Clarke institute, but all four of them were lost.

**Hon. Mr. Dymond:** Mr. Speaker, on a point of order, I have to submit this has nothing whatsoever to do with this bill. All of these things are quite true and, if I may say so, the staff of the clinic, the staff of TPH were given the preference of joining the C. K. Clarke institute or staying with us, or going to some other facility. They elected to do as they chose, but that does not come within the purview of this amendment.

**Mr. Speaker:** The member should contain his remarks as to whether he thinks this is a good bill or not. The purpose of the bill is to make section 23 of The Psychiatric Hospitals Act, which contains the provisions respecting forensic clinics, applicable to the C. K. Clarke institute. The member should either say he thinks it is a good thing, or he does not think it is a good thing. If he does not think it is a good thing, he should state his reasons for so thinking.

**Mr. S. Lewis:** I tried to do that, Mr. Speaker. I began by saying that it is a desirable thing to shift to community hospital boards. I think I prefaced my remarks that way. I went on to say that such a shift should not be shrouded with some concern, should not have serious disruption. Perhaps I was a little too broad in my application in describing some of the disruption that took place, so I have now confined myself directly to the forensic clinic, as the clause in the bill. I am saying, and I think this kind of thing flows from the bill, the principle of the bill is to shift the forensic clinic to the Clarke institute and a community board.

I am pointing out that in the process of that shift, at the forensic clinic level, all four social workers have left, and at least two of the four psychologists have left, and this reflects an overall loss of staff of very major proportions in the shift from Toronto psychiatric hospital to the forensic clinic.

The hon. Minister is right. The staff had their choice as to what they wanted to do. Many of them, I would point out to this House, moved to The Department of Reform Institutions. Indeed, no single agency has so benefited from this view as The Department of Reform Institutions. They have acquired Dr. Stokes, they have acquired Dr. Hutchison, they just acquired Mr. Hartman, they have taken the most experienced forensic and outpatient people in the field who did not move to the C. K. Clarke institute at the point of the shift.

The question I simply wanted to raise with the Minister is, what prompted it, and should it have to happen when we shift to a community board? That is really what I am getting down to, because it is very disturbing. These people accumulated an incredible wealth of experience and knowledge in very specialized fields like forensic psychiatry, and yet when a major medical development takes place they withdraw.

There has been—and there is no use avoiding it, Mr. Speaker; it was evidenced by Mr. Rubinstein—there has been some whispering in the background, some discontent, some uncertainty, about what the transfer will mean.

There was great concern over salary levels, great concern over the loss of fringe benefits,

great concern over the opportunities for research time which were available at the Toronto psychiatric hospital, I gather, but which are not now equally available at the C. K. Clarke institute. There was considerable concern and great uncertainty over the manner of transfer. And, I suggest to you, little involvement of the nonmedical professional staff in that transfer; and it caused unnecessary disruption.

Just to show the extent of confusion which arose, I want to read two letters into the record which were sent by Dr. Roberts, the executive director of the C. K. Clarke institute of psychiatry, to social workers, and those at the forensic clinic received them while in the process of the transfer. They illustrate the problems that arose. The first letter was dated May 4, 1965, and it read as follows:

> Your application of April 15 past is acknowledged.
>
> This is to advise you that your application for employment by the Clarke institute of psychiatry has been accepted and you will be appointed as a social worker when your services are required at the Clarke institute of psychiatry.
>
> Your initial salary will be that which you will be receiving at the date when your employment with the civil service is terminated.
>
> Would you please sign and return the attached copy of this letter, confirming acceptance of this agreement.
>
> Yours sincerely,
> *Signed,* C. A. ROBERTS,
> Executive director

That was in May, 1965.

In September, 1965, the following letter over Dr. Roberts' signature, went to exactly the same people:

> Dear Sir: Your application for transfer to the Clarke institute of psychiatry has already been acknowledged. This is to advise you that plans are now going forward for consideration of staff requirements and in due course your position will again be discussed with you.

Now, that is four months after they had been accepted and the appointment made.

> If you have further questions at this time, they should be discussed with your supervisor.
>
> Yours sincerely,
> *Signed,* C. A. ROBERTS,
> Executive director

As I say, many of the people involved, many of the men involved, had great concern over the method and the administrative procedures attended on the transfer and this is a pretty obvious reason why. One day you are hired and four months later it has been acknowledged and you are still discussing the possibility of being hired. Put that in the context of the general concern over the questions of salaries and fringe benefits, and so on, and I think that the hon. Minister should view any such subsequent transfer with concern.

The last point I wanted to raise, Mr. Speaker, was that the root of all of this, I suggest to you, is a very considerable apprehension on the part of most of those who decided not to go. I think it would be in the back of the minds of many that the emphasis of the institute might well be primarily medical and that the concept of the clinical team of all the various disciplines working together, would not obtain to the degree that is desirable in that kind of setting.

I suggest to you that there has to be some kind of explanation for this quite unprecedented series of resignations. They are not so much resignations perhaps as they are transfers to other departments and withdrawals from service, but they amount to the same thing, this very large number of people who decided to withdraw their wealth of experience from the Clarke institute in the related disciplines.

I make no value judgments on it, Mr. Speaker. I say that in discussing the principle of this kind of bill it should be raised, and that the hon. Minister, if he is moving into the field of community boards as he has suggested he is, should perhaps look at this as a prototype, as an experiment which has to be carefully watched so that any subsequent changes can be avoided in the future.

**Hon. Mr. Dymond:** Mr. Speaker, this is exactly what we did do. In the establishment of the C. K. Clarke institute we put the control of the institute in the hands of an independent board. It was done deliberately as an experiment from which we hope to gain a great deal of information and experience, having in mind the ultimate objective of turning all our hospitals over to the control and direction of boards of interested citizens.

Now, maybe we were a little bit too generous in our approach to this insofar as the board is concerned. We said to the board: "The C. K. Clarke is going to take

over the role and function of the TPH, you have our authority and blessing to go in to the TPH, speak to all of the staff, give them complete freedom of choice either to join your staff or stay with us." For our part, we advised the staff that those who chose to go over with C. K. Clarke had the right to do so as long as they were willing to accept the conditions of employment which we did not then know. I still do not know conditions of employment insofar as fringe benefits, etc. are concerned. I understand that they compare reasonably with those offered in the public service.

May I inject here as an aside, it is rather refreshing to me after what I have heard over the past several days to find there are outstanding people who have been in the employ of The Department of Health, who are still willing and happy and anxious to stay with government in spite of all the bad things that have been said from time to time about our service. It does not really matter to me which department—I would like to keep them all in my department—but as long as they serve the people of Ontario in the various institutions, various departments where their skills and training are valuable, this to me is very encouraging.

I would emphasize that the staff were advised that those who chose not to go to the C. K. Clarke would be given at least comparable positions if they remained with The Department of Health, or we would help them transfer to other departments of government where their services could be used and were needed.

I really cannot understand why there was this disruption. I do not know anything about Dr. Rubinstein's reasons for refusing to join the C. K. Clarke. I do not suppose I will ever know because I have not asked the man. I do not intend to ask him. He chose not to go with them. I do not believe that there is very much reason for his apprehension or for the apprehension of any of the staff that the C. K. Clarke will be purely medically oriented. I think I can say with conviction that Dr. Stokes, Dr. Roberts and all of the staff, both university and hospital staff, are determined to establish an exemplary type of service. It has been well recognized by TPH for a long time that the only approach to good mental health treatment services is on a team basis. Indeed, I think their team concept is broader than that of many places.

I do know there are many psychiatrists who do not believe that the psychologist, the social worker, has a place on the team. But this is again a professional opinion. That opinion does not obtain in C. K. Clarke, of that I am quite certain. So I feel any apprehension in this regard has not much validity. But it may exist, and how does one get it out of the minds of the professionals concerned? We have tried to point out to them that at least as good a service is to be continued in C. K. Clarke, and better if that be possible.

The board of C. K. Clarke has been given complete responsibility for its operation. They will report to the foundation once a year and the foundation will report to the Legislature through my department. The foundation's report will be tabled once a year. But there will be no direction of the board and no control of the board of the institute by my department because there is no sense in inviting citizens to undertake a job of this kind and then telling them what to do. In fact, Mr. Davidson made it very clear to us that our method of budgeting or our method of scrutinizing his budget was not acceptable to him or his board, and he did say, in fact, that it was rather unwise at least, or rather ridiculous, to ask him and the board to do a job and then tell him what he was going to do which, of course, is quite reasonable and quite realistic.

So, I would not presume to try to tell this board what they ought to do. I am interested in what they are doing, we frequently meet, and Mr. Davidson, the chairman of the board, Dr. Roberts, the medical director, keep me up to date. But, in matters of this kind, I must say, I am not kept informed because I do not ask for the information, and I can only say in summary, sir, I do not know why these people left. But again I repeat with emphasis that it is rather encouraging to me to know that many of them chose to stay with the government service, whether in my department or in other departments where their service is needed.

On the other hand, the points that the hon. member has made certainly will be borne in mind, perhaps a little more carefully because this will be part of the experience we have gained from this operation. As and when we move into other boards, we certainly will look at all aspects, all experiences that we gained from the operation of this new undertaking.

Motion agreed to; second reading of the bill.

## THE PSYCHIATRIC HOSPITALS ACT

Hon. Mr. Dymond moves second reading of Bill 141, An Act to amend The Psychiatric Hospitals Act.

Motion agreed to; second reading of the bill.

## THE EXPROPRIATION PROCEDURES ACT, 1962-1963

Hon. Mr. Wishart moves second reading of Bill 142, An Act to amend The Expropriation Procedures Act, 1962-1963.

**Mr. Singer:** Mr. Speaker, Bill 142, An Act to amend The Expropriation Procedures Act, 1962-1963, is the second in a series of amending statutes to a statute that was insufficient in the first place. The Expropriation Procedures Act resulted from the report of a select committee set up by this Legislature to investigate all of the laws concerning expropriation in the province of Ontario, and to determine whether or not they could be improved in light of all the public concern that had been expressed about the methods of determining valuations; about the judgment that was exercised in connection with expropriations; about ability of people who were losing their land to be able to cope with the might of the state in providing themselves with information about values with competent legal advice and all that sort of thing.

Now, that committee was chaired by the hon. member for Grenville-Dundas who was at the time he was appointed the Minister of Highways and he, along with the secretary of the committee, the present deputy Attorney General, took substantial responsibility for the courage of the committee's report and for the amending legislation.

When the bill which brought about The Expropriation Procedures Act was introduced, the hon. member for Grenville-Dundas, then the Attorney General, introduced the bill by saying that there were many remarks concerning the substantive law in expropriation matters and many recommendations of very substantial importance in that report which he, as the Attorney General, did not think the House should deal with at the time. The Expropriation Procedures Act was being introduced. He said that, in his opinion, these matters were very complicated, they affected many people, they needed additional thought and further consideration beyond that which the committee had already been able to give and beyond that which the Attorney General's department had been able to address to this very important problem.

He said, in fact, that he was introducing an Act which would deal with procedural matters and it was hoped that these procedural matters would be brought into line so that the people who are affected by expropriation will have a more logical or better way of getting notice and a better way of being given some of the protections that we can afford to them by changing these various procedures.

Certainly the hon. member for Grenville-Dundas did not suggest that by bringing in The Expropriation Procedures Act in 1963 that the problem was by any means being solved. In fact, it followed almost without saying that what was being done was a tidying up of certain of the more obvious defects.

I think it is well to remember that this select committee was constituted in April of 1960 and that they submitted two interim reports in 1961, in the fall of 1960 and in the fall of 1961, and they submitted their final report in April of 1962.

Bill 88, The Expropriation Procedures Act, appeared in the session of 1963. So we have come more than six years now—more than six years, Mr. Speaker, since the government felt that the problems of expropriation in the province of Ontario were of sufficient importance to set up a select committee which would recommend changes.

What were some of the changes that committee recommended in its report? They suggested there be a uniform statute consolidating all expropriation and compensation procedures; they suggested that the uniform statute provide a common basis for compensation for all agencies which are authorized to expropriate; they suggested there be a special tribunal to assess all compensation and that it be given enough members to deal expeditiously with all matters that were brought before it. They suggested certain better provisions be made insofar as notice was concerned; they suggested offers be made in advance of land being taken and certainly they spent some time on whether or not those offers should be of sufficient amount that they might be reasonable. They suggested some provision be made for awarding costs and putting a person whose land was being taken in a position where he could reasonably argue and reasonably dispute the value of the authority that was taking away his property.

As I said earlier, sir, except for the few minor procedural amendments that were set out in Bill 88 in 1963, really we have had

no approach to these problems at all. So, in six years, Mr. Speaker, the government has done really nothing to clear up a problem that was felt to be of such urgent nature in 1960 that the government had to set up a select committee to deal with it, and when it set up that select committee it put on one of its senior Cabinet Ministers, the then Minister of Highways and later the Attorney General.

What position are we in now, sir? We are in the same position we were in in 1960, only it is a bit worse. It is a bit worse, even this afternoon, because this afternoon we have a new Act—The Commuter Services Act, 1965—and in addition to all of the other expropriating authorities, this bill that was introduced this afternoon gives us just one more expropriating authority, just another body that can come in and take land and carry on under the same objectionable and difficult features that exist insofar as all the other expropriating authorities are concerned.

There have been various guesses as to how many authorities there are. My guess is that it is substantially over the number of 4,000. Let us remember that all of the municipalities in Ontario—some 977 of them—have expropriating powers. All of the school boards —and the hon. member for Brant tells me that there are something like 3,000 or 3,500 of those—separate school boards, high school boards, continuation boards, the Minister of Public Works, The Department of Highways, anyone who owns a cemetery, Ontario Hydro-electric power commission, public utilities commissions, gas companies under The Energy Resources Act, the Ontario water resources commission, the stockyards board, the liquor control board, the Niagara parks commission, railways, the Ontario railways under the provincial Act—and I am leaving out all of the federal Acts because there are additional federal powers—the Ontario-St. Lawrence development commission, the Ontario telephone and development corporation, the Ontario research foundation and so on.

I do not suppose that anybody in the government has bothered to add up the number of different expropriating authorities there are. It is undoubtedly more than some 4,000, and the powers of these bodies are found, sir, in more than 30 statutes. Each one with a little variance, one from the other. Well, matters moved on. The crisis was sufficient in 1960 to warrant the setting up of a select committee and eventually the committee's deliberations moved the government at least to bring in the Bill 88 of that day, The Expropriation Procedures Act. The situation did not improve. We had the crisis in Oxford, we had the Pittock dam crisis, and we have had two Pittock dam release statutes since that time. And that is the only explanation for it. The government was thoroughly embarrassed as it should have been because of what happened in the county of Oxford, and a year ago it set up the kitchen cabinet conciliation system, whereby the people of Oxford might be mollified a bit and protected to some extent, perhaps, against the high handed and arbitrary actions of the conservation authority, or the authority that wanted to build the dam in the county of Oxford.

Well, that was not quite enough, and here we have the second Oxford county amelioration Act, we will call it that. These Acts are devised solely to try to save the government's face for the horrible mess it got into in the county of Oxford, and being Acts directed only to a single situation, they fail because they do not cover the breadth of the problem in the whole of the province of Ontario.

And then there was another little story concerning the efforts of the University of Toronto to expropriate land for Erindale College. The University of Toronto, one of these more than 4,000 expropriating bodies, in its widsdom decided to take certain parts of the land and certain private homes in the Erindale area and the people there believe there was a better way of doing it, that they could have taken a large vacant tract of land and done their job equally well. Well, the public outcry reached such a stage, sir, that eventually the University of Toronto, or the people responsible for making these decisions in the University of Toronto, thought better of their original decision and abandoned their expropriation. Again, the government must assume and must accept responsibility for this type of decision. So we get the second excuse for this Bill 142, An Act to amend The Expropriation Procedures Act.

Two difficult situations, two embarrassing situations, and we have two small palliative Acts that are brought in to save the government's red face. And that is all it is. It must be, sir, that there is a problem developing so far as hospitals are concerned about which we have not heard as yet publicly, because hospitals are included in this Act as well. Why else can one imagine that conservation authorities, hospitals or universities, out of all the great mass of expropriating authorities, are singled out for special treatment in this Act and in this way.

Now, sir, I have said many times and I

say again this afternoon, that I think that there should be some system for a review of judgment insofar as the expropriating decision is concerned. I think it should apply to all expropriating authorities. I think it should apply, Mr. Speaker, to anybody who decides that the public needs private land, and wants to take it away forcibly, and deny the owner of that land the right to retain it. I think there should be an opportunity to review, not just the decisions of three bodies—universities, hospitals and conservation authorities—I think there should be a right to review the judgments of all bodies that take privately owned land.

I think, sir, the people of Ontario have long since become thoroughly fed up with the overextending power of government, and its right to interfere with private and personal rights, and lack of regard, complete lack of concern, for private property. I do not think in this day and age anyone opposes the building of highways or anyone opposes proper conservation areas. We recognize we need hospitals and schools and all these things that government needs to take private land for the various levels of government. But I think the people are entitled to be satisfied that when their land is being taken for public purposes, there is some reason, some logic, and some sense, behind the political decision that is made at the time it is going to be taken.

Our laws have been just a mishmash of bits and pieces in the 120-odd years that this Legislature has existed. They have grown up bit by bit and expropriation has not been a serious problem because of our vast land areas and because of our comparatively small population. But in the last 20 or 30 years, as our population has tended to become more concentrated and as land values have increased, the property has become of increasing concern.

I am very surprised that the hon. Attorney General has not had a serious look at expropriation procedure in England. In England, where the population has been much more densely settled and where the value of land has been much higher, they developed quite early a complete body of laws dealing with expropriation procedures, valuations and that sort of thing. They have amended their laws from time to time to keep up to date with the problem. Well, sir, the procedure in England, and I am sure my friend the Attorney General must be aware, is that there are appeals from all expropriation orders that are made.

First of all, no expropriation order can be made without the approval of the Cabinet Minister who has been designated for this purpose—I believe he is the Home Secretary in England. Then, if there is a request for a hearing, a hearing can be taken. The Home Secretary sends down an inspector or referee, proper notices are given and people can appear before this referee and make their representation. The representations are recorded in the transcript, the referee takes note of all things that are said and all arguments that are made, and reports back to his Minister. The Minister, having read the report, read the evidence, and read the record before him, then makes an order either confirming or refusing the expropriation.

This would seem to me to make some very considerable sense, because the decision as to whether or not we are going to have bigger hospitals, or bigger schools or bigger conservation authorities, or bigger parks or libraries or stockyards or cemeteries, surely is a political decision, and the people who should answer for it are politicians.

If politicians make bad decisions, then they should be answerable for them, and they should be answerable for them in the public eye. If there are incidents where the politicians have made the wrong decisions, then those matters should be debatable first on the original taking, second on the hearing, and third when the responsible Minister has made his decision and the Legislature has their chance to speak to that responsible Minister and criticize as they see fit the decision that he has made. It seems to me to make some abundant good sense.

This is not the procedure that is set out in Bill 142. In Bill 142, the government of Ontario is looking for a nice little cubby hole into which they can hide a very ticklish and a very difficult problem. They say, well, we have got a group of people in this country who are called judges. Everyone regards the judges very highly, and we have great admiration for our system of justice and the British system of law, and so on, and we are going to give this responsibility to the judges.

It is going to take a pretty brave legislator to stand up and criticize the decision of a judge of the supreme court. I can just hear the first time that it is attempted in this Legislature. The hon. Minister of Labour stands up, throws his arms up in horror and says: "You are not criticizing our judges." He says this on frequent occasions, he shows great shock when a word of criticism is

directed against any one of our judges. Perhaps he does that with good reason. But I say to you, sir, this is what the government is inviting if they are putting the responsibility of determining the wisdom of the political decision in expropriation matters in the judge's hands.

This has nothing to do with the judge's decision. This has nothing to do with an established body of law. This is purely and simply a political decision.

**Hon. Mr. Rowntree:** I think the hon. member is drawing the definition too fine.

**Mr. Singer:** Well, I would be very happy to have the hon. Minister of Labour join in this debate, because I think it is most important that we hear, not only from the hon. Attorney General, but from several of his colleagues. I think we need a very clear explanation as to why you are giving this to judges, and I think it is wrong. I think it is wrong in principle, and I think it is going to bring very unhappy results, not only to the government, but to all of the people of Ontario. I think this deserves a very full and complete debate.

We may well have judges who believe that we are coddling our youngsters too much and we should not have more elaborate schools. Why do you not build the schools higher? I can just picture a judge saying: "When I went to school I walked up three floors, it was not all out on one floor and you do not need seven or ten acres for a new school. Our universities are too fancy. We do not need these big and elaborate residences, and we do not need all this additional 100 acres of land that you, the University of X want to expropriate. So, in exercising my judicial political judgment, I am going to say to you, the expropriating authority, you have no right to do this, you are going to be stopped from expropriating."

Then, sir, how do the people get at it? They can appear before the judge, and they will probably have to appear with counsel, and they will probably have to accept—undoubtedly they will have to accept—the usual judicial procedures and then when the decision has been given, who is there to criticize a judge of the county court, or a judge of the supreme court in the sort of decision being made? We have had great trouble in this Legislature commenting upon the matters before His Honour Judge Anderson, insofar as his arbitration of the civil service salaries is concerned, and I think on a very wrong premise. I am not going to argue that, but I think on a very wrong premise.

The fact he is a judge has no significance in his role as being an arbitrator, he just happens to be a man who people believe is a reasonably good arbitrator and he happens to be a judge at the same time. I do not think the fact he is a judge should lend any greater aura of sanctity to the deliberations before him than it would be before—well any other lay arbitrator that might be chosen.

Why then, should these matters, these political matters be put before the bench in Ontario? Why should they be put before the judges of the province of Ontario? What has given the judges a political responsibility? Their judicial appointment is for life. Their judicial appointment once made is made in such a form in this country, and we are proud of it, that they cannot be subject to various influences and there is a good reason for it. It is important that judges be independent in their thinking and it is important that when they come to judge an important criminal matter, whether a man is guilty of murder or not, whether a man is guilty of robbery or what have you, or in important civil matters that affect the wealth of people, it is important that they have this independence and they are beholden to no one when they are making their decisions.

And the types of decisions and the type of training that they get are reflected in the body of law that has come down to us over the centuries. To what body of law does a judge look to determine whether we should have a bigger or better university? Whether a cemetery should have another half an acre attached to it, whether it is a good thing to have a conservation authority? What happens there, sir? Well what happens obviously is the judge's personal feelings in this are going to rule the roost. The judge is going to think as to whether or not he would like a larger conservation authority, a bigger hospital, a better university, and he is almost beyond the pale of criticism; almost.

And I say, sir, in setting up this Act in this form, the government is doing itself a great disservice, and it is doing the people of the province of Ontario a great disservice.

These are political decisions and they should be determined in the final essence by a politician. From time to time the hon. Minister of Highways was telling us some of the issues that we have that arise here in the House are so important that they should be above politics. Well that is another canard that comes forward at regular intervals.

Surely the government must be prepared

to accept the responsibility for decisions made by those persons it empowers to make decisions. No one of these bodies that I have referred to, no one of these more than 4,000 bodies can expropriate unless it is given power by the people of the province of Ontario and there was a political decision taken in each instance by the government of Ontario to give these powers to these various bodies. Why then should the government want to slough off this responsibility and park it in a cubbyhole and say, well we have given you a chance to appeal, but we have given you a chance to appeal which really is not a political form, it is a judicial form, it is careful, it is guarded and it is unapproachable and it is going to be pretty difficult to criticize it once it has been made.

I do not know if my friend the hon. Minister of Labour is familiar with the Pritchell Down case in England. It covers many newspaper pages, books.

**Hon. Mr. Rowntree:** Has the hon. member the citation for that?

**Mr. Singer:** No, I will bring my friend the book. There is a book written on it. It is not a reported case, but it was a very famous political case. It did not come before the courts.

**Hon. Mr. Rowntree:** I just wanted the citation.

**Mr. Singer:** No, I will bring the hon. Minister the book. I am sure my friend would enjoy reading it. It involved the taking of private property by one arm of government during the war, and then that arm of government being succeeded by another, decided it could hold onto it after the war; against the wishes and desires of the original owner. It became a big cause célèbre. It became so important a matter, because it was allowed to be debated in the Parliament in the United Kingdom, the persons who were responsible for it were held to account by their colleagues in Parliament, and it resulted in important resignations by the persons who made the decisions and made the wrong decisions.

Now this is democratic process in action and what the government is deciding to do is to stifle the democratic process again. It is deciding to take this out of the public sphere and to put it in the hands of a judge who will make a decision on a basis known only to the judge, and which decision again will not be able to be criticized.

Now I have heard it suggested that the hon. Attorney General has singled out conservation authorities, hospitals or universities because these substantially are not politically accountable bodies. How, I ask him, did he single out just these three categories? Are appointed high school boards politically accountable bodies, and if so to whom? Are the stockyards people politically accountable bodies, and if so to whom? Are the gas companies politically accountable bodies, and if so to whom? And I could go on—Hydro, the utilities commissions, the appointed utilities commissions politically accountable bodies, and if so to whom?

It is important that we treat the laws in relation to expropriation as a whole, not that we nibble away at the edges when a crisis has arisen. Because there was a Pittock dam scandal in Oxford county, we have had two statutes directed to save the government's face in this regard. Because the University of Toronto acted in a precipitate way, in taking over some land and had to withdraw, we have some remedial legislation apparently being introduced.

Is the government concerned about the opinion of this man Bucovic who was evicted from his home in York township because he did not feel he was getting a fair break? Are they concerned about a man named Gardiner who, in Napier Place, was being offered some $8,500 for his house, and said: "I am an old man and I cannot buy another house for $8,500"? Are they not concerned about these things?

It appears to me, sir, the government is concerned only about the crisis of the moment. When the member for Oxford is being embarrassed, it is important enough to bring in two remedial statutes to try and save the government's face and his face on the way by. And I suggest to you, sir, that this is a poor excuse for legislation. How long are we going to wait for proper expropriation legislation in the province of Ontario? My friend is going to tell me that Chief Justice McRuer on the civil rights commission is studying a certain aspect of it, and that is correct, and when we see Chief Justice McRuer's report—and I have said this before—he is going to provide a panacea for all of the ills of the province of Ontario. And in addition to that, he referred to this other body that is also providing a panacea to all the other ills that might have been missed on the way by, the law reform commission. They are going to provide a system of uniform compensation.

Well, sir, is the government not concerned at all, is it not concerned at all with the recommendations made by its select com-

mittee? Why have none of these recommendations insofar as substantive law is concerned been implemented? Why is there not some bringing together of all of these expropriating authorities? Why is there not a system whereby the individual, who is affected by an expropriation Act by one of these more than four housing authorities, is able to properly defend himself against all the might of government? Why does he have to be put into the position that unless he is a very wealthy man, he cannot properly answer the case being built against him? Why can no two lawyers—or judges—ever agree as to what the basis is for determining values? Surely, Mr. Speaker, after all of the experience that has been had in all these other jurisdictions—and I again come back to the very carefully written laws in England—surely there is enough information available to government to bring in an Act that is meaningful and that will protect the interests of the people of Ontario. Surely, year after year they do not just have to bring in face-saving little bits and pieces, little niblets of legislation because they are embarrassed as a result of a particular incident which they caused.

In no other field that I know of is there such a mess of law. It is just a hodge-podge; it is all rolled up into a great nothing. And there is no action by government at all to try to bring order out of this chaos.

Is there anything that the average citizen feels is more important to him than the right to have some protection in his own home, some protection in the property that he has bought and paid for? And if this property has to be taken for the broad public use, then we must see that he be put into the position whereby he is not going to be hurt by that sort of taking.

Is anyone going to be able to tell this man Gardiner in Napier Place where he is getting $8,500 for his house and he cannot buy another one for under $11,500—he is an old man and he has already paid off one mortgage—that it is reasonable, fair and just that he should have to take on another mortgage? Is anyone going to be able to tell —well, you do not have to tell the people in Erindale, they were wealthy enough that they were able to bring public pressure to bear in the Legislature and in the newspapers that even the mighty University of Toronto crumbled before them and withdrew their expropriation procedure. But why should not that procedure be made available to a man like Bucovic who had to be evicted from his home by the sheriff's officers?

I say, sir, that the day has long since passed when the government can slough off an Act like Bill 142 as a remedy for anything. I say, sir, that even when they take this mincing step and bring in a bill like Bill 142, the true small "c" conservative reaction shows through it with hardly a need for any second look at the wording of the statute.

What logic is there in putting this into the hands of the judiciary? If this government has the courage to accept responsibility for its actions, let it make it the responsibility of the hon. Minister of Public Works, the responsibility for all expropriations in Ontario. Let him be the one who stands up and answers for the reasonableness of the expropriations. Let there be public hearings, let the people of Ontario express their views for and against these things. But let it be done on an equal and a fair basis.

Let all of these expropriating authorities be brought into one statute; let all the procedures be uniform; let all the evaluation procedures be made uniform; let the people whose land is being taken be given enough ammunition to challenge the might of government; let them be able to hire good counsel; let them be able to hire competent evaluators. Let us have the uniform court or the uniform body, the one body that will deal with all evaluations, so that we will have a reasonable and logical body of law. Until these things are done, Bill 142 is a sort of bill that we will never accept on this side of the House and that the people of Ontario, I am sure, will never accept as well.

**Mr. Renwick:** Mr. Speaker, in rising to speak on the second reading of Bill 142, I share with the member for Downsview the condemnation of the government for the state that the expropriation procedures in the province of Ontario are in at this time. I share that particular condemnation, not that it makes me unique, but because there is such a growing body of people in the province of Ontario who are not only frustrated, but impatient and suffering injustice day in and day out because this government has decided that for some reason or other they must put this question in the hands of a commission which is not now going to report at least until 1967.

The aspect of the condemnation which strikes me is that the Attorney General has been altogether too cute about the way in which he brought this bill in. The question that he referred to the law reform commission he referred in March of this year. I suggest, and the Attorney General can tell me whether anyone else outside the govern-

ment knew that he had referred the question of the basis of compensation for expropriation to the law reform commission on that date. I suggest that nobody in the province of Ontario knew that it had been referred. And the reply came from the law reform commission accepting that additional burden from the hon. Attorney General on March 11. To my surprise, on May 31 of this year, I find that the chairman of the law reform commission is going to hold a press conference in order to announce this reference to the law reform commission of the whole question of the basis of compensation.

Then on June 2, I find that the hon. Attorney General introduces this bill dealing with one minor and small aspect of the whole question of expropriation in the province.

It is all just too neat what the Attorney General has done. He has, in my opinion, misused the office of the chairman of the law reform commission to accomplish this political game that he is playing on expropriation matters. What he has done—and the chairman of the law reform commission stated at that press conference on May 31—is that the techniques and the procedures for expropriations are matters which will be dealt with by him in his report as commissioner on civil liberties. He stated that this new reference would deal solely with the basis of compensation.

He was asked at that press conference whether or not the work on the basis of compensation in expropriation cases would be delayed because of his other work as Royal commissioner in the civil liberties matter, and he said, no, it would not, that the basis of compensation study would not be delayed in any way, because in any event he did not intend to report on his primary commission, his main commission, this year. So we cannot expect to receive his report in this Legislature until 1967 at the earliest—and my suggestion is we will not receive it in that year either. Presumably the hon. Attorney General means by that that we are now—to use his phrase on so many occasions—it is in some way sub judice and we are not going to be able to discuss it.

It is sort of fruitless to discuss it until such time as that commission reports. The basis of compensation is now passed off to the law reform commission to discuss the question and to review it and to hold public hearings starting in September. In my slight knowledge of the law relating to expropriation, it will take them another six or eight months after that in order to deal with all the lawyers with views to express on what the law of expropriation and compensation as developed by the courts may be at this time, despite the fact that there have been many studies elsewhere and it should not take that length of time at all. Indeed, there would be very little difficulty in starting immediately with that commission studying the commissioner's report in British Columbia which dealt so extensively with the whole question.

They could start from that and could report in a very short time. But not this hon. Attorney General. He wants to make certain that the matter does not really come up for a long, long time in the future and then, if I may revert to my previous remark on June 2, he introduces this bill which deals with hospitals, universities and compensation authorities and of course the hon. member for Downsview is perfectly right. It is obviously only in those areas that the government has so far stumbled into trouble. The hon. Minister of Education is stumbling into trouble and the hon. member for Oxford (Mr. Pittock) has stumbled into trouble because of expropriations which have been done by these sorts of autonomous bodies which the government has established over a period of time.

I do not know whether some hospital is likely to stumble into trouble, but I assume that the government must have either heard of some instance where some hospital in the province may well get into the same difficulty.

This does not mean that I share with the hon. member for Downsview the concern about referring these particular types of expropriations with advance notice to the court. I do not share his concern about that reference, but the reason I do not share his concern is that in the province of Ontario, when you look around there is just no other place where the matter could be referred.

It cannot be referred—and I say this with great respect to that board—to the Ontario municipal board, if for no other reason than that board is so overloaded with work at the present time that it could not possibly deal with the matter.

There is no other board that is known and there is no other authority this government has ever seen fit to establish to deal with the question of appeals which affect individual liberties from boards and commissions. The only other way it could be referred is to the court, and therefore I do not think that that is necessarily bad. He has so boxed himself in—willingly, I believe—on this ques-

tion of compensation that when he looks around for some place where he can refer a matter, the only place he can refer it is to the court.

One of the reasons why I think perhaps the court is not a bad place to refer this, is that the one particular field where judges, I believe, are reasonably competent to deal with changing conditions and to make the kind of assessments which he is expecting them to make under this bill, is in the field of matters relating to real property, compensation and assessment.

I believe it is within the framework of the training of the courts, that they are as competent or more competent in that field than in any other field, and it may well be that this is a useful departure for the Attorney General to take in order to provide that the courts will be charged with this kind of responsibility which, I think even he will agree, is different from most responsibilities imposed upon judges. He has to exercise a judgment as to the question of reasonable necessity under this statute and that is not so much a legal judgment as a judgment of value.

This particular departure whereby the judges will exercise this kind of judgment may very well be a very useful innovation. The historic conflict between the individual and his government and how his rights are going to be ascertained has under our system been left really only to the individual member of the Legislature or to the courts. There is no other body. And, of course, until such time as the government here decides they should establish some such body as the Conseil d'Etat, which has been spoken of many times in this House, to provide that effective protection for individuals against the encroachment of administrative bodies and which will be peculiarly interested in protecting the personal rights of individuals in a complicated society, then I suggest that the reference to the county court judge under The Expropriation Procedures Act is not as bad as my friend, the hon. member for Downsview, would believe it to be.

But I say that only in those instances where the body which has the power of expropriation is a non-elected body or a body which is sufficiently removed from this Legislature that this Legislature is not responsible for it, and to that extent I think the hospitals and the universities and the expropriation authorities fall within that area.

I do not understand any more than does the hon. member for Downsview understand why the Attorney General limited himself to those three types of bodies. I think that for those particular bodies which are not responsive to public opinion, which have powers of expropriation and are not in any sense elected bodies, there is very real merit for the decisions of those bodies not to be considered political decisions and therefore not decisions which should be related to any existing board or other authority which is within the ambit of the influence of this government. Why? Because the thing which concerns the people in the province of Ontario today is the individual person whose property is expropriated and who has no effective method of protesting, except in the extreme instance to defy the existing procedures.

I think the government by this procrastination and this continuing delay in the whole renovation as to both the basis of compensation and the procedures for compensation, is for practical purposes digging itself a very real grave in the minds of the people of the province of Ontario.

I know very well that in respect of Donmount Village, to which the hon. member for Downsview has referred, we have brought the questions before this Legislature. I brought them before each of the hon. Ministers here, each of the Ministers at the federal level and elected members at the city council level, and there is not one single person who does not tell me that he shares the concern, which I share with the hon. member for Downsview in the instance he cited, and the many other instances which are available to me in that area, for those people who are being driven down the ladder of the way in which they live.

Their living scale is being depressed by an urban redevelopment scheme which is designed, we assume, to benefit and to help and to assist people to live in decent, ordinary everyday circumstances—not to be beaten by the system. We do not accept the proposition that it is the price of progress that these people should suffer injustice. We do not accept the proposition that, as the mayor said on one occasion, "You cannot have urban renewal without heartbreak." You can have it; you can have it if this government will decide not that they are going to just dig out the members of this Legislature who are in trouble because of the expropriation authority which is being exercised, but if they would turn their minds to hiving off those areas where there is real trouble, where people are getting hurt, then I think that this government could in some way repair the harm which is continuing day in and day out in this community.

The Attorney General is not prepared to do it. He does just this. As I say, I have no objection to those three bodies being subject to this procedure; I think it is a minor improvement. I have no serious objection to the reference to the courts by bodies which are granted this power of expropriation and are not responsible as elected bodies to anyone in the province of Ontario. But this whole carefully designed and limited system by which this government is not really going to deal with the powers of expropriation, the techniques and the procedures throughout the province.

I share the fears which the hon. member for Downsview expressed—we all share them, and I am quite certain that there are members sitting on the government side who share the same concern which I share about the procrastination and the inability of this government to come to grips with this problem of expropriation.

There is just no reason why we should be forced in this Legislature to sit by while there are two or three more studies, when the question will not be settled by legislation for two, three or four years. I had even asked the Minister of Municipal Affairs the other night if he could make a presentation to the law reform commission on this question, and I believe he will do so. I give him credit that in his own way he was saying, yes, he would. But I have no real assurance that he is concerned any more than any other member of the government about the plight of people whose property is being expropriated. The hon. Attorney General in my view, as I said at the beginning, has just been all too cute in the way in which he arranged that particular press conference and the introduction of this bill.

I do not think it is the way in which he normally acts.

**Hon. Mr. Wishart:** Mr. Speaker, I would ask the hon. member to withdraw the suggestion that I arranged any press conference. I had nothing whatever to do with it. I did not even know it was being given, so to that extent I was not being cute; I had nothing to do with it.

**Mr. Renwick:** I certainly accept the hon. Attorney General's word and I certainly do withdraw it. I take his word for it. I assumed that he had arranged it, that he would be well aware that such a press conference was being held, and I would certainly be interested to know under whose auspices and by what arrangement such a press conference was held, if that is the result. But I accept unreservedly what the hon. Attorney General has said.

But the point that I am trying to make, and the simple point is, you cannot tell us that the techniques and the procedures of expropriation are not going to be reported on until 1967 at the earliest; yet another commission which is going to conduct a study which cannot possibly be completed for another six, seven, eight, nine, ten months at least; and bring in a bill which deals with this limited sphere. We will support the bill, as I stated, but this will not let us depart from the proposition that the expropriation procedures have been in the lap of this government for so long that the matter should have been dealt with long before this. I simply say, Mr. Speaker, we will support this bill and I am sure others will speak on it.

**Hon. Mr. Wishart:** Mr. Speaker, the bill before us for consideration has one purpose, and that is to provide a method for the trial of necessity in expropriation of land or property by three agencies, or organizations—hospitals, conservation authorities, and universities. A trial of necessity. Some body to whom the person whose property is being taken may go and grieve, complain, and assert that the property is not needed; that perhaps all the property being taken is not required; that perhaps other property in some other area would serve just as well; and this is a new procedure. This is a new addition to the procedures now existing.

Search as you will through the report of the select committee on expropriation—which did an excellent work—you will not find such a recommendation. You will find it nowhere. You will find no discussion about it. You will find no suggestion of that procedure. But it became apparent—

**Mr. Singer:** It is a procedure that has been used in the United Kingdom for years.

**Hon. Mr. Wishart:** There is nothing in the report about it. The hon. member will not find a word of that procedure. But it became quite apparent as I observed expropriation. The government observed that there was a need to permit persons to object, at least to have an opportunity to say and to make their case: "You are asking for too much land, you do not need all my farm, the back 40 will do the job, or you could go over there where the land is not so valuable and it will serve your purpose just as well for your university, or for the extension of your hospital, or for your conservation authority."

There were various reasons why a person should have that opportunity to make that case. The bill is designed simply to afford that opportunity.

It is designed to afford it before a court, and I will admit, and I think I might be prepared to say that perhaps there is some merit in what the hon. member for Downsview says that perhaps this might very well be made as a political decision. I think this is arguable, debatable, and perhaps there is some merit in his point of view, and I had some thoughts of proposing this legislation in that way.

But if hon. members will look at the report of the expropriation committee they will find that one of the early recommendations, one of the first recommendations, was that a uniform statute be enacted, and I am reading from page ten:

> —be enacted consolidating all expropriation and compensation procedures under provincial jurisdiction with the divisions recommended in this report, and that in so doing recognition be given to the specific problems of the different types of authorities by establishing separate parts of the statute which would contain those provisions peculiar to each authority and necessary for its purposes.

In their study, in their recommendations, this committee recognized that there were very different considerations which applied to different expropriating bodies, and when you come a little further in the report, you will find that the recommendations are separated with respect first of all to the type of company. On page 31 there is a special recommendation for the Ontario energy board and it deals next with special Crown agencies. On page 32 the recommendation is that the agencies named hereunder and such others as the Legislature may deem proper to be authorized to exercise their expropriation authority through The Department of Public Works, by submitting a resolution to that department which should be authorized by statute to expropriate lands for such an agency upon receipt of a certified copy of a resolution requesting that action.

Then it names the liquor control board, the Niagara parks commission, the Ontario northland transportation commission, the Ontario-St. Lawrence development commission, the Ontario telephone development corporation, the Ontario research foundation and stockyards, for the hon. member for Downsview.

Then follows a new section 18, and on page 33 is found the recommendation:

"Expropriation by other agencies," it is headed, and the recommendation says that all authorities other than the Crown, municipal corporations—and note these—other than the Crown, municipal corporations and companies—then it says including such authorities as universities, hospitals, sanatoria, cemetries, agricultural societies and conservation authorities be authorized to expropriate under the same procedure as that applicable to the Crown if the agency is authorized to do so.

There were six there, special agencies. Three of them I have selected. They mention in the recommendation, hospitals, sanitaria and cemeteries, then agricultural societies and conservation authorities and universities. Those we have selected from that recommendation because that seems the area where there seemed a need for persons whose property was being taken to have an opportunity to say, you are asking too much, you do not need to seize it here, to take possession of the property here, move elsewhere.

Now, it could very well have been done perhaps as a political decision by an hon. Minister. But I suggest that perhaps—and I have some support apparently, from the hon. member for Riverdale—a court is not a bad place to go for an unbiased, independent decision, subject to no pressure—

**Mr. Singer:** There could be very little criticism once the thing is done.

**Hon. Mr. Wishart:** —by a trained person and with a right, as the bill provides, for appeal.

I must say I am a bit—I am not greatly disturbed—but I was disturbed to hear the hon. member for Riverdale charge me with being cute.

**Mr. Singer:** No, I do not think the hon. Attorney General rates that.

**Hon. Mr. Wishart:** I just had not thought. It had never occurred to me to be so devious—

**Mr. Singer:** Is that what the word means?

**Hon. Mr. Wishart:** —to be so devious as he indicated he thought I was. In my experience of this matter of expropriation, it seemed to me that it was a very mixed up matter, and not only in the province of Ontario.

May I tell the hon. member for Downsview through you, sir, that if he thinks it is all a bed or roses in Britain, it is not so.

When I was there last year, I made a point of inquiring, and I found that they have many and serious problems in this very field.

**Mr. Singer:** At least the people have their day in court, which they do not have here.

**Hon. Mr. Wishart:** Well, they are going to have it here. British Columbia is having troubles; Manitoba is studying the matter; Australia has these problems. Everywhere this is a difficult situation.

Last year, in addition to all the recommendations which were brought in by the bill of 1962-63, there was added a board of negotiations which, let me tell the House, has worked extremely well. It has been an informal procedure. I do not have the latest figures but as at the end of the year, actually towards the first part of December, that board had sat on 100 cases and—I think there may have been one exception—they were all being settled amicably and reasonably and satisfactorily and without expense. That was one thing we did.

Now we are providing a method of an opportunity for the person whose property is being expropriated to make his case and say there is something wrong, this conservation authority is reaching out too far, this university does not need six city blocks, it can extend its campus out in the far reaches of this community rather than in the central built-up expensive area; this hospital can move to the west instead of to the east; this principle is good.

**Mr. Singer:** The principle is a good one, we are not arguing about the principle.

**Hon. Mr. Wishart:** The principle is a good one. When I found the situation in trying to amend this Act—let me tell you this—studies went on with my colleagues in Cabinet and with members of the government at the Deputy Minister level and Minister level over a period of some months. And we could not actually, I may tell you, reach a consensus among ourselves until after a great many meetings. And it did occur to me study was needed particularly on the basis of compensation, although our present Act does say—I think it is in section 14 you will find it, or 6: "There shall be paid to the person whose property is taken, due compensation." The Act which was brought in in 1962-63 says, "Where land is expropriated or injuriously affected by an expropriating authority in the exercise of its statutory powers, the expropriating authority shall make due compensation to the owner of the land," and so on.

But there seemed to be dissatisfaction in this area. And I knew not how to approach that and I asked, as I think I was wise in doing, a very eminent body which was created for the purpose of assisting us, I asked the law reform commission. And I do not care whether the hon. Mr. Justice McRuer works on the civil rights side or on the law reform side, I wrote him on March 8, I believe it was, and I said: "Will you in your commission take under consideration this matter of expropriation?" I referred him to the recommendation—I read the letter into the record the other day—and it never occurred to me to go to the press and make any capital out of that, it just did not occur to me that I could make any capital. And I was not very cute or I would have done so. I just wanted him to do a job.

**Mr. Bryden:** The hon. Attorney General was just showing how little he had done.

**Hon. Mr. Wishart:** I will have to let that pass for what it is worth. I have been trying to do some things.

**Mr. MacDonald:** Well, indicate what it is worth.

**Hon. Mr. Wishart:** I do not know what it is worth, but all I did was to ask the law reform commission to assist me in this area and it did not occur to me to run to the press and say, "I'm having a study done," that just was not in my thinking. And I did not know—I got an answer on March 11: "We will take this matter under study and do what we can to give you the answers." I had no knowledge and I had no part in any arranging of a press release by the hon. Mr. McRuer. He came to the point where he was ready to start and he decided to tell the press about it. I think it was quite proper but it had been through no part of my plans and as soon as I could get my bill prepared and get it approved by my government, and by the members of the government side, I brought it to this House. That is the way I work and there is nothing cute about it. It is a good bill, Mr. Speaker, it provides an additional step, one that was not even recommended, one which became apparent on situations as they developed in the field of expropriation in this province.

We have a committee, a select committee sitting on conservation. And I might very well have waited till they reported but with the consent of that committee—I think they realized the virtue of not waiting until that report comes in—

**Mr. MacDonald:** Were they asked?

**Hon. Mr. Wishart:** They are studying the matter of conservation and I believe the hon. member for York South sits on that committee.

**Mr. MacDonald:** When were they asked, though?

**Hon. Mr. Wishart:** I asked the members that I happen to know who were in my caucus the other day.

**Mr. MacDonald:** Now we get the story.

**Hon. Mr. Wishart:** And I am sure they recognize the virtue of proceeding without waiting and I am sure the hon. member for York South will also.

**Mr. MacDonald:** I rise on a point of order right here. At the end of the conservation committee hearings I said there were a number of things on which I think we should proceed to make recommendations. I was overruled because the committee said it would be unfair to proceed to make recommendations when we have not had an opportunity to hear representations from all the groups who are presenting briefs and have yet to come before us. And I said: "Well, there is a certain logic in that, if it will give these people a feeling that they are being ignored, I will bow to the decision of the majority." And now what does the Attorney General do? He comes in and says that he talked to the Tory members of the group in his caucus and he prejudges the committee and he comes in with something. It is the old, old story.

**Hon. Mr. Wishart:** Mr. Speaker, if that is a point of order, I will speak to it. The government, and I am part of it, felt that some action was necessary with respect particularly to one organization, one expropriating authority, conservation bodies.

**Mr. MacDonald:** The Attorney General could have done it a year ago without setting up the committee, he is just a year late.

**Hon. Mr. Wishart:** Perhaps I should have done it a year ago, but I do not think even the hon. member for York South would say I should have waited for the report of the select committee on conservation authorities.

**Mr. MacDonald:** The Attorney General could have gone ahead a year ago on the OFA recommendation; they badgered this government and instead of doing something he set up a committee.

**Hon. Mr. Wishart:** Well, at least then I have his approbation that we are going ahead at this time. I merely mention that. I was about to say that I am not certain at all that the hon. chairman of the law reform commission agrees with the type of tribunal that I have set up in this manner. He may report altogether differently. The select committee may bring in further and other recommendations which, if I am still in the position to do so, I shall be glad to consider. But I felt this was so important, so urgent, that it should be proceeded with. And I may not wait yet, and I am referring particularly to the remarks of the hon. member for Riverdale, I may not wait. I shall say this openly here and to the chairman of the law reform commission, I may not see fit to wait before making further recommendations to my colleagues for other things that may need to be done if we see the urgency of them in the field of expropriation, or procedures which relate thereto. So all I can say is that we have moved a step forward; I think this is a necessary thing and I think it is urgent and timely, but it does not tie our hands to wait until we have received further reports. I am sure that valuable recommendations will be received both from the select committee which is studying particularly the conservation matter and from the law reform commission. I think we should get on with this today and I ask hon. members to let this bill proceed through the House.

**Mr. MacDonald:** It is only now, Mr. Speaker, that we are gradually getting the full picture of this, and with it, more evidence, so then perhaps we can discuss it a bit more knowledgeably.

The Attorney General is not only cute, Mr. Speaker, the Attorney General is unwittingly cute, and that makes him even more engaging—because he now gets up and says that he has referred to the law reform commission all of these things which I concede, Mr. Speaker, are really out of order today, namely, these full-ranging aspects of expropriation. There are many, many things with regard to expropriation that need to be re-examined so that we can protect the rights of the individual. As a matter of fact, when the government brought in its Expropriation Procedures Act and my colleague, the hon. member for Woodbine, asked the government to go forward with some of these things, the government said, "We are studying them." And now it becomes clear, Mr. Speaker. The government studied them in 1963; it studied them in 1964; it studied them in 1965, and presumably it is still studying them. It has come to no answer and it has handed them to the law reform commission.

**Hon. Mr. Wishart:** The government brought in two bills, one last year and one this year.

**Mr. MacDonald:** It brought in two bills, nibbling at the edge of the problem. The hon. member for Downsview said they were bills directed at trying to save your political face because of the mess you got into on the Gordon Pittock dam episode out in Oxford. When the hon. Minister gets up and argues why he has done this this year, let me just recap what I said a moment ago. If the government wanted to bring in this, all they needed to do was to be less stubborn, a little bit open-minded, to face the needs of these people and act in accordance with the Ontario federation of agriculture resolution that was presented to them 18 months ago.

But in typical fashion, they ignored it; they were going to have nothing of it; they were going to to handle it in their own fashion; to set up a select committee to study it and while the select committee is studying it, apparently the pressures on this particular point became irresistible. In addition to the Gordon Pittock dam mess, there were Eglinton flats; the Bucovic case; and Napier Place. You had to break; you had to give some show of action to cope with this situation, so you came in with this.

Now, Mr. Speaker, having conceded that all of this is really irrelevant to the bill that is before us today—what you have before you today is a bill to deal with that one small aspect of trying to protect the rights of the individual—in what the Attorney General refers to as a trial of necessity for property that is going to be expropriated.

This is one of many points and I would concede its importance. Quite frankly, I am a little puzzled, as a person who had nothing to do with the select committee that reported in 1961 and 1962, as to how conceivably they could not have become aware of this problem. I am really puzzled as to how any group that examined this could not have been aware of the difficulties and have come up with some sort of a recommendation. I just do not know what the answer to that is. All I do know is that certainly since 1963 in the Eglinton flats, out in Oxford county, in the Bucovic affair and now in Napier Place, this has been a real problem, because there has been case after case after case of expropriation orders that were altered, and the people asked "Why? Why do you want all of my farm one day and now you only want a half of it? Why do you say that you are going to buy me out?"—as in the case of one farm that I recall in the instance of the Gordon Pittock dam development, and then subsequently take the expropriation order off and say: "If you are flooded, you can sue for the damages." This kind of a situation, Mr. Speaker.

I would agree with the Attorney General that I think something has to be done. My only regret is this piecemeal kind of approach. Now, let me clarify one point in which the Attorney General said that he was glad to find that the hon. member for Riverdale agreed with him that the court might be the place to go with this. In my view, your problem at the moment is that you have nowhere to go but the courts. I must say that I am not persuaded that the courts are the right place to go, for a variety of reasons, some of which have been given by the hon. member for Downsview.

But our problem, Mr. Speaker, is that we have nowhere else to go, and if I concede that the problem is a very urgent problem, then I am forced in logic to take the step that you have to move, and if you have nowhere else to go then you go to the courts. But my plea to the Attorney General would be that he would give some really serious consideration to alternatives other than the courts.

Whether it would be some tribunal like the Conseil d'Etat in France—but that does not develop overnight, it takes a long time. Whether or not, as the hon. member for Downsview has said, you should fix responsibility with the hon. Minister of Public Works or some other body responsible to some ministry so that they would be the tribunal to examine whether or not this was needed. I think there is validity in the point. If you put it away to the courts, you take away some exerting pressure because, in many instances, this is in part at least, a political decision, and the people who are going to make the decisions are going to have to be politically answerable so that some alternative ultimately may have to be sought.

But, as my colleague the hon. member for Riverdale has said, we agree that there is a problem; we agree that we should solve it. There seems to be no alternative but the courts for the moment. Therefore we will go along with this bill, not because we are happy with it, but because it is a first step on the road to what I hope will be ultimately a more effective and equitable solution.

**Mr. G. Ben** (Bracondale): Mr. Speaker, I have been quite interested in all of the speeches made by hon. members of this House and I concur, especially with those

made by the hon. member of the Opposition. In view of those statements I am at a loss to understand why the Minister in preparing this bill built into it, deliberately, one of the iniquities that has been the cause of so much sorrow and I refer to two sections—7 and 8. I am not going to get into a detailed discussion of them, so I will not be out of order, but the points raised by both the hon. members for Downsview and York South stressed the case of Bucovic and some others.

In the city of Toronto it has been found, especially with the Spadina road extension, that the expropriating authorities expropriate long before need but they do not take the land when they do expropriate. For instance, in the O'Connor project, the bylaw expropriating land was passed by Metropolitan council in 1961 and they just started to acquire the land in 1966 and have not finished acquiring it. On the Spadina road extension, there also the bylaw expropriating the land was filed in 1961, but they are only expropriating the properties now.

What happens? Because the bylaw is filed, the people cannot sell their land unless they sell it subject to the expropriation order. But who is going to buy it in those circumstances?

The expropriating authorities tell them that they will not need their land for a while, so they are content to live there. Sometimes they are caught short. When the TTC was expropriating the land along the Bloor street subway, they sent out a circular telling the people that they would not need the land for six years. All of a sudden, through the co-operation of this government, which was making funds available to Metropolitan Toronto, the construction of the subway was speeded up and these people found themselves forced to move two or three years ahead of the time originally indicated. What happens in the interval?

This particular piece of legislation states that a bylaw must be filed within six months and one would think that perhaps that is a good point. But what happens? They file the bylaw, but then they do not buy the land for four or five or six years because there is no time limit stipulated here. They are not compelled to buy the land, and the little individual who does not know these things does not know that he can go and press the municipality or the expropriating body to take his property by going to arbitration. In the first instance he does not want to give up this lovely little house he is living in where he can meet the payment. He just sits back. Six years later, along comes the expropriating authority and they say, we want possession 30 or 60 or 90 days hence. The little fellow goes scouting around for a home, and that is when he finds out that he is being offered $8,500 for a home, and he can only get a comparable home for $11,000. In those six years the prices of homes went up, and yet this particular piece of legislation specifically provides—

**Hon. Mr. Wishart:** Would the hon. member permit me to draw his attention to section 8 of The Expropriation Procedures Act, which perhaps did not apply to the Bucovic matter, but which now requires offer of payment in full within six months from the taking of possession or the filing of the plan.

**Mr. Ben:** I am quite aware of that procedure.

**Mr. Singer:** The hon. Attorney General knows that they misuse that; they underestimate that payment.

**Mr. Ben:** Mr. Speaker, I should point out that I experienced it in Metro council where council passed a resolution authorizing the propery commissioner to make the usual offer under the expropriation Act of $1.00. That is the biggest farce of all, Mr. Speaker, and I am surprised that the hon. Minister should have got on his feet to bring that to the attention of this House.

If anything there should be a section in some Act stipulating that the expropriating authority cannot make an offer for less than what their appraisers appraise as being the value of that land. In my estimation, a municipality should neither make nor lose on any of its dealings. Any offer it makes should be absolutely honest and sincere and a fair appraisal of the value of the property.

But here is what the municipalities do. They make an offer so ridiculously low that the person will not accept it and they keep on dragging it out for five or six years. So to me, Mr. Speaker, the most glaring weakness in this bill is the fact there is no stipulation which binds the expropriating authority to take the land, and pay for the land within a specified limit of time. Yet there is a provision which states that as to the price to be paid, the value shall be determined as of the day appointed under subsection 3 for the hearing, this might be a date three, four, five, six years back from the date of actual payment. Inflation alone makes the value of the money that the person is receiving less than it would have been originally, and secondly, by virtue of the expropriation

especially when you expropriate large areas like Alexandra Park, you create a greater demand for housing, a demand that causes the prices to go up, so by act of expropriation itself, they are devaluating the money given to the people for this property. Surely the government can go back to the principle of expropriation as it existed before the Drew case and give them 10 per cent for forceful taking to compensate them for this. I would strongly recommend that before this bill comes back for second reading some amendments to that effect be incorporated in this legislation.

Mr. Bryden: Mr. Speaker, it surely is obvious from the debate that has taken place so far that the bill before us this afternoon merely nibbles at the fringes of a most important problem that is before the government now and has been before it for years. The Attorney General a while ago was at some pains to demonstrate that he has not been devious. Mr. Speaker, I would accept his protestation in that regard. Deviousness, whatever else it may imply, certainly implies some degree of movement, and movement on the part of the government or the Attorney General in this area has been so slight as to be imperceptible.

Reference has been made to the fact that three years ago, when the Act which is being amended was before this House, I raised a number of questions with the then Attorney General. I did not then and do not now pretend to be any sort of an authority at all on expropriation. I got into the act mainly because no one else seemed to be raising any questions about that Act as it was then before us. On the basis of experience that I had had in my own constituency where considerable expropriation had been taking place, I raised certain problems with the Attorney General of the day, and proposed, in an amateur way no doubt, certain possible solutions to those problems. The Attorney General told me the problems I had raised were important ones, that they were under active consideration by the government, and that the government hoped to be able to bring in legislation dealing with those and other problems. He suggested, however, that the bill which became The Expropriation Procedures Act, 1963, was in itself an important piece of legislation in that it at least made uniform and clarified certain procedures.

He suggested that we should go ahead with that bill and deal with the one area of the problem and that the other problems could be dealt with later. Mr. Speaker, I really do not know what has happened since, except that, as my friend from Downsview has said, a couple of real emergencies have arisen and the government has taken halting and belated action. It has not now, or ever, really faced up to the problem of expropriation at all. Some of the major problems that have come to public attention in recent months are totally unaffected. The beating that the little man is taking under expropriation as it now exists is apparently completely beyond the concern of the government. The leader of my party who is a very generous man, was in my opinion excessively generous when he said a few minutes ago that after the Act of 1962-63 went through, the government studied the problem in 1963, 1964 and 1965.

Mr. Speaker, I do not think the government studied the problem at all, I think it went completely to sleep on it. It has been wakened up by a few emergencies and now, three years after we had a firm promise that some of the larger problems, not dealt with by The Expropriation Procedures Act at all, were being actively considered, three years after that we now have them being referred for study to other bodies. What sort of a performance is that, Mr. Speaker? I think that this bill should be framed and put in the main lobby of this building as a living monument to the procrastination and evasion of issues of this government. They never face up to an issue until it has passed crisis proportions. Indeed there are matters that we all know about, they have been referred to several times here, that have reached crisis proporitions, and still the government is not acting.

It is acting in one limited field only. Some quite wealthy property owners in the Erindale area objected to certain actions of the University of Toronto. As a matter of fact I can sympathize with their objections; I even expressed my support in this House for their point of view at the time this was a matter of crisis. The government is now doing something about that problem affecting wealthy property owners, but nothing for the poor little fellows who get such a small amount for their houses that they cannot relocate anywhere. As we know, one of them was forcibly taken out of his house with the television cameras clicking; one of the most disgraceful episodes that has happened in a long time in this metropolitan area. But still, absolutely nothing from the government to deal with that sort of problem. I notice the House leader pointing to the clock; he will be happy to know that I have said all I have to say on this subject.

**Hon. Mr. Rowntree:** Mr. Speaker, tomorrow we—

**Mr. Singer:** We definitely want a vote on this.

**Hon. Mr. Rowntree:** Well, we will have a division then.

**Mr. Speaker:** All those in favour of Bill 142 being read a second time will please say aye. All those opposed will please say nay. In my opinion the ayes have it.

Call in the members.

All those in favour that the bill be now read a second time will please rise.

All those opposed, please rise.

| AYES | NAYS |
|---|---|
| Allan | Ben |
| Boyer | Bukator |
| Bryden | Gaunt |
| Cass | Nixon |
| Cecile | Racine |
| Cowling | Singer |
| Downer | Smith |
| Dymond | Spence |
| Eagleson | Trotter |
| Edwards | Worton—10. |
| Freeman | |
| Gisborn | |
| Grossman | |
| Hamilton | |
| Harris | |
| Haskett | |
| Henderson | |
| Hodgson (Scarborough East) | |
| Knox | |
| Lawrence (Russell) | |
| Lewis (Scarborough West) | |
| MacDonald | |
| Mackenzie | |
| Morningstar | |
| Noden | |
| Olde | |
| Pittock | |
| Renwick | |
| Root | |
| Rowntree | |
| Spooner | |
| Wardrope | |
| Wells | |
| Whitney | |
| Wishart | |
| Yakabuski—36. | |

**Clerk of the House:** Mr. Speaker, the ayes are 36, the nays 10.

Motion agreed to; second reading of the bill.

**Mr. MacDonald:** Mr. Speaker, I rise on a point of order. A moment ago the hon. Minister of Reform Institutions interjected; he said that we were not interested enough in this issue to have had—

**Mr. Ben:** On a point of order, Mr. Speaker—

**Mr. MacDonald:** I have a point of order.

**Mr. Ben:** The hon. member does not have a point of order. State the point of order.

**Mr. Speaker:** Order, order! Now I will hear the point of order.

**Mr. MacDonald:** Right. My point of order is that the hon. Minister said we were not interested enough to have had a member on the select committee three or four years ago. The fact of the matter is that we were denied the right—

**Mr. Ben:** This is not a point of order.

**Mr. MacDonald:** We were denied a right to have a member on that committee by the government.

**Mr. Speaker:** Order! I am afraid—

**Mr. MacDonald:** I will explain why, Mr. Speaker, if you want it.

**Mr. Speaker:** I am afraid these points of order are starting to become pointless points of order at the present time.

**Hon. Mr. Rowntree:** Mr. Speaker, tomorrow we will continue with the estimates of The Department of Education and The Department of University Affairs, and I would like to have some House-in-committee matters attended to if there is time tomorrow evening.

Hon. Mr. Rowntree moves adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.

No. 135

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Thursday, June 9, 1966

Afternoon Session

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Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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1966



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JUNE 9, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: In the west gallery, St. Clare's separate school, Toronto; in the east gallery, Alexander Muir public school, Toronto; Princess Margaret public school Orangeville; and in both the east and west galleries Tecumseh school, Port Credit.

Petitions.

Presenting reports by committees.

Motions.

**Mr. R. Gisborn** (Wentworth East): Mr. Speaker, as agreed under the private members' hour, I would move that orders No. 34, 37 and 47 be now discharged from the order paper.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

## THE CHILDREN'S INSTITUTIONS ACT, 1962-1963

Hon. L. P. Cecile moves first reading of bill intituled, An Act to amend The Children's Institutions Act, 1962-1963.

Motion agreed to; first reading of the bill.

**Hon. L. P. Cecile** (Minister of Public Welfare): Mr. Speaker, the amendment to The Children's Institutions Act will permit increases in the first instance of the provincial share of the charitable institutions' expenditures to 80 per cent from the present 75 per cent figure.

A major change in the approach to serving children is accepted in this amendment. Some institutions, after they have identified and accepted a child for care or treatment, are able to accomplish satisfactory results by arranging for day care or other appropriate procedures within the children's own homes. Counselling and preventative services can be provided by an institution to children who are returned to their parental homes after a period of treatment.

A day nursery programme within the institutions would allow for aftercare and clinics for child guidance or assessment in order that continuing and necessary attention can be given.

The proposed amendment would allow the province to share in the expenditure for these services.

## THE DISTRICT WELFARE ADMINISTRATION BOARDS ACT, 1962-1963

Hon. Mr. Cecile moves first reading of bill intituled, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Motion agreed to; first reading of the bill.

**Hon. Mr. Cecile:** Mr. Speaker, the proposed amendment to The District Welfare Administration Boards Act, 1962-1963, will permit the dividing of the territorial districts, because of the size of the area, when it is considered desirable to establish two separate boards. As an example, in the district of Cochrane, the northern portion of the district lends itself to a single board and the municipalities within the southern portion would have authority to join together and form a board to operate as a single administrative unit.

The other feature of this amendment permits a municipality to continue to participate in the administration of welfare services by a board in the event the municipality becomes a city. For example, if the town of Timmins were to be a member of the district welfare administration unit and later became a city, this amendment would permit it to continue to operate its welfare services as part of the district welfare unit if the municipal council should find this desirable.

## THE HOMES FOR RETARDED CHILDREN ACT, 1962-1963

Hon. Mr. Cecile moves first reading of bill intituled, An Act to revise The Homes for Retarded Children Act, 1962-1963 and to extend its scope.

Motion agreed to; first reading of the bill.

**Hon. Mr. Cecile:** This bill, now to be called The Retarded Persons Act, replaces The Homes for Retarded Children Act, 1962-1963 and increases the percentage of our cost-sharing for care and maintenance from 75 per cent to 80 per cent.

Under this new Act, retarded persons beyond the age of 18 will continue to be acceptable for residential care. This extension of age will permit children who have resided in the homes for retarded persons to continue their residence within the homes. In this manner, anxiety on the part of the parents is removed, as they can be assured the children will have continuing care in familiar surroundings.

## THE PLANNING ACT

Hon. J. W. Spooner moves first reading of bill intituled, An Act to amend The Planning Act.

Motion agreed to; first reading of the bill.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, this amending bill contains a number of provisions to facilitate procedures in planning functions in the province.

## THE NEGLIGENCE ACT

Hon. A. A. Wishart moves first reading of bill intituled, An Act to amend The Negligence Act.

Motion agreed to; first reading of the bill.

**Hon. A. A. Wishart:** (Attorney General) Mr. Speaker, this bill is complementary to the bill amending The Highway Traffic Act, permitting gratuitous passengers to recover any damages in the event of a motor vehicle accident where the loss or the damage was caused or contributed to by the gross negligence of the driver of the motor vehicle.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I wonder if the hon. Attorney General could tell us if he is going to define gross negligence?

**Hon. Mr. Wishart:** Mr. Speaker, I am sure that the hon. member knows very well that the courts have considered the term gross negligence down through the years in relation to motor vehicle cases; perhaps not in this province so much, but in many other circumstances the courts have delimited and defined it pretty thoroughly—

**Mr. Singer:** Still nobody knows what it means!

**Hon. Mr. Wishart:** —and still the language permits of some further consideration.

**Mr. Singer:** It certainly does!

## THE FARM LOANS ACT

Hon. J. N. Allan moves first reading of bill intituled, An Act to amend The Farm Loans Act.

Motion agreed to; first reading of the bill.

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Speaker, this bill will provide a means of dissolving the defunct farm loan associations that were incorporated under The Farm Loans Act many years ago.

## THE TILE DRAINAGE ACT

Hon. Mr. Allan moves first reading of bill intituled, An Act to amend The Tile Drainage Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Allan:** Mr. Speaker, this bill provides an increased amount of money that can be loaned to the municipalities for the use of tile drainage.

**Mr. F. R. Oliver** (Grey South): Mr. Speaker, before the orders of the day, I would like to direct a question to the hon. Minister of Municipal Affairs concerning the decision of Judge Wilfrid Lane with regard to the Etobicoke firefighters association pension plan:

(a) Is the government going to follow its announced policy and force the Etobicoke council to integrate the firefighters plan with the Canada pension plan;

(b) Will it carry through this integration by introducing retroactive legislation;

(c) What will be the effect of such legislation on such communities as Toronto and Hamilton which now have stacked pension plans;

(d) If the government is not going to force integration in the Etobicoke case, will it allow other municipalities and unions who integrated their plans before January 1 to renegotiate their pension plans?

**Mr. F. Young** (Yorkview): Mr. Speaker, I also have a question—

**Mr. Speaker:** I presume that the Minister would like to answer both questions; the

member for Yorkview has one concerned with the same subject matter.

**Mr. Young:** My question to the hon. Minister of Municipal Affairs is, Mr. Speaker, what is the position of the provincial government in light of the statement of Judge Lane in respect to the Etobicoke case. He said:

> Irrespective of the pressure the government may place upon it, failing legislation in that behalf, it cannot direct the municipality to change something that has been agreed upon between the municipality and its employees—

**Hon. Mr. Spooner:** Mr. Speaker, in answer to the questions asked by the hon. gentlemen I am sorry to say that I am not in a position today to answer these questions because of the fact I have not had the opportunity myself, nor has my staff, of examining into this particular case. We do not have documentation to provide me with sufficient information to be in a position to answer it. I shall take the questions as notice, and in due course of time hope to be in a position to answer the questions.

**Mr. Young:** Could you estimate when we might expect an answer?

**Mr. R. F. Nixon** (Brant): Mr. Speaker, I have a question for the hon. Minister of Education.

Would the Minister consider giving the Toronto board of education some compensation for the use of its facilities for summer courses run by The Department of Education?

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, up to and including 1961, the department paid the Toronto board of education for accommodation used for departmental summer courses. In 1961 apparently it was approximately $21,000. The board's policy changed after 1961, and I understand this change was not requested by the department itself.

At the present time the board does make its accommodation available to the summer courses and charges only extra costs for caretaking and the movement of furniture. We have had no request from the Toronto board for a consideration of change in this policy, the only answer I could give to the hon. member on this occasion would be that if such request were made, it would be given consideration.

**Mr. Nixon:** Mr. Speaker, I have a question for the hon. Minister of Health.

Is the hon. Minister giving any consideration whatever to a request by Ontario pharmacists that a prepaid drug scheme be included in the government OMSIP medical services plan?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, no such request has as yet come to the attention of government.

**Mr. D. A. Paterson** (Essex South): Mr. Speaker, I have a question of the hon. Minister of Tourism and Information.

Would the hon. Minister inform the House how much money was allocated to the province of Ontario for centennial projects, how much money has been spent on centennial projects, and how much is left, and what does the government intend doing with this balance?

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Speaker, for the purposes of Dominion-provincial-municipal capital centennial projects, the amount of money allocated in the province is based on the 1963 population basis of 6,043,742 people. This is on a $1 per capita provincial and $1 per capita federal basis.

The sums presently committed by the province, based on estimates submitted by the municipalities in 574 projects which have been processed by the province and approved, is $4,238,901; 546 of those have been approved by the federal people and 28 applications are presently in process.

I am afraid that I cannot give the answer to the third question until all the applications have been processed. We hope to have this done very shortly, at which time I will let my hon. friend know.

**Mr. Nixon:** Mr. Speaker, I have a question of the hon. Minister of Health, if you will permit me; I had not completed my questioning. If he would permit the question?

**Hon. Mr. Dymond:** Yes.

**Mr. Nixon:** Was the hon. Minister not personally present at the 48th annual convention when a resolution of the pharmacists requesting this inclusion was discussed and approved?

**Hon. Mr. Dymond:** Mr. Speaker, he was not.

**Mr. Young:** Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management, notice of which has been given him.

What action is contemplated by the Metropolitan Toronto and region conservation

authority in respect of the erosion by the Humber river of rear lands of private property at 54, 56, and 58 Stanwood crescent, in the township of North York?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I am informed that no action is contemplated by the Metropolitan Toronto and region conservation authority in respect to the erosion.

**Mr. Paterson:** Mr. Speaker, I have a question of the hon. Provincial Treasurer concerning a resolution recently discussed at a meeting of the Ontario association of chiefs of police. Is the hon. Minister in favour of nine-year-olds betting at racetracks? If not, what steps does the Ontario racing commission intend to take to prevent such practices, and would it consider asking the federal government to amend the criminal code to prohibit children under 18 from betting?

**Hon. Mr. Allan:** Mr. Speaker, I regret that I did not receive this question in time to prepare an answer today. I shall be happy to have one tomorrow morning.

**Mr. Singer:** It needs careful thought.

**Mr. Paterson:** At the same time, would the hon. Provincial Treasurer look into the matter of liquor being served on the same premises and as to whether this should be taken into consideration?

**Mr. D. C. MacDonald** (York South): Mr. Speaker, my question is to the hon. Minister of Lands and Forests.

Will the hon. Minister indicate what action his department will take with regard to the desecration by the Johns Manville Company along Red Squirrel lake and Carrying Place portage in the Timagami lake area, as outlined in the letter to chief ranger John Rumney at Timagami by Dr. Bruce Hodgins of Trent University, a copy of which was sent to the deputy Minister?

**Hon. A. K. Roberts** (Minister of Lands and Forests): Mr. Speaker, I assume my hon. friend is referring to a letter of June 3, a few days ago. I would say that a meeting has been arranged with representatives of The Department of Lands and Forests, on the site with company officials, to examine the operation in that area in detail and to assure that the proper users are preserved in relation to the various matters that are involved, besides the cutting of timber.

My hon. friend uses the word desecration. I have not, in the short time I have had to look into this, been given any evidence that would indicate that such a severe word as that is involved. A road has been built for about a quarter of a mile along the shore of Red Squirrel lake. It is said it was built because of terrain, that that was the only feasible place for it. There has been left a crossing of the portage by the width of the road, but the portage is over a mile in length. The road is only 60-odd feet, so that those two points in particular are not perhaps as severe as to merit the term desecration.

However, this situation will be reviewed on the site and I can assure my hon. friend that all the various interests and users will be protected.

**Hon. Mr. Dymond:** Mr. Speaker, yesterday, before the orders of the day, the hon. member for Grey North asked a question of me. I was not here to answer it. The answer, sir, is as follows: Since this question has already been put and answered by myself two or three times during this session, I have nothing further to add to the answers already recorded in *Hansard*.

I would, however, answer the prepared supplementary question which the hon. member, I understand, put. The answer to that is: Nothing.

**Mr. H. S. Racine** (Ottawa East): Mr. Speaker, I have a question for the hon. Attorney General.

Concerning the recent conviction of Kemp Publishing Company Limited, owners of the K and K book store in Toronto, and two employees on charges of possessing obscene matter, has (a) the hon. Minister's committee on censorship ever reviewed such publications as *Whip and Rope, Tortured Male, Physique, Training Camp* and *Fleshtones*; (b) has the committee ever suggested that so-called bondage books should not be allowed on Ontario's newsstands and (c) would the hon. Minister consider reading some of these trash publications and refer them to his censorship committee?

**Hon. Mr. Wishart:** Mr. Speaker, the answer to the first part of the question as to whether the committee on censorship reviews these books, or such as the books named here—is yes. The committee is continually reviewing such publications.

The answer to the second part of the question—has the committee ever suggested that such so-called bondage books should not be allowed on Ontario's newsstands—is that, where it considers publications to be obscene, it recommends that charges be laid by the appropriate police force. The committee has

no jurisdiction to issue an order forbidding the sale of any book.

As to whether I should read these books, I must say I think I will scarcely find it possible to read these publications myself. But they are being referred to the committee and its work goes on continuously.

**Mr. Racine:** Mr. Speaker, would the hon. Minister accept a supplementary question? How often does the committee meet? Are there regular meetings or do they meet on demand?

**Hon. Mr. Wishart:** I cannot answer that question categorically as to the actual number of meetings they have, but the committee's work is going on continuously. The members of the committee read the books. They meet and discuss them, make a decision regarding them and make their recommendation. I could pursue the matter to see if they have regular meetings, but I know their work is a continuous work.

Mr. Speaker, I was asked a question yesterday to which I promised an answer today. The hon. member for Sudbury asked whether the publication of the editorial article in the *Globe and Mail* yesterday relating to the decision in the Tilco Plastics case was a contempt of court.

My answer would be that I have now had an opportunity to read the article and to consider the law relating to such matters. The controlling factor in considering the publication of comments, particularly during a trial, is whether it may affect the decision of the court or may prejudice the fair hearing of the case. In this particular case, I would point out that the hearing had been concluded before the publication appeared.

**Mr. E. W. Sopha** (Sudbury): They have not been sentenced yet.

**Hon. Mr. Wishart:** I have something further to say. The second factor is whether or not the hearing is before a jury or a judge. In this case, it is a judge sitting alone. It is true that the matter of the judgment is not concluded with respect to punishment or penalty but, having considered the article very carefully in that regard, I cannot find that there is any contempt of court.

**Mr. Sopha:** May I address a supplementary question with the leave of the Attorney General? May I ask him whether tomorrow morning Mr. Callaghan will be instructed by him to ask for a jail sentence of these people?

**Hon. Mr. Wishart:** That is a very improper question I think for the hon. member to ask.

Hon. J. Yaremko (Provincial Secretary) begs leave to present to the House the following reports:

The annual report for 1965 of the Ontario cancer institute, incorporating the Princess Margaret hospital.

The 15th annual report of the 1965 alcoholism and drug addiction research foundation.

The annual report, 1964-65, of the Ontario mental health foundation.

The annual report, 1964, of the Ontario cancer treatment and research foundation.

The 1965 annual report of the workmen's compensation board of Ontario.

**Mr. Sopha:** Mr. Speaker, on a point of order, may I ask you, sir, whether you share the opinion that my question advanced to the Attorney General was improper and if so, in what way was it improper?

**Mr. Speaker:** Order!

**Mr. Sopha:** Certainly it is a matter of—

**Mr. Speaker:** Order! I consider the question period closed.

**Mr. Sopha:** Well, I rise on a point of order. Certainly it is a matter of importance that this House know what instructions are going to be given to the—

**Mr. Speaker:** Order!

**Mr. Sopha:** —to counsel involved.

**Mr. Speaker:** I would ask the member to take his seat. There has been nothing said that is out of order.

**An hon. member:** Sit down!

**Mr. Sopha:** I do not have to sit down by direction from that side.

**Mr. Speaker:** I consider the matter closed. The hon. Attorney General did not care to answer the supplementary question.

**Mr. Sopha:** He did not indicate that.

**Mr. Speaker:** Order! The member is out of order.

**Mr. Sopha:** He did not indicate that. Let it be known these strikers have some friends in this House, not the people who bang their desks.

Interjections by hon. members.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, before the orders of the day, I have a brief statement to make with respect to changes in rates for living allowances for persons taking approved training courses under programme 5.

In 1965-66 there have been approximately 35,000 trainees in the programme and as the members know, up until the present, the training allowances made to all persons taking these courses have ranged from $5 to $11 a day. Beginning July 1, the basic rate will be increased from $5 to $7 per training day. The additional allowance for dependants will be increased—

**Mr. Singer:** Mr. Speaker, on a point of order, the hon. Minister's estimates are before this House and he is now making a statement before the orders of the day, which is not debatable, while his estimates are presently here. Surely if the statement has any value in our educational progress in this province, he should make it at the appropriate time and allow the other hon. members to debate it.

**Mr. Speaker:** No, I think the Minister is quite within his right to make a statement before the orders of the day before the House. He has mentioned to the Chair that he wishes to make a statement before the orders of the day, and if he wishes to make any statement within the purview of his department it is his privilege to do so.

**Mr. Singer:** It is just a matter of misusing the rules of the House—

Interjections by hon. members.

**Mr. Speaker:** Order! The Minister may proceed.

**Hon. Mr. Davis:** The additional allowances for dependants—and I should point out, Mr. Speaker, I fully anticipate this will be discussed during the estimates—

Interjections by hon. members.

**Hon. Mr. Davis:** But I think it is rather important that this announcement be made because we may not reach this point in the estimates today or tomorrow. Some few weeks ago an hon. member from one of the Scarborough ridings, and I believe the hon. member for Brant, indicated they wished these announcements made rather than just to the press gallery before the orders of the day. This was my understanding and I am just following the requests that have been made by these two members.

The additional allowance for dependants will be increased from the single rate of $4 daily to $6 and $8 for two and three dependants respectively. The dislocation allowances will remain at $1 per training day for those without dependants but will be increased from $2 to $3 a day for persons with dependants.

The allowances will now range therefore from $7 to $18 a day, as compared to the previous $5 to $11 range. In order to met the July 1 target date, it will be necessary to arrange immediately for certain administrative changes at the provincial level. It will also be necessary to amend the existing agreement with the federal government.

As hon. members know, at the present time trainees may be paid from two sources, the province and the unemployment insurance commission. Under the new arrangement, the entire allowance will be paid by the province with on offsetting increase in the federal reimbursements.

**Hon. J. P. Robarts** (Prime Minister): Before the orders of the day, I would like to table the answer to question No. 11 on the order paper.

The hon. Prime Minister tabled an answer to the following question:

11. Mr. D. C. MacDonald (York South): Inquiry of the Ministry—1. On grade 13 English, chemistry and history papers, what was the percentage of first class, second class and third class marks for each of the years 1963, 1964, 1965? 2. What was the number of appeals for re-examination of papers in English, chemistry and history for each of the years 1963, 1964 and 1965? 3. Where a passing mark was granted following an appeal: (a) was this always done on the basis of a rereading of the examination paper; (b) if not, on what basis was it done? 4. (a) Were appeals granted in any case over the telephone; (b) if so, why? 5. What was the lowest mark appealed, and granted a pass, in: (a) English, (b) chemistry, and (c) history? 6. Were pass marks granted on any papers originally designated as a failure and not specifically appealed by the student? 7. Was any effort made to adjust marks above 50 when experience indicated that, in the particular subject, an exceptional number of failures was appealed and granted passes? 8. (a) Were any appeals rejected, and later granted; (b) if so, on what basis; (c) and if so, was any attempt made to give justice to other rejected appeals where the student had not made a second effort at appeal? 9. (a) Were con-

fidential marks submitted by the teachers used, as expected, in determining the final result; (b) were any of these marks scaled according to the suspected reliability of the teachers' marking? 10. What specific measures will be taken to make sure that a fair examination has been set for this year, and that markings will be just?

Answer by the Minister of Education:

1.

| *First class standing* | *1963* % | *1964* % | *1965* % |
|---|---|---|---|
| English | | | 13.09 |
| English composition | 14.38 | 11.90 | |
| English literature | 14.86 | 13.18 | |
| Chemistry | 19.01 | 17.19 | 13.58 |
| History | 17.89 | 18.90 | 17.81 |
| *Second class standing* | | | |
| English | | | 15.17 |
| English composition | 21.44 | 20.80 | |
| English literature | 19.82 | 21.17 | |
| Chemistry | 20.39 | 19.58 | 16.42 |
| History | 16.32 | 12.58 | 14.16 |
| *Third class standing* | | | |
| English | | | 18.19 |
| English composition | 20.48 | 17.73 | |
| English literature | 22.15 | 15.59 | |
| Chemistry | 15.33 | 17.93 | 14.78 |
| History | 14.62 | 15.68 | 12.01 |

2.

| | *1963* | *1964* | *1965* |
|---|---|---|---|
| English | | | 5,253 |
| English composition | 901 | 1,626 | |
| English literature | 1,144 | 1,553 | |
| Chemistry | 634 | 778 | 1,509 |
| History | 656 | 600 | 1,160 |

3. (a) No. (b) The special revising board undertook to grant standing under its rules in certain subjects if the mark assigned was slightly below the pass mark without re-reading the examination paper.

4. (a) No. (b) In some cases, decisions made by the special revising board as a result of formal appeals were reported to candidates by telephone and confirmed later in writing. This was done where the information was needed to meet an enrolment deadline.

5. English ..... 31
Chemistry ..... 28*
History ..... 20*

*These original marks were the results of clerical errors.

6. Yes. The raising of a mark in one subject made it possible in some cases for the special revising board, working under definite rules, to grant standing in another subject.

7. No.

8. (a) Yes. (b) When additional information was received. (c) Yes, in some cases.

9. (a) Yes. (b) Yes.

10. Again this year, the papers have been set by highly qualified and competent examiners-in-chief and have been reviewed and approved by the supervising board. Qualified teachers have been appointed to mark the answer papers.

An increase in the rate of remuneration and in the living allowance for out-of-town markers is one reason for an increase in the number of applicants for marking. For the first time in several years, a full complement has been obtained to mark the English paper.

An enlarged revising board will review all marks before they are released.

**Clerk of the House:** The 31st order, House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF EDUCATION

(*continued*)

**Mr. D. C. MacDonald** (York South): Mr. Chairman, in his lead-off the Minister gave a rather comprehensive survey of his department within the categories of four heads into which he chose to include the various aspects of the work. I think consideration of what he had to say there might better be dealt with under each one of the votes so I am not going to attempt to deal with them in my lead-off remarks.

Similarly, I think the hon. member for Brant dealt with certain aspects of both what the Minister had said and various estimates; once again, they might better be dealt with under each of the estimates and I propose to leave any comments I might have on those two introductory statements until later.

What I would like to do this afternoon is to try to step back, as it were, from our whole educational system and our educational policy, or lack thereof, and take a look at it in terms of what I think are some serious inadequacies.

I think this can be done only within the sequence of whatever thesis I may evolve in the course of my remarks rather than

estimate by estimate. However, there are two points that I would like to touch on rather briefly before I get to the main body of my remarks. One, I shall look forward with interest to the hon. Minister's reply to the query as to why we do not have the year book. As a matter of fact, my recollection in years gone by was that the annual report of the department became available, usually in the month of February.

Quite frankly, I think it is a little unforgivable that, in the month of June, when we come into a department like The Department of Education, concerning which there is such an array of statistics which are basic material in assessing government policy and its achievements, I think it is a bit unforgivable that we do not have it. I do not know what the reason is, but, I trust that in another year it will not happen again.

The second point that I would like to touch on briefly was the comment of the hon. member for Brant that in his view The Department of University Affairs and The Department of Education should be brought together again under one Minister, and, granting the size of this task, that conceivably he would have deputies or assistants in each of these branches that would make it manageable. I have reflected on the comments of the hon. member for Brant, because it was in direct opposition, so to speak, to a comment that I made in my Throne speech back in the latter part of January, or the early part of February.

My suggestion at the time was that in my view these departments have now grown to such proportions that it is beyond the capacities of any one man, even including a man with the unbounded energy of the hon. Minister of Education and University Affairs, to be able to handle everything that must be handled and given rather detailed attention. The more I reflect on it the more I am convinced I was correct then and the hon. member for Brant is heading in the wrong direction. There is one other aspect of the picture that I would add at this point and that is that I know there were reasons—some of which were defensible, but most of which are indefensible—for separating those aspects of educational matters that are now in The Department of University Affairs, leaving the rest in The Department of Education. I hope that sometime soon, if we are going to have a departmental reorganization, not only would you have two Ministers but that we would introduce some rationale to the kind of division that exists at the present time. I submit to you that it has no rationale at all, except in bowing to what is a bit of snobbery on the parts of the universities—that they do not want other things to be in their bailiwick.

Second, an equally irrational point is that many of the grants that this government wants for other post-secondary matters are available from the federal government only if they are related to technical or technological education. I do not know if this is part of the reason why the government feels that they must leave these aspects of secondary education in The Department of Education. I would suggest two departments which could be neatly divided in terms of education: public and secondary on one hand, and post-secondary education on the other hand. This is a logical division.

I concede that in all education it is the totality that we have to examine. You cannot separate one from another. You will not have any greater divergence or any greater cleavage in that kind of a division in education than we have today, for example, between The Department of Municipal Affairs and some aspects of The Department of Economics and Development, or The Department of Health and some aspects of The Department of Public Welfare. It is to find the neatest possible division, and I submit to you that it rests in terms of what we have known as formal public and secondary education in one instance, and all other post-secondary education being put in with the department which might have to be renamed if it is going to include something other than the universities themselves.

Having dealt with those two rather brief and relatively inconsequential administrative details, I would like to examine the whole of our educational system and point to some of the problems that I think are emerging within it.

This year, Ontario will be spending $700 million—a figure that can be taken up to $850 million if you include the capital grants for universities—out of this provincial budget on education. Barring a catastrophe, in the years to come it will undoubtedly be spending more.

Mr. Chairman, in attempting to assess whether we are getting full value for our educational dollar, we are confronted immediately with the fact that we have no coherent educational policy. Therefore, how can we judge? For years the educational system drifted along in the traditional pattern, failing to meet the needs of a modern industrial society. Now, in a wild flurry of activity, we have been attempting to catch up. Wherever the pressure became greatest, that became the priority for the day.

Throughout the 1950s this government slowly awakened to the fact that a tidal wave of students threatened to engulf our inadequate range of higher educational institutions. For ten years, instant universities have been the answer.

In the 1960s, with little preparation and virtually no advance warning to all those involved, we plunged into a broadening of our secondary school curriculum in order to provide commercial and technical as well as academic education across the province of Ontario. I concede that it was being provided in some urban centres prior to that.

Last year we belatedly realized that graduates of the so-called Robarts' plan would have nowhere to go this fall, so we are now trying to open community colleges in temporary quarters while the whole project is still very much in the blueprint stage.

In short, we have been rushing madly off in many directions today because we stood still for so many years. But much of this expenditure is merely the provision of bricks and mortar. There has been little or no consideration of what is to be taught in these glistening new buildings, and little or no extra effort to train the qualified teachers.

Thus we have committees examining the aims and objectives of education, reviewing the school curriculum from the primary grades up, reporting on the inadequacies of elementary teacher training, and making recommendations on what should be done with grade 13. In short, we are trying to shape a coherent educational policy to guide us in the phenomenal expansion of the educational system which is already well advanced. There are obvious dangers in building first and doing the overall planning afterwards and yet that is exactly what this government is engaged in.

At the recent meeting of the Ontario educational association, Vernon Trott, director of psychological services for Forest Hill, best described the situation. He said that he could not help thinking that the lower level executives in The Department of Education—and I might add, many of the teachers also—must have to check their newspapers every morning to find out what the hon. Minister had dreamed up the night before. Mr. Trott said that some of his friends actually believe that the hon. Minister has lost all perspective. In a desperate effort to catch up, so much is being done so quickly that we are in grave danger of making costly mistakes. An illusion of progress is created by the mere spending of more money because we are not clear on our objectives and therefore cannot come to any intelligent decision on priorities.

Whatever may be the result in our current search for a more sophisticated definition of the aims of education, our stated objective for years has been to provide equality of educational opportunity to every child, whatever his family background and income and wherever he lives. This, Mr. Chairman, is precisely what we have failed to do. Ontario has a class-structured educational system, in spite of all the changes that have taken place in recent years, changes which would appear to assure greater quality of educational opportunity—is becoming more class structured. So much so that a child born in poverty has little advantage to escape from it by a development of his native talents through education. Historically, Ontario has always had a class-structured educational system, from the days of the family compact when education was available only in the private schools to which the well-to-do could send their children. Or if I may vary that in view of the interesting historical portion of the hon. Minister's introductory remarks, though it be true that we got into what might be described as the embryo of a public educational system from 1816 on, it would be interesting to know what proportion of the children went to these schools, and to examine how the fees became a financial barrier to all except those in the upper or the middle-upper or the commercial group in society whose parents were in a position to pay either the tuition to a private school or the fees required for a public school system.

In this century, our collegiate system, like the classical colleges of Quebec, has met the needs of only those who were destined to enter the professions. Admittedly, the Robarts plan has broadened the opportunities at the secondary level, providing commercial and technical as well as academic education. But that development came two generations too late in Ontario; the whole impact of the current technological revolution has already created a new class system to a degree with which, I submit, most people are not yet aware.

For the first time in the history of mankind, education or the lack of it stands between a man and his job. In our father's day, if a person dropped out of school, limited education or skills did not stand in the way of getting a job. Theirs was a more open society; mobility from one class to another was more possible. But today, the undereducated are the unemployed. The unemployed are the poor. The children of

the poor are the school dropouts. The school dropouts are the undereducated, the unemployed, the poor, and so the vicious circle goes on and on and relentlessly closes in on a very significant proportion of our young people.

In lectures to The Department of Education's secondary school principals course of Western and Queen's last summer, Professor Timothy E. Reid of York University said—the Liberals have stolen ideas from us for so long that I am very glad on occasion to steal one from the Liberals: I note that they did not use it, so perhaps it is fresh for me —he said:

> During the 1950s the new technology of automation began to cleave society, particularly its younger members, into two clearly distinguishable classes. Today, one class if made up of the undereducated, most of whom, because they are undereducated, are chronically unemployed or work only sporadically and who, because they are unemployed, live in deprivation, poverty and destitution. The other class is made up of the people who have, at the very minimum, four years of secondary high school education and most of whom, because they have sufficient formal education, are continuously employed and who, because they are steadily employed, have incomes of at least $5,000—

Of the 61,000 teenagers who dropped out of our school altogether in Ontario between September, 1963 and September, 1964, 50,000 were born of parents whose family income at the time the child dropped out was below $5,000 or even below $4,000. In short, over 80 per cent of our school dropouts were from the lower-income class—primarily the poverty class.

Thus Professor Reid concludes that:

> Many undereducated fathers and sons will lose their jobs at the same time. Social mobility between the rich and the poor is already largely a myth in Canada today.

Mr. Chairman, in *The Vertical Mosaic,* Professor Porter of Carleton University, documents beyond any dispute the class structure of our society. The statistical evidence which he marshals in his brilliant analysis indicates that sons and daughters of parents with incomes of over $5,000 are themselves assured of the same income category and of excellent chances of joining higher-income groups, while the sons and daughters of poverty income groups are locked in low-income levels. Educational opportunities are often tied to family income and therefore these opportunities, particularly at the higher levels, do not necessarily go to the students who have the best potential simply because they never have the chance to qualify.

I was interested in one community study entitled "Transition from School to Work" done for the federal Department of Labour by Professors Oswald Hall and Bruce McFarlane in December 1962 and it concluded as follows:

> It is clear that the university in this community does not secure the cream of the crop. Of the high calibre students entering the high school—the top 10 per cent—only one in five carries through to university. On the other hand, many of the poorly qualified students reach univerisity.

These documented conclusions, I suggest to you, Mr. Chairman, make a mockery of the claim that we have equality of educational opportunity in Ontario. But is this criticism of our class-structured educational system not increasingly out of date? In recent years fresh breezes have been blowing through the musty catacombs of departmental thinking here at Queen's Park. With the Robarts plan of community colleges, more universities, are educational opportunities not greater?

And to be fair, the answer is "yes"; but for a limited number of our children, some 20 per cent; and the overwhelming majority of those who benefit come from the middle and upper income homes. Ironically, all our emphasis on higher educational opportunities, while necessary because development of our educational system was neglected for years, has tended to freeze our class-structurd society. These broader educational opportunities are for the select few, the one-fifth who survive to the latter stage of the educational system.

Democracy in education means that the best education must be available to every child or else democracy has no meaning in this context. Therefore, in a truly democratic system, the top priority must be given to a thorough reform of the primary and secondary education where every child can benefit and where, I want to suggest, basic inadequacies exist.

Perhaps the most disturbing feature of our educational system is that even with the major modifications which have been made, or are contemplated, certain built-in deficiencies in the system result in the child being locked in the economic class into which he was born. Let me illustrate these built-in deficiencies by reference to three major areas throughout the school system.

First, there is a growing body of research which indicates that children of the lower income and poverty homes live in a world without books and therefore lack an early development in the basic communication of speech and reading from which they never recover. These children rarely get to nursery school or kindergarten to compensate for the cultural limitations of the home environment; they cannot cope with the early grades; they become discouraged and disinterested and fall farther and farther behind so that they are marked as a dropout from the day they enter school.

Mr. Chairman, I just want to pause here, because there has been research done on what happens to children in this category coming into grade 1—whatever may be their native ability—to indicate that you can designate these children to an extraordinary degree. You can designate them as dropouts from the time they enter in grade 1. I suggest any school system that tolerates that kind of situation, cannot, in the remotest sense of the word, be described as democratically structured.

If the culturally deprived child is going to be rescued from the limitations of his early environment and educational opportunities made available to him in accordance with his native ability, it can be done only through a concentration of resources and our best teaching skills in nursery schools, kindergarten and the first three grades.

The report of the Minister's committee on the training of elementary school teachers quotes an acknowledged authority in this field, Benjamin S. Bloom, who has provided a weighty compilation of data in his *Stability and Changes in Human Characteristics*.

Dr. Bloom's conclusions are that by the age of four, a child has acquired one-sixth of his general learning pattern; that between the ages of four and six that achievement is doubled to one-third, and that between the ages of six and nine, the child's learning patterns are developed to about 50 per cent of their potential.

Therefore, Dr. Bloom emphasizes that:

> nursery schools and kindergartens would have far-reaching consequences on a child's learning pattern between the ages of four and six;

And that:

> the first period of elementary school, grades 1 to 3;

And I draw the attention of the House to this:

> is probably the most crucial period available to the schools in the development of the general learning patterns.

Dr. Bloom concludes:

> We are inclined to believe that this is the most important period for academic achievement, and that all the subsequent learning in school is affected and in large part determined by what the child has learned by the age of nine or by the end of grade 3.

Here then, Mr. Chairman, surely is a top priority in education which has been no more than tentatively acknowledged by the government in the Minister's committee on the training of elementary school teachers.

For years we have watered down the standards of the teaching profession with an influx of recruits who are no more than two months out of school themselves, with no post-secondary education and only six weeks' summer training. In keeping with the general tendency to downgrade the importance of the early years of schooling, these inexperienced teachers have been assigned in many instances to the primary grades, on the fallacious assumption that the least experience and training is needed at this age. The consequences in terms of failure to overcome early learning disabilities are inestimable.

But even when elementary school standards have been placed on a professional basis, as recommended by the hon. Minister's committee, another major obstacle will remain. With classes of the size to be found in most of our schools today, it is impossible for a teacher to establish the kind of individual relationship with the pupil which makes for good teaching. With 35 or more pupils, the best that teachers can be is little more than an educational policeman.

I recognize that large classes are a common problem all across Canada, as we have had to cope with this postwar crop of babies. But what we may not realize is that the situation is worse in Ontario than any other province. According to an educational survey made by DBS in 1961-62, Ontario had the highest median class enrolment for all Canada, in both elementary and secondary schools.

Out of a total of 38,000 elementary classes at that time, 1962, 11,000 had more than 35 pupils, and 2,700 had more than 40 pupils.

Out of 12,000 secondary classes, over 5,000 had more than 30 pupils and 3,000 had more than 35 pupils.

Now any educational policy today presents a difficult choice in priorities. But a truly democratic educational policy will focus any

additional assistance that can be mustered on the needs of the primary grades which deal with virtually every school child, rather than on higher education which is available only to the fortunate few.

We can never have a truly democratic educational system until we raise the standards of teachers and in some way—through the reduction of class sizes, provision of auxiliary teachers or otherwise—make it possible for the establishment of a closer personal relationship between teacher and pupil, particularly in the primary grades. So far we have done little more than acknowledge the existence of the problem and we have tolerated a tragic frustration of the development of human potential.

Speaking to an educational policy conference sponsored by the New Democratic Party in Toronto a week or so ago, Dr. Francis Ianni of Columbia University said that most schoolchildren use only a tenth of their learning ability. I quote him: "The school as an institution restricts the learning of the child rather than helping it." In saying that, Mr. Chairman, I suggest he was only saying esentially the same thing as Robert Macaulay, who in a characteristic blast two or three years ago stated that our school system tends to destroy the native curiosity of the child and frustrate his learning capacities.

Undoubtedly some of this frustration arises from the regimentation of a graded school system, which chops the learning process into artificial sections that have no real meaning. R. S. Coles, principal of the Perth avenue school in Toronto, described the situation in an ungraded school which takes count of the individual differences in children and the varying stages of progress in each subject. This is the way he put it: "There are no failures and no promotions, just progress." That, I suggest to you, is movement without the straitjacket and the regimentation.

The experiment in the Duke of York school in downtown Toronto is providing an invaluable guide. Encouraging results have been achieved among pupils in generally underprivileged and low-income population. It is significant that the teacher-pupil ratio has been reduced to below 30 and the resources of the classroom teacher have been bolstered with the special skills of 14 specialists who are always on call.

The costs are higher, but just how much higher we have no conclusive evidence. According to William J. Quinn, principal of the Duke of York school, the extra expenditure appears to be in the range of $100 per child and certainly not more than $200 per child, even if all the so-called hidden costs are included along the lines of an exacting estimate of costs for similar schools in New York city.

I might add that $100 or $200 extra is in addition to an average cost in the city of Toronto of $550 per child in the public school system.

But the results strongly suggest that the initial costs in a school like this, even though they may be greater in the Duke of York school, are balanced out by long-run savings in terms of the contribution to society by a fuller development of human potential, or the avoidance of early dropouts with the inevitable unemployment and welfare charges, and perhaps even reform institution outlays for those who become serious misfits. Extra dollars spent on the child in the early school years may well mean the saving, or the making, of many more dollars throughout the full lifetime of the child.

Mr. Chairman, let me turn to a second area where deficiencies in our school system tend to lock a child in the economic group to which he was born.

Without corrective measures, which presumably are the objective of the intensive investigation by the curriculum study committee, or without the implementation of ungraded schools which would free a child to move through the school system without the regimentation of annual promotions, the Robarts plan may well prove to be class legislation because of the educational opportunities leading up to grade 9 tend to encourage children from the lower-income homes to stay out of the academic stream leading to university, and reserve places in that stream for the sons and daughters of the middle-income and wealthy parents.

For example, the community study done for The Department of Labour by Professors Hall and McFarlane that I mentioned a moment ago, reveals a marked variation in the pattern of children from families whose father's occupation is that of a manual or a nonmanual worker.

Children of the nonmanual workers are directed largely into the academic courses. Only 27 per cent of them choose the vocational courses. Few of the children drop out in the first year of high school, and 38 per cent of them go on to senior matriculation.

But for children of the manual worker's family, the converse is true. One in five drops out in the first year of high school. Almost a half are enrolled in vocational

courses, a smaller proportion enter the academic course and relatively few manage to reach senior matriculation—in this particular community study, only 14 per cent.

This study makes another significant point, Mr. Chairman. IQ tests, which are a standard method of categorizing children, are themselves an invidious yardstick, for they help to bolster the class structure. Professors Hall and McFarlane note that children from nonmanual workers' homes score higher on tests, in all likelihood partly because of the home influences and because the test itself reflects the skills of the nonmanual workers' home.

Thus the whole system tends to direct children from working-class homes, whatever their brilliance, into the commercial and technical streams and reserves the academic stream for the children of middle- and upper-class homes. It was not intended that the Robarts plan would do this, but because of our basically class-structured educational system, particularly in the early years in its failure to compensate for some of the inadequacies and correct some of the problems of young children, this is what is happening.

As Professor Reid told the high school principals in the summer course last year, and I quote:

> I am fearful that the so-called Robarts plan instituted in Ontario secondary schools a few years ago is resulting, and will increasingly result, in an extrordinary perversion of intent.

Moreover, now that we have had a few years' experience with the Robarts plan, I suggest there is need to review it, not only because of the class rigidities which slot children at the grade 9 level, but of the continuing rigidities throughout the secondary school system which make it virtually impossible to escape, even when a late development of potential makes that possible.

Is the streaming established too early? Does it involve a premature attempt to develop special skills, when the basic need is a broad education to make the student more capable in later years to retrain from his original skill?

Are the opportunities to transfer from the four- to the five-year course flexible enough? These and other questions demand a thorough review.

Finally, the same basic situation is found at the level of higher education, if I may just digress on to it for a moment. Indeed, the results at the secondary level may well be compounded by our community colleges. If community colleges are going to be sharply oriented to technology, without a core of liberal arts, and with ill-defined and limited opportunities for transfer to university for the brighter students, they will cement the fate of the disadvantaged child. Even if he does overcome earlier handicaps sufficiently to reach high school and complete four years in the nonuniversity stream, there is little prospect that he can go beyond the community college.

In short, the Robarts plan from grade 9 on and the community colleges at the post-secondary level together seem progressively to close the door to academic education for those who start with a material disadvantage.

Moreover, if only a relatively small number of students proceed to the later stages of education, how is this minority, in fact, selected? Is it the bright student of poor and underprivileged parents, or the affluent but otherwise indifferent youngster who is chosen for an opportunity of higher education? The *Times* educational supplement commented editorially after the Robbins report in the United Kingdom that:

> Money spent on universities is largely money spent on the middle-class. Although university populations more than doubled between 1928, 1947 and 1961, there was virtually no change in the percentage—25—of students with working-class background.

There is no doubt that essentially the same is true in Canada. I have already cited studies of Canadian communities which indicate that the cream of the students do not get to university. Even if a child does overcome other disadvantages arising from a low-income home, the final barrier to higher educational opportunities remains and, in many instances, is prohibitive. Refusal to extend the principle of free education to the university level by eliminating fees symbolizes this government's failure to shape a democratic educational system.

Mr. Chairman, we have listened to all the reasons why this cannot or should not be done, including the Prime Minister's mystifying comment a few years ago that elimination of university fees would be in conflict with the Conservative Party's concept of free enterprise. Perhaps it is not surprising that this view should be held by Conservatives, who have traditionally been unenthusiastic about the democratization of education. But it is interesting to note that, despite Liberal Party pronouncements for free university education, the Liberal government at Ottawa has not

acted to remove this barrier. It is significant that Professor Tim Reid should conclude his analysis of the class-structured nature of our educational system by a masterpiece of inverted logic and come out in opposition to free university education.

**Mr. R. F. Nixon** (Brant): That is the only place he is wrong.

**Mr. MacDonald:** He told the high school principals at their summer course last year that to be concerned with such proposals as free university education is to focus attention at the wrong end of the problem.

Mr. Chairman, Professor Reid's case for compulsory nursery school and kindergarten classes—and I would extend it up to at least grade 3—is at least a partial answer to meeting the problem of the culturally disadvantaged child. This has been solidly documented by authorities from across the world, as I have already shown. But now that we are committed to a policy of higher educational opportunities at either the university or community college level, I submit that it is penny-wise and pound-foolish to retain that last major obstacle to higher education for the student from a low-income family. Assuming that the federal government could be persuaded to share in the grants needed to eliminate university fees, an assumption which on the basis of experience may be rash, the cost to the province at the moment would be just over $15 million a year.

In an overall budget for universities—which was $175 million last year and is now increased to $250 million—or an overall educational budget in the range of $700 to $850 million, I suggest to you that $15 million is a manageable sum, and a completely defensible outlay to remove this financial barrier.

**Mr. L. Letherby** (Simcoe East): The member does much better without the text. He should do it on his own.

**Mr. MacDonald:** I will do that afterwards. The hon. member had better watch when I do that, because I may be heading in his direction.

All the arguments against free university education today, whether they come from Liberals or Conservatives, are essentially the same as those advanced more than 100 years ago to oppose the development of a free public school system. Furthermore, if this nation is going to democratize, however gradually, its basic class structure which John Porter has so clearly delineated, and which Professor Reid professes to deplore, it must draw its leadership from those reserves of talent in the lower-income groups, instead of perpetuating the elite who have traditionally dominated our social, economic and political life. You can only do that if you do not give the fullest opportunity to these children for opportunities of higher education.

Now, not later, is the time to do this by removing the barriers to higher education for all who are qualified, if for no other reason—I suggest to the Minister—than to provide teachers who understand the problems of the lower-income homes because they happen to have grown up in them.

To sum up, Mr. Chairman, automation is combining with our educational system, even in its modernized version and even with all the changes of the past five or six years, to reduce the mobility between the rich and the poor, and thereby create an increasingly rigid class system. In a society which proclaims the goal of equality of educational opportunity, this situation cries out for corrective action which must be given higher priority.

Mr. Chairman, in the hectic flurry of activity which characterizes the Ontario educational system today, there is another matter of fundamental concern that I would like to present to the House. I am glad to see that we have some of the more serious-minded members still with us, like the hon. member for London South; he can reflect on this. Enormous and irretrievable funds are being spent not on the substance but on the semblance of democracy in education. The results are in urgent need of assessment.

What we are creating, as the late Alexander Wittenberg of York University so aptly termed it, is educational inflation. I quote from Dr. Wittenberg:

> For that is precisely what it is: a situation in which more and more educational currency is put into circulation—years of schooling, diplomas and degrees of all kinds. But the intrinsic worth of this currency is declining, with the result that the actual education any one student receives simply is spread more thinly, if it is not deteriorating altogether.

Educational expenses are increasing rapidly, and so is the length of the period of education. But as Dr. Wittenberg observed:

> This, by itself, means little. It is the education actually received by the student which counts. Large expenditures and protracted periods of schooling could conceivably conceal what I called educational inflation—a situation in which schooling

> is only long and expensive because little value is obtained for each dollar and each year of education.

If this situation continues, Mr. Chairman, without corrective action, Dr. Wittenberg has warned:

> The national life would be increasingly corrupted by the insidious spread of a kind of learned and pretentious incompetence which is often worse than straightforward ignorance married to sound commonsense.

This is, I think, a magnificent collection of words and thought.

A province and a country may deceive its own citizens by inflating the proportion of diploma and degree holders but if they do not represent an excellence of achievement, it will not deceive the rest of the world when these graduates compete in the world economy or in the world civilization.

There is growing evidence that educational inflation has reached disturbing proportions in Ontario. As the length of education has increased, its quality for many has deteriorated.

For example, educational inflation is evident in our high school entrants who have not mastered spelling, or university entrants who can barely manage their mother tongue, much less claim efficiency in our second national language.

I suggest that the best way to run headlong into educational inflation is to commit ourselves to educational goals for which the qualified teachers are not available, then lower the requrements for teacher training until the goals can be formally met. This is precisely what we have been doing throughout all of the postwar years. We took high school graduates and with only six weeks' summer training we put them into public school classrooms. We took university graduates, and with only six weeks' summer training we put them into high school classrooms. We expanded our universities phenomenally and only then did we provide greater resources for training more university teachers. And now, having blueprinted a programme for a score or more of community colleges, and next year, or the year after, we will face up to the problem of adequate qualified teachers.

This expedient of watering-down professional standards of teachers in order to put a body in front of the class generates vicious circles which have serious consequences throughout the whole educational system. We are cheating a whole generation or more of young people by pawning off on them a debased educational currency.

Nowhere, Mr. Chairman, is the burden of educational inflation greater than at the practical level of costs. Every stage of education is substantially more expensive, in terms of cost per pupil, than the preceding one. If a high school has to waste time providing an education which a pupil should have received in the elementary school, or if a university or community college has to waste time on developing indepedendent study habits that the high school should have taught, this whole process represents a serious waste of public moneys. It is more expensive to repair the gaps in the literacy of a university student than to prevent their occurrence in primary schools. This we have not been doing as I tried to suggest earlier.

Moreover, educational inflation, like financial inflation, is a form of robbery which falls most heavily on the poor. As I have already indicated, it is the children of the poor who are least likely to survive to the later stages of the educational system and share in its benefits.

Clearly, in my view, Mr. Chairman, the time has come to clarify our educational goals; to acknowledge how far we have fallen short of building a democratic educational system; and to seek the basic facts on which an educational policy can be based.

Any policy, I admit, will be a matter of priorities, and there is no priority in education which does not matter. Some tough choices are going to have to be made, and master priorities will have to be established, and I want to suggest that they are three in number.

The first master priority is the formation of an educational policy so that we will have a clearer idea of where we are going. In other words, instead of just expanding and expanding, and then trying to plan pragmatically the basis of the expansion, let us get a clear picture of where we want to go and why. Educational policy must not simply happen as the fortuitous result of many isolated development. Rather it must grow out of independent investigation, and a wide-open sophisticated debate on aims and priorities. In fact, we have had neither, to any adequate degree in the province of Ontario at the present time.

The Hall committee on the aims and objectives of education in my view is inadequate for this purpose. Its basic work force is made up of educational civil servants who have other duties to perform and who are too involved in the existing system to be able to make a detached and indepedent assessment.

The membership of the committee is a group of educationalists and laymen who meet too sporadically and temporarily to grapple with the complex problems. To say this is not to criticize the worthy individuals involved, but the basic setup and working arrangements of the committee. It is only necessary to compare the operations and the approach of the Parent commission in Quebec, for example, to establish the point that I am attempting to make with reference to the Hall committee.

The comparison underlines the basic inadequacies of the Hall committee; it is tackling a segment of the overall system which cannot be studied in isolation.

In formulating an education policy, our first master priority, the parts of the system cannot be viewed in isolation no matter how different and isolated their functions.

As Alexander Wittenberg put the problem, and I borrow from him again:

> Equality of opportunity, for instance, can be served by expanding opportunities for post-secondary education; but it also can be served by creating nursery schools for the children of working mothers or by reducing class sizes in elementary schools, or by attracting brilliant university graduates into high school teaching, through suitable means, all of them costly. Which of these and other alternatives is the most compelling one, which one should receive higher priority? These are the real practical problems of education in a free society.

And as Dr. Wittenberg pointed out:

> All the issues they raise are interrelated and partly condition each other. For instance, under conditions of educational inflation the ambiguous and often heard phrase that many high school graduates could benefit from a university education may mean nothing more than: many high school graduates still have much to learn that they could have learned, but did not learn, in high school. This would then seem to indicate that the greater priority should be given to improvement of the high schools. But how can the high schools be improved if there are no first-rate university graduates to staff them? This seems to point to the priority for university development. But should not the overriding priority go to very early education, particularly of the underprivileged children, so as to rescue the reserve of talent that today may go undetected altogether? These are the dilemmas with which we have to grapple if we are to take our commitment to education seriously. We must view the process of education, from beginning to end, as one functional whole and attempt to frame proirities for its development under the guidance of our overriding commitment.

This, then, is our master priority in my view: the formulation of an educational policy. But at the risk of prejudging the conclusions which would be more evident from its formulation, I want to suggest, Mr. Chairman, that there are other master priorities that can be stated forthwith.

The second master priority is an emphasis on elementary education to halt the educational inflation trend. The presidents of the universities of Ontario in their report on post-secondary education in Ontario, 1962-70, acknowledged this. "It is pointless," they said, "to incur great expense for post-secondary education, without at the same time making sure that elementary and secondary education are as good as we can make them." Thus, they urged research be undertaken into the entire school curriculum.

Undoubtedly the work of the curriculum committee, or rather, the Ontario curriculum institute, and the Ontario institute of studies in education—you put the institute at reverse ends on these two bodies—under the direction of Dr. R. W. B. Jackson will eventually come up with more definitive answers in this field, but enough research has been done elsewhere as well as in Ontario, to indicate that the greatest possible concentration of resources should be in the years 4 to 9, from nursery schools through to grade 3. Here the reserves of talent among culturally disadvantaged children can be tapped instead of being wasted as they are at present. Here the difficulties of perceptually handicapped children can be corrected before they frustrate a lifetime's potential. If all subsequent learning in school is affected and in large part determined, by the development of general learning patterns by grade 3, then surely, no further argument is needed for the fullest possible concentration of resources in this critical formative period.

An immediate need is the establishment of higher professional standards for teachers. In Ontario we have permitted the standards to be lowered to a deplorable degree. The recommendations of the Minister's committee on the training of elementary schoolteachers should be implemented as quickly as possible —establishing a four-year university degree as the basic requirement. No teacher can teach in depth if he has not studied in depth and acquired that degree of maturity which can come with these years of study.

And this we attempted to ignore as we tried to cope with the crises which came upon us in the past.

But there is a third master priority which is inextricably bound up with the quality of our teachers. In this age of educational gimmicks, one thing is unchanging in the nature of education. A good education can be summed up as: devoted and knowledgeable teachers giving personal attention to manageable groups of children, and I suggest that everything else is secondary. Therefore, in addition to assuring higher professional standards for teachers, high priority must be given to making it possible for the teacher to give adequate personal attention to the pupil, particularly before the age when a child is able to study largely on his own. A child in public school is entitled to the same careful individual attention received now by the few privileged children who attend private schools.

The traditional answer to this problem, Mr. Chairman, has been the reduction in class sizes. I have been interested to learn, in attempting to do some work in preparation for this, that in discussing this issue with those engaged in full-time educational research, there is no firm conviction that reduction in class sizes is necessarily by itself the answer.

For example, reduction in class sizes certainly will not achieve the desired result if it is not accompanied by a change in teaching methods. The teacher will achieve no closer individual relationship of pupils if he simply lectures to 20 of them instead of 40. Changes in teaching methods and curriculum will have to accompany reduction in class sizes, and all of these variables make it difficult to assess improvements with any assurance as to which factor has contributed that improvement and to what degree it has contributed it.

I was interested to learn, for example, Mr. Chairman, that, because of uncertainty in this area, the research department of the North York board of education has given high priority to a project in which they hope to assess results that would be brought about by reduction in class sizes, and to do this scientifically. Apparently this has not been done anywhere as yet.

I was also interested to learn from those on the research staff of the Toronto board of education, who are studying the experiment in the Duke of York school, that in their view the answer may lie in increasing the number of teachers in the room rather than reducing the class size. In some cases, with difficult and large classes, two teachers have been put in the same room in the Duke of York. In other cases, it is felt that the need for individual attention to pupils might best be achieved by providing the class teacher with what I learn are now referred to as paid auxiliaries. These need not necessarily be professionally trained teachers, they might be adults whose experience as parents, or in certain community work, has equipped them to work individually with young people, establish communication with them and help them over their learning difficulties.

In other words, Mr. Chairman, this is, to a degree, in keeping with the thought that I think led the hon. Minister to attempt the internship programme and bring people in and finally, I suppose, give them the formal certificate.

There is one compelling reason why some such expedient as the use of paid auxiliaries to assist the class teacher, as an alternative to a reduction in class sizes, may have to be the answer—the great costs involved in reducing class sizes. I invite you, Mr. Chairman, to follow for a moment and get some idea of their proportions.

Dr. Gerry Ridge of the Metropolitan Toronto school board has provided me with the following estimates in costs.

If class sizes in Metro were reduced by one alone—from 35 to 34, or from 30 to 29—the cost would be something in the following proportions:

There are about 7,000 classes in the public school system and the reduction of one from each would make it necessary to provide the school facilities for 7,000 extra students. The cost for providing the physical plant alone is approximately $1,170 per pupil, which would result in an immediate capital outlay of $8,190,000. Furthermore, the operating costs are about $550 per pupil, which would result in an additional annual outlay of $3,950,000.

Admittedly, all class sizes are not such as to require a reduction. I understand in Forest Hill many of them are not oversized. In other parts of the city they are. But in other parts there would have to be much more than the reduction of one. For purposes of making my point, a reduction of one in class sizes across the board in Metro alone, to say nothing of the rest of the province, would require an immediate capital outlay of over $8 million, and an annual operational outlay of just under $4 million. The total is so staggering as to suggest serious consideration of alternative methods of achieving the same result through less expensive means, such as the provision of paid auxiliaries for the class teacher.

But whatever procedure is used, we must seek as quickly as possible, as events will permit, to alter a situation in which the teacher, no matter how qualified or experienced, can be given an opportunity to teach instead of merely acting in the role of educational policeman.

Now, Mr. Chairman, there is another point which I would like to deal with in conclusion.

Having pointed to the master priorities in our educational programme and conceded that they all will cost more money, I would like to present some evidence to counter the feeling that Ontario is spending extraordinary amounts on education. Perhaps this should be for the benefit of the Treasury benches and the hon. Minister's Cabinet colleagues, who undoubtedly must be looking with some jealous eye at almost half the budget going in the direction of education.

In fact, Ontario stands in the bottom half of the class, among Canadian provinces, in terms of what has become known as educational effort. For some years now the Canadian teachers federation has published a succession of studies providing interprovincial comparisons regarding educational expenditures. In past years I have often quoted from these studies, indicating that in the year 1955 and a subsequent one, in the year 1958, Ontario stood last or second last, among the ten provinces in terms of educational effort.

I find the CTF has brought the study up to date in comparative statistics in a booklet which was published in October of last year. Their calculations are interesting to ponder. First, they measure the ability of the provinces to meet educational costs, as reflected in the personal income per capita. Ontario stands highest among the Canadian provinces with a per capita income of $1,862. British Columbia is second with $1,815; the national average is $1,562 and the figures range down to that of Newfoundland with a per capita income of $937—half that of Ontario.

Second, they measure the burden of education, as reflected in the pupil enrolment for every 1,000 persons in the work force producing the wealth to sustain education. Here the ranking almost reverses itself. Newfoundland has the heaviest burden, with 1,133 children in their schools for every 1,000 people in the work force. The national average is 639 pupils per 1,000 in the labour force, and three provinces are almost tied for the lightest burden—Ontario with 589, British Columbia with 587, and Manitoba with 581—just a little over half of the burden Newfoundland has.

When these two calculations are put together—the burden and the capacity to carry it—and the actual expenditures on education are considered, the Canadian teachers federation comes up with a measure that has come to be known as educational effort. The results, Mr. Chairman, are briefly as follows:

Saskatchewan has the highest educational effort in Canada; Alberta is second; British Columbia is third; the six and seventh places are tied by Ontario and Nova Scotia; and Newfoundland is the last.

In short, measured in terms of our capacity to carry the educational load, Ontario stands in the bottom half of the class. It is a point that should be remembered when the lament about educational expenditures grows too loud.

Yet, there may well be a final master priority in our educational policy which I add as a footnote, and which should be given consideration in the next year. While Ontario's expenditures are not extraordinarily high, despite a total of $700 to $850 million this year, the distribution of that burden is an inequitable one. In leaving so much of the burden of education costs as a tax on real estate, the homes and the farm land of our people, we have failed to keep up with the development of our economy. More and more of our wealth today is found not in homes and farm land, but in personal and corporate wealth. Within the next few months we are now assured that both the Carter report at Ottawa and the Smith report here at Queen's Park will be available with their analysis of our tax structure and recommendations for rendering it more equitable. In no field must our search for equity be pursued with greater zeal than in the field of educational financing.

Mr. Chairman, I think it must be pursued with zeal for the reason that one of the great problems in implementing the kind of policy that the hon. Minister now has and in bolstering and improving it, is that it will cost more money, in the fashion that I have indicated. I think that we have to take cognizance of the feeling that we have of already spending more on education, a feeling which is not true, in fact, because we are not spending an extraordinary amount, relative to other provinces. Undoubtedly this is a feeling among our people because of that basic inequity in our tax structure. In removing it, we will not only introduce equity in the tax structure, but we will help to build the climate of public opinion that will make it possible for us to move ahead with even more educational expenditures which we are cer-

tain we are going to have to face in the years to come.

**Some hon. members:** Hear, hear!

**Hon. W. G. Davis** (Minister of Education): Mr. Chairman, to reply in brief—and I am sure that I will not cover all of the points that have been raised by the hon. members opposite—I would first like to say that, in the main, I think their remarks were well researched and well thought out. I do not suggest for a moment that I agree entirely with everything that was said, but I do feel, Mr. Chairman, that they have made and will make a contribution to the discussion of the estimates of the department.

If I miss some of the items that the hon. members have referred to in their general remarks, I am sure that, as we go through the estimates vote by vote, they perhaps will raise them so that I can reply more specifically to the questions they ask.

I was a little disappointed in the observations of the hon. member for Brant that perhaps the Minister was not pursuing the educational policies or programmes in a democratic fashion. Mr. Chairman, from time to time it is suggested that we are almost too democratic. I read a lot of publications, including those published by the New Democratic Party, where they suggest on occasion that the Minister appoints a lot of committees, engages in a lot of discussions, and so on. I even read the letters to the editor of your newspaper, too. I might refer to that later on during the estimates.

I should point this out, that as far as the Minister is concerned, and I think I speak for the officials of the department when I say that perhaps at no stage in educational development in this province, have we encouraged and been more interested in public, constructive discussion as far as educational policies are concerned. The Minister does not, and the department does not, feel that we have all the answers as far as education is concerned in this province.

When it comes to the discussion as to the role the House might play in a more effective fashion, this I would certainly encourage. I have read the Throne and Budget speeches that have been given to date by the hon. members to see just what interest is being taken in education and the opportunity they have for their general remarks, and I would suggest that this would be on occasion where hon. members could express some more personal views as to what we might be doing in the field of education. I would like to make it very clear that we are attempting to involve as many people as is possible who have something constructive to offer in the educational decisions under the system as it exists here in our province.

I should point out to you that in all practical instances, where we possibly can, we deal with the teachers federation, a group that has made, apart from its own membership, a very excellent contribution to educational development in this province. I give them full credit. We have asked them to serve and they are serving on many of the curriculum committees.

We have also had personnel from the various universities who have assisted in the curriculum development and I would suggest in many respects that one could quite honestly state we are taking a very broad look and involving a great number of people and organizations in trying to determine the educational policies here in this province. But in education, Mr. Chairman—and I think that there is no need to point this out to hon. members of this House—it is very difficult to pick out the blacks and the whites. It is a case, in many instances, of the "grey" area that exists between. I have also discovered since becoming Minister that I have more expert advisers than, perhaps, any other Minister of the Crown. I discovered that all parents are experts in education and in our own particular family grandparents are, perhaps, experts in education. Everybody has a view and I think this is healthy, because there is no field of human endeavour today where there is greater need of thinking than in the field of education itself.

The hon. leader of the New Democratic Party was, in a somewhat critical way, suggesting that we were having too many committees when he was referring to the grade 13 committee. I think this is a very clear illustration, Mr. Chairman, of the attempt that was made and the procedures that were followed, and we followed almost explicitly the recommendations of the grade 13 committee as to the studies that would then take place.

The decision was made not to implement the recommendation of the advanced and general level, and if Professor Wittenberg were alive today he would endorse this decision—I am sure the hon. member has read that part of his writings. This was taken after perhaps one of the most comprehensive preparations and studies. We had the actual course outlines prepared by various committees, distributed to the universities and to the secondary schools and after the so-called feedback, the decision not to introduce these

two levels of study at the grade 13 level was made.

I suggest quite sincerely that a genuine effort has been made to involve as many people as one can reasonably do in making decisions as far as educational development is concerned.

Mr. Chairman, I do apologize to the House with respect to the Minister's report. Ordinarily the report is ready in February or March; this year—and as I say, I do apologize—the whole report is being completely reorganized. On the basis of the reorganization of the department itself, the information you will find will be more current. The various branches within the department are completely changed from the previous Minister's report; the information is also being developed by the use of the computer and I would suggest that this would be the only year that we will run into this unfortunate delay. I understand the report will be available on the fourteenth or the fifteenth of this month at which time I will make it immediately available to hon. members.

I was interested to know of the interest in the Minister's report because as I look back through the discussions of the estimates of the department over the last three or four years, I was unable to find too much discussion that really related to the information that was available in the report. I would take it, from hon. members opposite and the interest they now have, that I can assume the report will receive much greater study and analysis when it becomes available.

**Mr. G. Bukator** (Niagara Falls): We did previously, but we were not satisfied.

**Hon. Mr. Davis:** I am glad to know that some hon. members have read the whole report.

I should also, Mr. Chairman, refer to two or three other remarks made by the hon. member for Brant with respect to grade 13 examinations. Now I anticipate that the hon. member for York South may wish to get into this in greater detail when we get to this vote in the estimates and so I will make just one or two general remarks at this time.

I think I should point out that the total papers written amounted to some 223,000, very close to 250,000 papers. The total appeals actually was higher than 15,000—perhaps closer to 22,000, which is roughly 10 per cent of the total number of papers written.

**Mr. Nixon:** I think the 15,000 figure referred to the regulation cutoff date.

**Hon. Mr. Davis:** Yes. So actually there was something less than 10 per cent of the total number of papers appealed. The main problems arose primarily in the field of English and I would make this general observation; it is very difficult to outline to hon. members of the House any specific reasons why there were some complications in the English examination this past year. If one could trace a general provincial trend, which we were unable to do, perhaps the answer could be found. But we discovered in many areas of the province the reports from the teachers and the examination results achieved by the students were very much in line. We found that there were other areas in the province where they were not in line. Ordinarily there is a sort of provincial trend which can be established but in English we were unable to develop this type of provincial trend and we have discovered there were some areas of the province where the marks were really on all fours with what was anticipated. In some sections they were very definitely not.

With respect to the introduction of new material into the curriculum, this once again is always a decision that must be faced. This year, as the hon. member points out, the grade 13 physics is almost completely new. Mr. Chairman, we are going through a period in curriculum development that once again is unmatched in the history of the school programme in this province. We have in these areas a choice to wait until the teachers are completely prepared before we introduce the courses, and perhaps prejudice the youngster at the grade 13 level who is going on to university and will need the course content which may be available in that particular subject. The decision was made to introduce the grade 13 physics with the knowledge that we anticipated some trouble. We have had some difficulties but we think we have done a reasonable task of assisting the teachers through the seminars and discussions we have had on various sections in the province and also through the use of the ETV programme at the grade 13 physics level.

We were intending, as the hon. members know, to introduce new chemistry this coming year. After discussions with some of the university people, it was found that it was unnecessary. When I say it was unnecessary, I mean that the university course would not be affected if new chemistry were not introduced this coming year. So now we will have a further year to assist the teachers before the grade 13 chemistry is introduced.

I think, Mr. Chairman, that one can honestly state all parties in the House are in

general agreement on the question of elementary teacher training. I gather from the remarks of both members who have spoken that we do endorse the principle of having degree personnel; whether it develops specifically as outlined in the report, I think this is something open to discussion. But degree personnel, in the broad sense of the word, should be in the elementary classrooms of this province. I think in this area, Mr. Chairman, there is very little debate.

I perhaps could touch on one or two areas that were raised by the hon. member for York South who quoted rather liberally, if I may use the term, from gentlemen who have expressed views in these areas. I think I would have to take some exception not to some of the material that the hon. member has presented, but to the fact that he is suggesting that our educational system is becoming even more class-structured. I am not sure whether this comes from some philosophical approach of the hon. member himself, but I would suggest, Mr. Chairman, that the opposite is actually taking place.

It is intriguing to note that in 1947, if you can relate it to age groups, 37.6 per cent of the age groups 15 to 19 were in the school system. In 1964, 74.1 per cent of this same age group, 15 to 19, were within the school system. The retention rate itself is perhaps, using rough figures, at the 76.2 level. Really, the opposite is taking place; the young people are within, in many cases, the same physical structure. Youngsters from varying backgrounds, homes and interests, are within the one facility taking courses, whether they be academic, commercial, vocational or technical. I would suggest that, as I say, Mr. Chairman, the opposite is taking place if the hon. member is suggesting that we are really developing a more class-structured type of educational programme.

I should point out—and I think this is quite relevant—that in the technical, vocational or commercial streams of the secondary programme, roughly 60 per cent of the work is academic in nature. I think this is very basic to whatever technical or vocational programme is being developed. I think it is very basic that a high percentage of the programme itself be of this academic nature.

I was also interested in the observations the hon. member made about the emphasis on the elementary aspect of the school system. There were one or two occasions when I was almost under the impression that the member had read one or two speeches of the Minister of Education himself on this subject. I can recall speaking at the OEA not too many weeks ago, to the primary section where I made it very clear that in my opinion—not just as Minister but as an individual—that it was just as important to have qualified personnel in the early grades of the elementary system as it is at senior levels in the secondary system.

**Mr. MacDonald:** I am sorry. I did not have the benefit of the Minister's speech.

**Hon. Mr. Davis:** Perhaps, Mr. Chairman, I could send a copy of this speech. I hesitate to do so. I think this is very basic.

The hon. member also pointed out some of the very real difficulties involved, not the least of which is the economic implication. He will be interested to know—and I cannot vouch for the complete accuracy of these figures—that at the present time we have close to 158,000 five-year-old youngsters in the province of Ontario. Of these, we think there are roughly 130,000 in kindergarten. I think the hon. member, Mr. Chairman, would have to visit many other jurisdictions to find a much higher percentage of youngsters of this age in kindergartens.

Some few weeks ago I was invited by the governor of the state of Florida to address their educational conference. One of the main topics of the conference, apart from the area where I was participating, which was the technical, vocational development at a secondary level, was the need to introduce kindergartens into the school system in greater numbers in that state. I am sure the hon. member has traced very carefully the results today of the so-called Operation Headstart which has been introduced by the federal government, aimed at the so-called culturally-deprived youngster at the nursery school level. I think you will agree that in some areas it has met with real success. In some other areas, it has not. This perhaps in itself is not the answer. We have, for instance, 160,000 four-year-olds in Ontario. If you were to use the rough calculations that you receive from the Metro board as to what the cost would be to have all four-year-old youngsters in nursery schools, I think a rough figure would be $64 million or $65 million for operating costs alone.

**Mr. MacDonald:** How many are in nursery school?

**Hon. Mr. Davis:** We do not have any specific numbers of nursery schools because most of them are private in nature.

I do not think anyone in this House, certainly no one from the government, is going to argue the validity or the desirability of

improving the elementary, secondary or any level of instruction here in this province. I would suggest to the hon. member that the answers themselves are not easy. Some of them are economic, obviously. But as he pointed out, I think appropriately so, it does not also mean a reassessment necessarily of the graded system, because I think this is a term that does not really reflect what is happening. I think it is an assessment or realization that each individual youngster is different, that they have different learning rates, that they have different interests. Over a period of time we must see that these individual differences are recognized in whatever system we develop in the elementary grades.

But I also point out, Mr. Chairman, that this is not easy to achieve. There are very good experiments going on in some areas. I think one can safely state that they have not as yet had general implementation in any jurisdiction. There is one county in the state of Florida, for instance, that surrounds Cape Kennedy or the Coco Beach area, where for the past two years they have moved into the so-called ungraded situation from grade 1 through grade 12. Even state officials are not prepared to say whether this is good or bad; they are prepared to say only that it is worthy of the experiment. I can assure you that the department officials, all of us who are interested in this, are looking at the experiments that are being conducted in many other jurisdictions. You will be pleased to note that the reaction to date to our own Ontario institute for studies in education is of very real significance; this has been discussed in some other provinces and some states of the union. I think one can look forward to some very concrete results emanating from the institute over a period of years.

I would also suggest to you that the actual development of the reorganized programme of study in the secondary schools in this province has, in fact, been instrumental in increasing the retention rates or lowering the dropout rate at the secondary level without any question whatsoever. I think, Mr. Chairman, that to suggest this was developing some sort of class-structure is erroneous. I would suggest further that the fact that there are courses that will now interest students who do have these varying abilities is the main reason that the retention rate in the secondary school system has gone up so substantially in the past four or five years.

I would further add, as I did a year ago, that I think it is early to assess entirely the implications of the reorganized programme. This is really the fourth year of its development. I think it is premature to say conclusively that this is the final answer, or at this stage to be critical of what is, in fact, happening.

I do not like to refer to other situations, but other provinces and many states of the union are looking to what we are doing here in the secondary field, because they feel there is some very substantial merit in what is being done. In fact, you will find, that one of the titles under The Defence Training Act, one of the federal statutes administered by the federal office of education, relates specifically now to grants for secondary programmes that relate to the technical-vocational aspects. I think you can anticipate that part of this type of programme will be introduced into what has been almost completely an academic approach at the secondary level in most states of the union.

I was interested in the hon. member's reference to Professor Wittenberg. It is always difficult to discuss the views of somebody so recently passed on. The question of the educational inflation was used. As I read some of his writings and speeches, I wonder whether really the hon. member can relate some of his thinking to the desire that he personally expressed—that is, the member personally expresses for this democratic approach to education. I think really they are not consistent. I would suggest that some of Professor Wittenberg's observations would lead me to believe he thought that the more selective approach was perhaps more desirable. This is just a personal observation, but at the same time I would doubt very much that we are in a so-called educational inflation situation. If we are, I hate to think what 49 or 50 states of the union are involved in, because they have gone even further, not only as far as costs, but the type of opportunities, the number of diplomas and courses that are available.

I think really one should state that the availability of different courses and different levels of diplomas perhaps is desirable, because it does, once again, provide for the differing abilities of the different students who are in the system.

So I have difficulty in accepting the validity of much of what Professor Wittenberg has said through the hon. member here on this particular occasion.

I should also point out the function of the Hall committee. I think it can serve and will serve a very definite purpose here in this province. The hon. member has suggested it is somewhat restricted in its approach. I

would suggest it has no restrictions. The committee has been told they can avail themselves of people outside the department. The departmental staff are there only to assist.

**Mr. MacDonald:** Have they?

**Hon. Mr. Davis:** Have they assisted?

**Mr. MacDonald:** Have they availed themselves?

**Hon. Mr. Davis:** I understand they are gaining information from independent research situations. I cannot give you the specific names, I will try to find this out for you. They are now visiting, as perhaps the hon. member knows, many other jurisdictions, many other school situations. I think you will find their report will be not only comprehensive, but I think it will indicate clearly that it is an independent report.

I do not think you can relate it to the Parent type of report. That was concerned with the administrative structure of the Quebec educational programme, and I think they were starting from a different point and dealing with a basically different situation. I am not sure that you can relate one to the other.

I am sure I have not covered many of the points, but as we proceed through the estimates, as the individual situations come up, I would be delighted to express either further views or give specific information.

On vote 501:

**Mr. Nixon:** I presume you are going to refer to these by items and I do want to say something under this vote.

**Mr. Chairman:** Yes, I think that would be wise, member for Brant. Most of these are rather lengthy and if we could follow a sequence by the items I think it would be helpful.

**Mr. Nixon:** I have a series of specific questions of the hon. Minister that perhaps would apply only under the general item of salaries in the main office.

First, I was interested in this comment about the departmental report which he said will be available next week.

He said that under this reorganized structure it will be more current than it has previously been. Does the hon. Minister mean it will contain statistics after the end of the fiscal year, ending last March 31?

**Hon. Mr. Davis:** No. Some of the figures will be, but they will not be that up to date, because our information, a lot of it, comes from the school boards, as the hon. member knows, and this is usually one year late in arriving. But some of the information will be more up-to-date than in the past. It has been completely restructured so that it will be in line with the now existing practices within the department.

**Mr. Nixon:** Our expectation is only that the statistics available in the report would cover the period ending March 31, 1965.

**Hon. Mr. Davis:** This is correct, but if the hon. member will look at the 1964 hon. Minister's report, he will find some of the statistical information on numbers, and so on, are not all 1964 figures. So some of the information this year will be more up-to-date than in previous years.

**Mr. Nixon:** I would further like to ask the hon. Minister about a comment I made regarding the democratic approach to the solution of education problems. Does he not feel that hon. members of this Legislature might be used to a greater extent in ascertaining of facts, and correlating the facts into some plans and theories? He has made much of his consultative committees, if I can use that adjective, among the teachers federations, home and school, trustees groups, and so on. Our feeling in this Legislature, however, is that we deserve more of an opportunity to consult with him than merely have the chance in the formal debate on the speech from the Throne, or in a debate on the Budget.

He well knows that many of his decisions are taken after only he, himself, and a group of his paid officials have had an opportunity to see certain programmes in action. I think of the education television decisions, and the decisions on community colleges. Does he believe that these matters in education are too professional, too esoteric, too specific for the hon. members of the Legislature, or that it would simply make his decision-making progress too slow?

**Hon. Mr. Davis:** I think there are two matters involved here. Obviously, decisions have to be made throughout the year, and when the House is not sitting The Department of Education must continue to make decisions.

I have no objection to hon. members of the House from all sides participating in discussions on education policy. The means as to how this might be accomplished, I am quite prepared to discuss. I read the Throne speech and the Budget speeches to date by all the members, to see just what is being

said, or learn their feelings on education, and this is one opportunity when they can express some personal opinions.

**Mr. Nixon:** Then I must disagree with the hon. Minister if he feels this is the end of the responsibility of the members of the House.

**Hon. Mr. Davis:** I did not say it was the end.

**Mr. Nixon:** I would go on to question him on something that might come up elsewhere, but it has to do with the regionalization decisions associated with his department. He has been subjected, and the hon. Prime Minister has been subjected, to some criticism, because following the hon. Prime Minister's statement, Design for Development, the hon. Minister announced certain regions of administration that did not correspond with what appeared to be the hon. Prime Minister's plan.

In the hon. Minister's comments in the opening of these estimates, he said that his community college regions, as one example, and there are 18 of them, were based on the ten economic regions. This appears to me a rather half-hearted attempt to show you are in step with the Design for Development.

Would the hon. Minister predict, at this point, whether he will be changing the boundaries of his administrative units across the province, to coincide with the economic units as laid down by The Department of Economics and Development?

**Hon. Mr. Davis:** I can answer this very briefly.

The ten basic areas for the college programme development were the areas outlined by The Department of Economics and Development. The ten areas that The Department of Education adopted—five a year ago and the further five this coming August —for departmental administration at the regional level do not coincide with the economic areas that have been created. I think in some situations the boundaries could be altered so that they would be exactly the same and—

**Mr. Nixon:** Your boundaries!

**Hon. Mr. Davis:** Yes, the boundaries probably could be made to relate to the economic boundaries. It is difficult to say that a single boundary or region will serve all purposes for all government administration or for school development. I do not know it is that significant, so long as what is being done within the region makes sense as far as the region is concerned. I think this is really what we should be attempting to achieve.

**Mr. Nixon:** But your statement the day before yesterday indicated that the community college regions were supposed to coincide with the economic regions.

**Hon. Mr. Davis:** That is right!

**Mr. Nixon:** But there are 18 community college regions and only ten economic regions.

**Hon. Mr. Davis:** Yes. Perhaps I should have gone into greater detail. They took the ten economic regions, one of which is the central Ontario region. The council then recommended that that region be divided into five areas. Generally speaking, the counties of Peel and Halton, the western portion of Metro, the northern portion of Metro including part of York, the eastern portion of Metro and the counties of Ontario and the city of Oshawa would be five areas within the one economic region. There were one or two others that were further subdivided, but the basis was initially the ten economic regions. These were further subdivided. Obviously you have, in the central Ontario development region, perhaps a third of the population. They then recommended that you divide these into five separate areas.

**Mr. MacDonald:** You are dealing with them all as one group.

**Mr. Chairman:** Yes. We were dealing with item 1 at at the time. Is there anything on items 1, 2, 3, 4?

**Mr. MacDonald:** Mr. Chairman, I was curious about item 4. In relation to it, I would like to raise something that may be abortive in view of last Sunday's election. A year or so ago when we were discussing the possible exchange of teachers with Quebec, in an effort to bolster our teaching of French, the hon. Minister indicated that he was planning some joint efforts with educationalists in the department in Quebec city. As far as I could see, the only thing that emerged from that was a joint speech by himself and Paul Gerin-Lajoie at the Empire club, or the Canadian club downtown, a few months ago. Could the hon. Minister report on what, if anything, did happen, and dare he suggest whether or not this programme is going to continue since we have had the change in government in Quebec?

**Hon. Mr. Davis:** Mr. Chairman, I am not sure that I can answer the latter part of the question. There are two items here that I might refer to—items 4 and 7. In item 4, we

have established an interprovincial committee to sponsor and direct the conference that is to be held in Montreal. I assume it will carry on. This was the conference that was announced jointly by the hon. Minister of Education of the province of Quebec and myself a few weeks ago. Prior to that time there had been discussions between the two departments not only as to our joint interest, but the possibility of some form of student or teacher exchange. These have not been finalized because they were related, to a degree, to the projected programme of cultural exchange which was also itemized in this vote.

There have been some discussions between officials of these departments and the hon. Minister of Cultural Affairs; I believe it was Mr. Laporte. There were to be some discussions this month as to just what might be dealt with in a cultural exchange programme. As I said, Mr. Chairman, I am not in a position to indicate what will happen until events in the neighbouring province are clarified within the next few days.

**Mr. E. W. Sopha** (Sudbury): There is a matter I should like to raise with the hon. Minister. I am almost embarrassed to raise it, but it takes quite a bit to embarrass me and I am not really thin-skinned. This should be raised under the main office, and that is the matter of political overtones in this department. I say categorically that this should be the one department in the government where there is no suggestion of political manoeuvring. Such a number of instances have happened, putting the political complexion on the official functions of the hon. Minister and his entourage, it is proper that somebody should call attention to it. I regret exceedingly that upon the occasions of visits by the hon. Minister to my community and adjoining communities, no one seems interested in inviting an Opposition member to take part in the affair.

That started with the previous Minister. I recall he made a tour of one of the schools in the community. I was not invited to accompany him, to meet him or to discuss problems of education with him. He went to Port Arthur on one occasion I remember, or Fort William. I believe it was Fort William, which made the offence even more serious, to open a school, and the member, a Liberal member at that time, was not officially invited to the function. He sat with the crowd in the audience and that prompted Douglas Fisher to write a letter to the paper, which was widely quoted, adverting to the fact that the local member was not invited to take part officially and had to sit in the audience.

This hon. Minister came to open the Garson Falconbridge high school, a fine new school, and I regretted very much that I was not invited because, like all members in the House, I have a great interest in education and like to hear what is being said and what happens.

But the straw that really broke the camel's back and prompted me to make reference to the inbreeding that goes on in this department was when it opened their offices at the new Sudbury shopping centre. The hon. Minister was not there, but the deputies came to town. They had a little clambake out there to open the new offices in my constituency. No visa; no passport from me. They were moving their offices from downtown Sudbury to the outskirts. The deputy was there and all the officials. They saw fit to invite the hon. member for Nickel Belt, and they had the press and photographers, and all this was faithfully recorded in the press and on TV, but neither the superintendent nor the deputy of the department thought it would be a good idea if the local member was invited to see this new suite of offices that had been bestowed upon his constituency by a benevolent government. I regret that exceedingly.

There is one other thing I want to mention, and that is the inbreeding that goes on in the speaking at the commencement exercises. I have only ever been invited to be a guest speaker at one. I would like to speak to these children, but it always seems that at every commencement exercise, the chief inspector is the featured speaker. I went one night to the fine school on Second avenue in the Nickel district. The fellow nearly put me to sleep as he quoted from Plato, Aristotle, Jean Jacques Rousseau and Locke and Dickens. His speech—no, he did not quote from Robarts—was nothing more than a compilation of the gems of wisdom that had been handed down to posterity.

I thought it might be a good idea, as I roused myself from my reverie, if some day somebody came along, sir, and said to these young people: "The world is no bowl of cherries; you are going to get a lot of hard knocks, do not think it is your oyster. When you get out into the world you are really going to be up against it to survive in the rat race that is the world, if you are not blown to kingdom come." This instead of quoting from all those wise people of the ages past. I just pass that out and I hope that some time the political complexion of

this department will disappear, and when the hon. Minister comes, and as my friend from Scarborough West says: "Je suis l'état moi," that he will invite one of us along to help him. While I was speaking, I heard my colleagues behind giving me support and saying the same thing happened to them. The Minister is such a fair and reasonable chap that I do not think this goes on knowingly. He does not have *mens rea* in this regard, it is just a practice that has grown up, and it ought to be obliterated.

**Hon. Mr. Davis:** Mr. Chairman, I regret the hon. member has not been invited. Some of these functions the department does arrange. In many instances the Minister is invited by some outside organization and I can assure the member for Sudbury that I have had two of the very best introductions to groups by members of his own caucus, who were informed by not only the Minister and his department but by the people who were sponsoring either the opening or the meeting. I can assure him that large numbers of his caucus have, in fact, been invited. Why the hon. member for Sudbury has not, I shall endeavour to find out. I can assure him that any function the Minister attends within his riding, he will have an invitation. I make this very clear.

In fact, I was speaking in Hamilton not too many days ago when two of the Hamilton members were notified of my attendance. Unfortunately they were not able to come and listen to the Minister, for which I do not blame them, but they were informed.

**Mr. S. Lewis** (Scarborough West): I might say in this friendly discussion, if I can remind the member for Sudbury, as is applicable to our Louis XIV friend across the floor, that the deathbed words, as I recall, were: "After me, the deluge."

**Mr. MacDonald:** Before we leave the main office—

**An hon. member:** We are still on item 4.

**Mr. MacDonald:** Are we?

**Mr. Chairman:** Items 4 and 7 were being discussed. We have time to discuss any of it the member wants.

**Mr. MacDonald:** A number of suggestions have come from this side of the House, and I recognize he may not be completely master of any departmental reorganization as between university affairs and education, but does he still believe the kind of division that was initiated in the first instance is the best one? Or does he not feel we might move towards a more rational division of the educational field; and conceivably put all post-secondary education into one department?

**Hon. Mr. Davis:** I was going to make some general remarks on this during The Department of University Affairs estimates. If we could discuss it at that time I would be quite prepared to express some views.

**Mr. Nixon:** Before we leave item 4, if that is approximately where we are, I wonder if the Minister would tell me if this amount will provide for our participation in an interprovincial committee that is going to set up certain tests for university entrance. Or is this simply the committee that is attempting to standardize the courses or, at least, the levels in various grades to assist students who move from one province to another?

**Hon. Mr. Davis:** This item does not relate to that. Those discussions, for instance, on matters of curriculum are done under the auspices of the CEA or at the CEA gatherings, and the personnel involved are from the various departments of education. There is no specific vote with respect to that item. As far as the new college entrance board examinations, if we could use this term, we have no moneys voted for this in our estimates. This will be done by the foundation that is being established.

**Mr. Nixon:** This is an Ontario-Quebec committee?

**Hon. Mr. Davis:** This is the committee that we have dealing with the conference that is being held in the city of Montreal in September.

**Mr. Chairman:** Does the member for Woodbine want to speak on item 3?

**Mr. K. Bryden** (Woodbine): Yes. I would like a breakdown of that item. It is described as maintenance and the sum being asked for is $49,000.

**Hon. Mr. Davis:** Under the item of maintenance, for 1966-67, stationery and office supplies, $6,000; equipment and equipment maintenance, $8,500; books, magazine subscriptions, $200; automobile, $5,000; press clipping service, $1,000; miscellaneous, $2,300. There is an expansion in equipment of $1,500. The policy and development council stationery and office supplies, $2,000; printing, $3,000; equipment and maintenance, $3,500; books and subscripeions, $1,000; miscellaneous, $5,000. And the centennial centre, once again stationery and office sup-

plies, $1,500; equipment maintenance, $1,500; printing, $2,500; books, $200; miscellaneous, $3,000.

**Mr. S. Lewis:** I was trying to catch your eye a litle earlier, because you had opened up the entire main office vote and then went to the particulars. There is just a small matter I want to raise.

I want to revert to the point that was made, most appropriately, by the member for Brant in his opening statement about the participation of members of the House in educational affairs. I cannot imagine anything more bankrupt than the standing committee on education in its participation in education matters. I respect the fact that members on all sides of the House may be somewhat responsible, although I am inclined to think that the Minister of Education has a special role to play here if he so wishes.

And I am wondering whether the committee on education in the future could not become the vehicle for reform of the standing committees, and about the tendency to deal only with legislation and when legislation is absent simply to lapse into total silence. We studied no aspect of departmental policy during the course of this year; none of the new personnel the Minister has brought on were met; and no positions were discussed by members of this Legislature, except in the formal debates.

The Minister will admit there has been no legislation, only announcements before the orders of the day. Except in formal debates like the Budget or Throne speeches there has been no concentrated thought on educational policies in this House.

The facility of the standing committee should be exploited even if on occasion it becomes contentious. I know that was the concern in some minds. I suspect that would not be a concern of the Minister.

I want to get the Minister's feeling on it, because I wonder about the prospects.

**Hon. Mr. Davis:** I must take some of the responsibility, perhaps, that more was not done by the standing committee on education. Perhaps more could be done. I recall, I believe it was a year ago, that the committee on education had the opportunity to review very specifically the entire reorganization of the department. I recall all the various charts and so on that were brought to the attention of the membership, and I think it was either a year ago or two years ago that the department had a very close examination, as far as its procedures were concerned, by the public accounts committee. I can recall these specific items being done.

I would be quite pleased to deal with matters that are contentious—everything in education is to a degree contentious. I would have no objection at all. The chairman of the committee has discussed or suggested, on one or two occasions, that perhaps visits by members of the committee to some of the institutions might be desirable. I think the sums involved would not be significant, and this would be an appropriate suggestion too. When I suggest this, I mean institutions within our own province.

**Mr. B. Newman** (Windsor-Walkerville): The problem of a provincewide salary scale is brought up by every meeting of public trustees. The Minister has been asked for comments in the past; would he care to make comments concerning that today? It might eliminate some of the problems when it comes to the hiring of schoolteachers if there was a provincial scale.

**Hon. Mr. Davis:** I am not sure this is the appropriate vote where one might discuss possible provincial salary schedules. I did not quite understand the question by the hon. leader of the Opposition. I guess one could read into it that he was suggesting there be a provincial salary schedule and centrally controlled teachers' salaries.

**Mr. Nixon:** The Minister sounds like the Minister of Agriculture.

**Hon. Mr. Davis:** I am just assuming this. I would say at this stage it is not the policy of the department or the government to move into a so-called central provincial salary schedule. I have said to both the federation and to the trustees' council that they should, and I think that they are making this attempt to work out better hiring procedures because I do not think any of us enthusiastically endorse the procedures that are being followed. I have made this suggestion to them and I believe they have joint committees working on this particular aspect of it.

**Mr. Nixon:** Mr. Chairman, you were calling the whole vote 501—would you permit some comment on item 6 at this time?

I do not know what there is about the centennial centre of science and technology that tends to excite me with both enthusiasm and sincere regret when I consider the difficulties the government has encountered in developing this centennial project. I do feel that some of the information associated with it, dug out by a reporter for the Toronto *Daily Star* and printed on May 28, should be

put on the record and put to the hon. Minister for his comment. I suppose he is wishing the attempt by his colleague, the hon. Minister of Agriculture, to have our centennial project an agriculture museum instead of the present one of science and technology, had been more successful, so somebody other than himself would have had the headaches associated with this project that is going to be at least one year late in beginning.

I would like to take a moment and put on record certain direct quotations from this article which purport to be comments made by citizens of Ontario who have been consulted, or who may have been consulted, in the planning of our centennial project.

The article says:

> A source close to the project says the planners are lucky the buildings won't be ready because the exhibits would not be ready in 1967.

Now this is the comment upon which the rest of the material is hinged.

The first quote comes from Marshall McLuhan, the communications philosopher at the University of Toronto. According to this article he said:

> The project is going backwards. It is a great big bureaucratic confusion.

He says further:

> I was involved there for three days but they did not listen to a word I said, or anyone else for that matter.

The second quotation comes from town planner, Max Bacon. He said that he was consulted in a tremendous rush over a year ago, put his heart into a story line and suggested continued liaison, but said:

> I have never heard back from them.

The next quotation comes from Dr. H. G. Thode, president of McMaster University who said he was consulted but "has not heard from the project for at least nine months." He said further that he was very disappointed that "we have not been consulted on developing the exhibits."

The article goes on to point out that some of the materials are already on hand that will form part of the exhibits when they are prepared. Perhaps it is not correct that it should be referred to as a pile of junk because many of these specific items, when they are properly set up and exhibited to the citizens of Ontario, will be most interesting and informative and in an educative way, extremely important. But there has been continuing criticism. The lateness of the construction has not been the responsibility of this Minister. But, the criticism has been carried over to the other field that his efforts in preparing the projects for the centennial year are not sufficient and so far, rather embarrassingly unsuccessful. We know that what is ready will be put on display in the provincial government building at the Canadian national exhibition grounds for all of next summer—the centennial summer. We are looking forward to seeing some pretty important and impressive displays at that time and I know the hon. Minister will be able to give his assurances that that is so.

I would ask him, however, for his comments on the quotes that I have read to him from the citizens across Ontario.

**Hon. Mr. Davis:** Mr. Chairman, the vote that we are discussing here is the amount of money that will be expended by The Department of Education in developing our own thinking and curriculum for courses that will be related to the centennial centre. I do not think I can comment with any degree of accuracy on the comments that were read to the House by the hon. member. I think this would more appropriately be done, or more appropriately have been done, in the estimates of The Department of Tourism and Information. The vote here does not relate to exhibits or to the physical structure of the building. The vote relates to the moneys that will be expended within The Department of Education to prepare our own type of material. This is mainly publications, course studies and so on, that will relate to the development of the centre.

As I said earlier, during the estimates of The Department of Tourism and Information, we do regret—there is no question about this—that the centre will not be ready in 1967. But, I also would repeat that this project is of such significance that I question whether the delay of one year in its official opening will, in the long run, affect the general benefits that will accrue from this type of facility here in our province. I am not in a position to go into detail because these items are not covered, Mr. Chairman, within the amount that is being voted here in the estimates of The Department of Education.

**Mr. Nixon:** Mr. Chairman, I will put it on another basis. The hon. Minister is vice-chairman of the committee that is controlling the whole project and I am not asking him for any information as to why the building itself has grown so astronomically in cost from $5,000,000 to $21,700,000—this has been discussed to some extent previously. I

am not asking him why the pre-engineering reports have turned out to be in error because quicksand has been found which is going to further delay the building. But, he is responsible, I submit, for the projects and exhibits that should be available to fill this $21,000,000 project during the next two years. The vote is in the amount of $133,000 and it is a "Grant re: centennial centre of science and technology." Now if the hon. Minister wants us to believe that this is going toward making plans to provide buses and accommodation for students across the province who come in, or matters of that type, then I would accept that, but surely this amount is going to the planning and development of the exhibits themselves.

**Hon. Mr. Davis:** Mr. Chairman, the planning of the exhibits themselves is being done by either The Department of Tourism and Information or The Department of Public Works. This money does not cover specific physical exhibits; I want to make this very clear. It does not cover—I do not know the terminology for the exhibits—but it does not cover the physical exhibits. This is for publications, planning, and development of course studies that will relate to exhibits. They are not physical exhibits.

**Mr. Nixon:** I would like a little more information on how the hon. Minister is going to spend $133,000 in planning and in publications.

**Hon. Mr. Davis:** Mr. Chairman, I cannot tell the hon. member at this stage, whether we will in fact spend the full $133,000. It will depend on the progress—

**Mr. Nixon:** How did you arrive at that rather specific figure then?

**Hon. Mr. Davis:** We arrived at this specific figure when these estimates were prepared last October on the basis of the planning that had been done and was contemplated being done for exhibits in the coming year. Now I cannot—and The Department of Education cannot—predict the accuracy as to the date that their own exhibits will be completed. All we suggest is that this is a tentative sum which will be necessary for the development of our own, as I say, curriculum publications that will relate to this. It is as simple as that, Mr. Chairman.

**Mr. Nixon:** Simple is not the word to describe what the hon. Minister has said. I find it most confusing. This is $133,000 to plan a curriculum associated with the centennial project?

**Hon. Mr. Davis:** The original intention was that there will be actual full-time personnel involved at the centre itself. This was the original intention. Now, these people will be used at the exhibit at the CNE and, as I say, this may amount to a reduction in the amount because of the length of time that the exhibit will be open to the public.

There will be one or two persons on a full-time basis preparing this material and the rest of it, as I said, will be used in publication. It is just an estimate. We took some of the figures from the developments which were related at the Chicago museum of science and industry where there is a whole structure for some eight grades related to the museum itself. As I said, this may not be necessary because of the unfortunate delay in the centre itself.

**Mr. Nixon:** Those publications will be more expensive than your flag publications.

**Hon. Mr. Davis:** Our flag publications were not that expensive.

**Mr. Bryden:** Mr. Chairman, I may say that notwithstanding the simplicity which the hon. Minister attributes to the matter, he has left me in a state of confusion.

I realize that $133,000 is but a moment in the day of the hon. Minister of Education, but is this money, apart from that which you say will be used for paying a certain number of personnel, to be used for actual publications, or for the planning of publications which will be produced later?

**Hon. Mr. Davis:** A lot of it, Mr. Chairman, will be used for the planning of the printed material and courses that will be developed.

**Mr. Bryden:** This is the planning of courses and the aids needed in courses in the schools?

**Hon. Mr. Davis:** Perhaps I can best illustrate it this way. At the Chicago museum of science and industry, there are various tours for various age groups, grades 1, 2, 3, right up to perhaps grade 10. The courses of study that are issued by the museum itself relate to the subject matter in the museum that will be of specific interest to this particular age group. These materials are all prepared and distributed on the basis of either the grade level or the age group that is involved. Now, this will take up a portion of the funds that are being voted here.

**Mr. Bryden:** But you will not actually be publishing any such material, will you, because there will be nothing to which it relates?

**Hon. Mr. Davis:** Perhaps, Mr. Chairman, I used the word publishing in the wrong context. I should say printing.

**Mr. Bryden:** You will be printing course aids in relation to exhibits that do not exist?

**Hon. Mr. Davis:** No, Mr. Chairman, we anticipate by the time this money is necessary, that a number of the exhibits will in fact be in sufficient detail that we can enumerate them within the material. It will not be delayed that long.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, we have a situation in Hamilton that I would like to have some clarification on, and I raise it under this vote because I think it might pertain to legislation and the hon. Minister might be more familiar with the situation.

Some of the school trustees in the Hamilton area are concerned and somewhat incensed with the policy, inasmuch as they cannot go into a school even in their own ward, unannounced, or without he permission of the school administrator, the Hamilton administrator.

I would ask the hon. Minister if he could tell me whether this is covered by legislation. I might preface the question by saying that last week in the newspapers one of the trustees was highly incensed about the fact that MPPs, and maybe city councillors, could go into the schools without being announced or without having permission of the administrator of the schools, and was going to ask for a change in The Schools Administration Act.

What is the hon. Minister's opinion as to this kind of policy? Is it restricted under The Schools Administration Act or is it a policy, in the hon. Minister's opinon, laid down by the authorities in Hamilton?

**Mr. Chairman:** I would say to the member for Wentworth East that I do not know how this has anything to do with the committee of supply, but if the Minister wishes to answer—

**Hon. Mr. Davis:** Mr. Chairman, I am not sure that I completely understand the question of the hon. member. I can only say that The Schools Administration Act specifically states that there are certain school visitors, I cannot enumerate them for you on this occasion but my recollection is that this includes a member of the legislative assembly, that are legally allowed to enter into the school to view. I think it also applies—and this goes back many years in history—to ministers of the cloth as well. I cannot enumerate other visitors that are allowed, but it does include members of the assembly. That is in the Act.

**Mr. Gisborn:** The real question was that the elected school trustees—

**Hon. Mr. Davis:** I would think, Mr. Chairman, this obviously must be a matter of internal board policy if the trustee himself is not allowed to go into the school. This is something I would suggest he must raise at the school board meeting. Surely this is not something that the department can resolve.

**Mr. Gisborn:** Thanks very much. The problem is they cannot go in unannounced; they must be announced and have permission of the administration.

**Mr. F. Young** (Yorkview): Mr. Chairman, I think perhaps this vote is the proper place to get the comments of the hon. Minister in this matter.

The Canadian economic council pointed out a certain fact about our situation in Canada and linked it to education. The review points out that Canada, not the United States, as is commonly supposed, has the highest amount of capital per employed worker, and the review concludes, and I quote:

> The above considerations indicate that both the extent of capital facilities and the use of land and natural resources per person tend to operate in the direction of a higher level of productivity in Canada than in the United States. In combination with other factors a large volume in capital, land and other natural resources may be very important elements of high level productivity but they are not sufficient in themselves to assure the attainment of high productivity and higher standards of living.
>
> Thus the main explanation for the lower levels of Canadian income per employed person must lie in the differences in the quality of Canada's productive resources and in the efficiency with which these productive resources are combined in the production process, that is the scales of output, degrees of specialization and the attitude and effectiveness of management and labour and so forth.

Then they point out this fact:

> Differences in the average eductional attainments appear to be an important element in the difference in living standards between Canada and the United States. The potential future economic bene-

fit to Canadians and to the Canadian economy generally from increased educational attainment are very large but they can only be fully realized over extended periods of time.

Now, this is a very serious charge which is made by the Canadian economic council. Perhaps the hon. Minister might say that Ontario has a higher level than other parts of Canada vis-à-vis education, but at the same time it would look as if the economic council maintains that a large part of the blame for this lower level of productivity must be traced to a lower educational standard in this country, because the capital investment, the money investment in Canada, is actually higher than in the United States.

**Hon. Mr. Davis:** Mr. Chairman, I am not sure how this relates to the main office vote. I cannot speak for the accuracy of the figures the hon. member is using. I can only make the general observation, and that is very simple, that the level of economic productivity of any jurisdiction is dependent on investment in education. There is no question about this.

I am not quarreling with this position at all. The second report from the Canadian economic council, as I told Dr. Deutsch, really lays most of the problems facing the developing economy of this whole country at the doorstep of education in the broad sense of the word.

I do not know how I can specifically answer the suggestion of the hon. member. There is no question, I gather, involved. But I should point out that sometimes the statistics can be a shade misleading.

The hon. member for York South related some figures that were prepared by the Canadian federation of teachers. I have had some figures prepared too. You can always find figures, I guess; or it depends how you put them together. But you might be interested in these. These were prepared by personnel at the Ontario institute. They tried to use this as the basis of comparing educational effort—the effort by provinces and states in publicly supported elementary and secondary education in 1962.

You might be interested to know that out of the some 61 jurisdictions—and this does not tell the whole tale, I fully acknowledge this because the figures are gross figures—but Ontario ranks eighth in amount of effort amongst all those.

**Mr. MacDonald:** Measured against what?

**Hon. Mr. Davis:** Measured against the personal income per capita, income rank; expenditure per pupil and expenditure rank.

There is another interesting table that I just recently received, where once again personal income per capita, income rank, expenditure per pupil of ADA and expenditure rank, where Ontario rates first using a different set of figures—no, I am sorry, the same set of figures but they have taken these states of Texas, Vermont, Virginia, Florida, Ontario – this province – Idaho, Maine, British Columbia and Oklahoma. It is quite intriguing to note that Ontario's percentage of effort is 26.7; B.C.'s is 24.1; the state of Maine is 20.5. So it indicates that in percentage of effort, based on personal income per capita, Ontario perhaps ranks eighth in the some 61 jurisdictions.

Now, they make it very clear these are gross figures. They are for 1962 and they are not necessarily completely accurate.

**Mr. MacDonald:** May I ask, Mr. Chairman, if I may have a copy of that?

**Hon. Mr. Davis:** Yes, I will get a copy of this for you. This is quite recent.

**Mr. MacDonald:** The figures that CTF did their calculations on are 1961. Unfortunately, you cannot get comparative statistics from all the provinces later than that. There is always a four- or five-year gap.

**Hon. Mr. Davis:** That is right. I just want to make it very clear the statistics here do not necessarily prove completely the situation, but I think they are a general indication. I will get the copy for the hon. member.

**Mr. S. Lewis:** Are there any provinces ahead of Ontario's position, or were they all American states?

**Hon. Mr. Davis:** Yes, using a different type of formula again, you go into percentage of effort—

**Mr. Bryden:** You use a different formula.

**Hon. Mr. Davis:** No, no. I would think in the early objective types of studies the order of rank here is the province of Alberta at 31.9; and then the next province in line is Ontario and in between are New Mexico, Wymoning, Arizona, Wisconsin, Alaska—of all jurisdictions—Minnesota—

**Mr. MacDonald:** Are there any other Canadian provinces involved?

**Hon. Mr. Davis:** Oh yes, we get down to British Columbia, which in this grouping is

15. New Brunswick is a shade further down the list, so is Manitoba. All the Canadian provinces are involved. All the Canadian provinces are enumerated.

**Mr. Young:** Mr. Chairman, the point that I wanted to bring out to the House, was the fact that in spite of being ahead of United States in the whole matter of per employee investment that we still are lagging behind and the reason given is education by and large. And the Minister has confirmed that certainly productivity has a direct relationship to our investments in education. And, this simply means that over the past years, education in this country has been very seriously neglected, sir. And I would hope that the Minister is convinced that enough is now being done or as much is being done as is humanly possible to bring up this difference so that we can look forward to some degree of equality in the field of productivity within the future. I do not know whether you would like to estimate this, or whether he thinks that we are doing enough, or whether the neglect of the past is still being continued.

**Hon. Mr. Davis:** It is very difficult for me to estimate in one province what effect the programmes here will have in five years' time, or ten years' time, or to give the complete figures right across Canada. I can only say that the obvious investment that Ontario is making this year, some $837 million indicates that this is a rather large priority as far as this province is concerned. There is no question about it.

**Mr. Bryden:** Mr. Chairman, I wonder if the Minister could elaborate a little bit on item 7, programmes of cultural exchanges. As I recall it, he did not deal with that.

**Hon. Mr. Davis:** I did, Mr. Chairman. I indicated that there had been some preliminary discussions between officials of The Department of Education in Ontario and The Department of Education in Quebec, and some officials, I believe, from The Department of Cultural Affairs. There have also been discussions with the Ontario arts council. There have been some suggestions; no finalized plans. And, quite frankly, I am not in a position to tell the House at this date just what may happen to these plans until we establish communication. I cannot even say whether we need to establish communication with a new Minister yet. But, assuming we do, I would have to give information to the House after this has been done. Now, I cannot tell you any more than this. We do not know.

**Mr. Bryden:** Well, how did you arrive at a figure of $250,000.

**Hon. Mr. Davis:** Mr. Chairman, we arrived at this figure on the basis of an amount which we feel the government of this province can afford to expend to develop some form of cultural interchange with, primarily, the province of Quebec. And this is the sum that is being allocated for this purpose. As I say, I cannot specify the programmes now because we do not know with whom we are dealing.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, would the Minister tell me whether the research and development facilities of The Department of Education are centred in one particular branch under his estimates, or whether they are scattered through many branches?

**Hon. Mr. Davis:** Mr. Chairman, I suggest—if the hon. member wishes to make some observations, or ask questions about research, perhaps the appropriate time to do so would be on the vote under the Ontario institute for studies in education. We might discuss research at that point. If you can define research—there is research being done in the curriculum branch, in the grants office—it is all related indirectly to some form of research but, if the hon. member wishes to make some remarks on research generally, perhaps this might be the appropriate point to do so.

**Mr. Renwick:** Which vote is that, Mr. Chairman?

**Hon. Mr. Davis:** Vote 520. The grant to the Ontario institute for studies in education. I think that might be the appropriate time, perhaps, to discuss it.

Vote 501 agreed to.

On vote 502:

**Mr. Bryden:** Mr. Chairman, there is a substantial amount of money involved here, and I will confess to much less than a detailed familiarity with the organization of The Department of Education as it now exists. I have heard it explained on a number of occasions, but I think the Minister will understand that it is a fairly complex matter for a person who is not looking at it all the time. What are the functions of this departmental business administration branch?

**Hon. Mr. Davis:** Mr. Chairman, perhaps I could just relate rather generally the reorganization of the department into the three sectors. The programme branch, shall we say,

that is dealing primarily with curriculum development, inspection and supervision, is on the one side. In the centre is the branch dealing with the post-secondary facilities, special education schools for the deaf and blind, and so on. Then, there is the business administration branch, which is, shall we say, the third column. The functions under this branch, one of the chief functions, of course, is the administration of the grant system itself. This is where substantial numbers of personnel are involved. The school construction and research area is under this branch; the statistics and data processing centre, these are part of the departmental business administration branch.

**Mr. Bryden:** Then how does this relate to the school business administration branch?

**Hon. Mr. Davis:** Mr. Chairman, I am sorry, I made one error. The school business administration branch includes the architecture section. The school business administration branch refers to transportation, the legal officer and dealing with the school boards themselves. This is the area that deals directly with the problems of the boards. The departmental business administration branch deals with our own internal administrative problems.

**Mr. Renwick:** Mr. Chairman, I am curious about the estimated item of $400 for litigation—legal services, and so on. It seems an odd amount in a department such as this. I assume the Minister does not expect to get into any legal difficulty?

**Hon. Mr. Davis:** We sincerely hope we do not get into any major litigation. Obviously, this would not cover that.

**Mr. Bryden:** Mr. Chairman, how much did the department spend on litigation last year?

**Hon. Mr. Davis:** It would take a few moments to check this out, but my recollection is we did not spend anything, I do not think, on legal services last year. We did the year before, but I will get this during the intervening hour for the member.

**Mr. Singer:** Do you have a legal branch in your own department?

**Hon. Mr. Davis:** We have the position for a legal officer. We are in the process of obtaining a legal officer within the branch.

**Mr. Renwick:** I have one further question. How much did the Minister spend last year under the item unforeseen and unprovided—

**Hon. Mr. Davis:** Mr. Chairman, it will take a few minutes to get that specific figure. My recollection is we spent it all. It would be unusual if we did not, but I will get the specific figure for the hon. member.

**Mr. Singer:** Does the hon. Minister put unforeseen and unprovided in the same category as miscellaneous?

**Hon. Mr. Davis:** No, the miscellaneous within the context of The Department of Education has a special connotation, as we discussed, I recall, a year ago, when we were on the subject of the "miscellaneous miscellaneous," and we talked about it again.

**Mr. Singer:** Yes, because there is $300,000 for miscellaneous a little further down, which is different from unforeseen and unprovided a little further up.

**Hon. Mr. Davis:** I am sorry, I can tell the hon. member right now—

**Mr. Bryden:** As it is now past five o'clock, I am wondering if we cannot wait till later. There are a number of matters I want to raise and I am sure other hon. members do also. We have not really been following the items here.

**Hon. Mr. Davis:** Well, I can clean up the one item for the hon. member. In the unforeseen and unprovided, $4,049.67 was in fact spent.

**Mr. Bryden:** This will not clean it up. I think there is a lot more to be said about it. We would like the details from the Minister.

Hon. H. L. Rowntree (Minister of Labour) moves that the committee rise and report a certain resolution and ask for leave to sit again.

Motion agreed to.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

## NOTICE OF MOTION

**Clerk of the House:** Notice of Motion No. 30, by the member for Waterloo South.

Resolved: That, in the opinion of this House, The Assessment Act, section 93(a), under which the county assessment commissioner system may be established, should

be amended to provide that the county assessment commissioner system for counties shall be established no later than January 1, 1969, by all counties not now utilizing this provision of The Assessment Act.

**Mr. A. E. Reuter** (Waterloo South): Mr. Speaker, I move, seconded by the hon. member for Lambton East, resolution No. 30, standing in my name, which has just been read.

In presenting this resolution to the Legislature, I do so fully aware that there is a certain reluctance by the government to impose any unnecessary degree of mandatory legislation upon our municipalities. There is bound to be opposition to any such mandatory legislative action. At the same time, sir, it is sometimes the only way in which desirable methods and procedures can be obtained—desirable not only from a governmental viewpoint, but for the general benefit of our people.

Without going into details of the history of real property assessment in Ontario, I think it is sufficient to say that practices and procedures have become somewhat a haphazard affair since assessment legislation was completely rewritten back in 1904. The very life blood of our municipalities flows from a source that is controlled by, and is dependent upon, the assessment function. The affairs of our municipalities are regulated and controlled by specific legislation that is rigid in some instances; sometimes is quite flexible. But whatever type of standard or service a municipality is called upon to provide, it must look to the taxation base for its source of funds.

In order to achieve equality and to remove inequity, it must surely follow that something more than a haphazard approach to assessment must be essential, and that too must flexibility in legislation can possibly be detrimental. There is a great number of apparently irreconcilable practices regarding municipal revenues, the most glaring being the theory of utilizing the real property assessment figures as a base not only for services to the real property itself—sewers, water, fire protection, roads, sidewalks, curbs and gutters—but for raising the revenues necessary to provide services to people, such as recreation, parks, libraries and education. Over the years, Mr. Speaker, faced with the need for financing rising costs of existing services and facilities, as well as providing many new programmes, our municipalities have had to resort to devious means of finding the required revenue. The business tax is an example of something that has been applied with a resulting complete lack of logic. The rates vary for different businesses and industries; the categorization of different types of business has created nothing but confusion, and all this is based on a percentage of the real property assessment without any logical relation to the degree or to the kind of service provided for that very tax.

Another example of the inadequacy of our municipal tax revenue system is the practice that has evolved of establishing two separate rates of tax, one for industrial commercial purposes, another for farm residential purposes. This is something that I think may be quite difficult to overcome, sir, but I mention the situation simply to emphasize the many shortcomings of our municipal taxation system. In fact, it would be worth mentioning, at this point, that our unconditional grants paid to municipalities by the Ontario government are on a per capita basis and may be used only for the reduction of what would otherwise be the residential tax rate. This situation is further complicated by the many exemptions from local taxes that are granted by statute, as section 4 of The Assessment Act to many organizations such as churches, the property of Indians, cemeteries, schools, universities, hospitals, charitable institutions and many others. One of the most undesirable forms of exemption was that which permitted fixed assessment for industry, which provision now has been removed and is, in fact, illegal under present legislation.

The statutory rules and regulations that I have mentioned so far constitute only a part of the reason for the many inequitable situations that exist in our province today. The rules and procedures are sufficiently complex in themselves but the situation is further aggravated by the discretionary powers that prevail in connection with the work of those engaged in occupations of performing the actual assessment. I think for the most part this discretionary power has resulted in a great variance in the concept of values for establishing a figure to place on the local assessment role. According to the statute, actual value is to be used for assessment purposes, but the concept of actual value varies greatly between individual assessors. Not only do the concepts of values vary, but the rate of percentage of replacement costs or value also varies. For example, two cement-block buildings of identical size and construction, identical in every conceivable way, may be appraised by one assessor in one area at its actual value of $20,000 and by another assessor in another area at perhaps only $18,000. The rate for assessment pur-

poses may be 40 per cent of value in the first case, an assessment figure of $8,000 for tax purposes, perhaps only 30 per cent of value in the second case to result in a taxable assessment figure of only $5,400. Such practices are not only not in accordance with the intent of the statute, but they constitute a very serious economic imbalance between municipalities. Many of these municipalities have co-terminus boundaries, all within the boundaries of a specific area, such as a county.

So, Mr. Speaker, we have the inequity of the real property assessment providing the base for an irrelevant tax on persons and on property, the illogical business tax applied on the same assessment figures, a need to establish a multiplicity of tax rates for residential, farm, commercial and industrial purposes, the statutory provisions for exempting a long list of special categories of property from taxation and finally, the wide discretionary powers given to assessors.

In the face of the many undesirable circumstances I have recited, the municipalities of Ontario have also been subjected to the deficiencies and the inequities created by a shortage of trained and competent people to perform this most important of all municipal functions, the establishment and preparation of the tax rolls.

During the deliberations of the select committee on The Municipal Act, the members of the committee had an opportunity to learn about the sorry state of affairs in some areas where the assessing was done by persons entirely incompetent to undertake this important task. In some cases, only part-time persons were employed. Quite often, that same person performed many other part-time duties. In short, sir, assessing in some parts of the province has been done by persons with little or no competency to do this job. One need not stretch the imagination too much to visualize the inadequacy of the assessment roll in some of these municipal jurisdictions.

Fortunately, this situation has been properly recognized by The Department of Municipal Affairs. Section 226(a) of The Municipal Act passed at the 1965 session of this Legislature now provides that:

> The council of a municipality shall appoint as assessor only a person who is licensed by the department as a municipal assessor.

Now this legislation is quite specific as to the licensing requirements and sets forth three types of licences. First of all a regular licence to a person who is a member of the institute of municipal assessors or the equivalent or who is practising as an assessor and has passed certain examinations as provided by the department. Second, a temporary licence is issued to a practising assessor employed by a municipality. Then of course they have the probationary licence which is granted to a student.

Now, there are many more provisions to this legislation which came into force on February 1 of this year. I am sure, sir, that the whole assessment function will as a result experience a marked improvement, both in practice and procedure as well as in results achieved. So the elimination of fixed industrial assessments a few years ago, the training and licensing of competent assessment personnel and the recent preparation of an updated standard manual for the guidance of assessors constitute important steps towards an improvement in municipal real property assessments.

The select committee on The Municipal Act included many recommendations regarding assessment. In fact there are 23 pages of recommendations included in the second interim report which was presented to this Legislature in March of 1963, more than three years ago. On page 177 of the fourth and final report there is a recommendation that regional councils should appoint assessment commissioners and that the local municipalities within the county no longer be empowered to appoint assessors. This is based, of course, on the assumption that the county will in fact form the defined region for larger units of government.

I think, Mr. Speaker, it is significant to note that 16 of our counties have adopted a system of centralized assessment. Lincoln county was the first in 1963. Prince Edward county and Renfrew county followed on January 1, 1964. On January 1, 1965, seven other countries were added. On January 1 of this year six others commenced this new concept and at this date Wellington, Wentworth and Elgin counties are slated to commence the system on January 1, 1967, to bring the total number of counties to 19. There are also four districts that commenced on January 1 of this year.

This record of the advance thinking on the part of the municipalities containing nearly 60 per cent of the population of the units forming our total county system is evidence of the merits in the provisions of section 93(a) of The Assessment Act respecting county assessment commissioners. The thinking of the select committee arriving at

the conclusion that regional goverment units should find it mandatory to include assessment as an area responsibility further emphasizes the desirability of this approach.

In order that the hon. members, Mr. Speaker, may realize the important benefits to be obtained from the centralized assessment system I would like to enumerate some of these various benefits.

First of all a centralized unit for a county will insure that competent and sufficient staff may be employed to properly do the assessing for all participating municipalities. The individual units might encounter financial difficulties if they were each obliged to engage well-trained competent, licensed assessors as well as the required staff for the individual offices.

Another benefit would be that the central unit under the direction of one commissioner would ensure uniform procedures and practices on a full-time basis to the entire county.

Item three listed as a benefit covers modern techniques; that is data processing could be utilized in order to facilitate the entire process on an accurate, modern basis.

Number four, the larger staff in a central office would make it possible to promote in-service training programmes. This would not always be possible in smaller offices with only one or two employees.

In this connection, with the matter of in-service training programmes, I should point out to the hon. members, Mr. Speaker, that the hon. Minister of Municipal Affairs in his preliminary remarks on his estimates a few days ago commented in connection with this particular programme and expressed the thought that at the present time it would not be possible to make such a programme mandatory in all our counties due to the fact that there were not sufficient numbers of properly trained assessors to undertake the job.

I think the hon. Minister went on to recite the statistics regarding those who have been graduating and those who are expected to, and a certain figure as to the minimum number needed. This may be very true at the present time, Mr. Speaker. I think if the hon. members will refer to the resolution they will ncte that the suggestion is that the system shall be established no later than January 1, 1969, which is something over two and one-half years from today.

I would think in the interim, as I mentioned, we have 16 counties now utilizing the system and three more coming in. There are 19 more counties, then, which will have to find an assessment commission and a staff. I would suggest that during the next two and one-half year period there will be quite sufficient among the assessors who have been performing duties in the individual municipal units within the counties which have now adopted the commissioner system. These people will be available for one of these various types of licences and could well become assessment commissioners.

Another value that would derive from this system is that the use of uniform valuations throughout the county, on a market-value basis, would tend to increase the total assessment for individual units in a realistic manner, thereby increasing the borrowing power and perhaps creating a more attractive rate of interest on said borrowings.

These are just some of the benefits, Mr. Speaker. To give an example: One town in Waterloo county found that the new system cost about $2,000 more as their share of the first year's operation. But at the same time more than $7,000 in picked-up assessment was realized by that same town.

With the trend toward regional functions and the fact that, in my view, regional governments are going to be with us in the not too distant future, I believe that it should be a policy of this government to do everything possible to promote the regional concept. In the promotion of regional policies the road is being paved to provide fewer problems when a full governmental unit is introduced. Many of our counties will have no need to deal with the matter of health, for example, when working out their specific plan for regional government, because they will already have had the county health unit system.

Gentle persuasion is evident in The Municipal Act, sections 250A and 377, providing for joint agreement between two or more municipalities. Those counties that have adopted a centralized assessment system received the blessing of The Department of Municipal Affairs by way of financial inducements in the form of subsidies; a maximum of $12,500 towards salaries; 50 per cent of office equipment; and 50 per cent of the first three years' rent for electronic data processing equipment.

This is all very desirable, Mr. Speaker, but as I stated at the opening of my remarks today, the only way to achieve desirable results in some cases is to enact mandatory legislation.

Mr. V. M. Singer (Downsview): Hear, hear!

**Mr. Reuter:** Our counties have all had sufficient knowledge of the provisions re-

garding assessment commissioners to now realize the benefits of the system. Uniformity in assessment is, in my view, an absolutely essential basic requirement to an overall modernization of our municipal structure. In order to assure that this is achieved, at least in this particular respect, I would urge the hon. members to support this resolution to compel all counties to adopt the county assessment commissioner system no later than January 1, 1969.

**Mr. G. Bukator** (Niagara Falls): I rise to take part in this debate on this resolution because I believe that the experience of some of us in this House pertaining to this very problem is one that would maybe entice the government to consider the resolution and consider it well. I do not know whether you should have put a time limit on it the way you have and insist that we have assessment commissioners.

The county assessor was quite the thing not too long ago, Mr. Speaker. Since that time with assessment commissioners I find that they are doing a much better job because they have co-ordinated these very problems that the last speaker has mentioned. I find that if I were not acquainted with this House, Mr. Speaker, I would have said that the last gentlemen, or the first gentleman, who spoke on this resolution was a very liberal Conservative. He has taken everything that a Liberal would say and has applied it here, with the hon. Minister in the House to listen to his woes and sorrows. I thought these things were considered in caucus pretty well, and a private member who had something good like this would have to withhold it if the Cabinet did not see fit to consider it. But this is brand new today—

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Oh, no.

**Mr. Bukator:** I just learned that today. After all these years I find that the Conservative government is trying to be fair with their backbenchers.

As the member who presented this resolution made his point, it reminded me of my early experience in county council. The hon. member for Welland also sat there, when the county councils met every four months to consider the problems of that county. At the beginning of the year they would appoint committees. They would appoint an assessment committee, made up of the warden and four other members; I believe it was a five-man committee. They were the people who were going to go out and find out whether the municipalities of that county were making a proper contribution to the county by way of paying taxes.

In this process the committee would go into the individual municipalities throughout the county. They would stand outside a gas station, and jot down a price they thought that gas station would be worth in their own municipality. They would take ten specimen samples of this particular way of assessing. They would go back to the county council and often we would find we had refreshments because we could not work all the time, you know.

Then we would sit down and calculate the ten assessments we had made in each municipality and we would add them up, and we found out that the one municipality was assessing much too low for a very good reason, Mr. Speaker. If they could keep their assessment low, their contribution percentage-wise to the county when they had to pay their bills would not be quite so high. For four or five days during the county council session there would be a debate about who would give in to what particular municipality. Because if you could keep your assessment down in that municipality, percentage-wise, you would not pay as much into the county system.

There were times when they ran out of refreshments, too, I suppose. They also ran out of patience and had to settle on something, so they began to saw off.

**Hon. Mr. Spooner:** Saw off?

**Mr. Bukator:** That is the word.

**Hon. Mr. Spooner:** Compromise.

**Mr. Bukator:** Mr. Speaker, that is the word; it was compromise. That was the difference with the lack of education that I had before I came to this House. We made reference to sawing off, but here we have to consider it as a compromise. I say this in jest to you because it was so amusing. But we have come now to a tried system. You have county assessors who are doing a good job for you; you have commissioners who are also doing a good job—so much so that the government is making a contribution to the maintenance of their office. They know now that it is a fair method of operation. There is nothing more one can do but support this resolution, and support it wholeheartedly. I cannot see where the government can go wrong. If 25 counties are not doing this, you can imagine the injustice that exists in those counties in this modern day and age, by way of comparison

to where they have county commissioners, assessment commissioners, and in some areas county assessment officers who have taken all of the books into the county offices, have put them on paper on these graphs, have calculated the square feet in the building, and have used the same yardstick or the same method of assessment throughout the whole county. I think it is a good method. It has been tried, and I need not say to you that we should not waste any more time.

I know that you know that the government know they ought not to waste more time on this matter and should bring in a bill. I hope my friend who presented the resolution can get his people, when they do meet in caucus again, if they do, to consider a bill in this session. You are going to get the support of the Liberal Party for once in this House. I bet you our friends to the left of us will also support this resolution—we will have a unanimous vote. This is almost like smoking marijuana, isn't it? That just cannot happen here, but it ought to.

**Mr. F. Young** (Yorkview): Mr. Chairman, there are some surprises occasionally in this House. After the lecture we had from the hon. Minister of Health when we dared to mention the word universal or compulsion in connection with the OMSIP or medicare plan, I think it is a good thing that the hon. Minister is not here to hear the hon. member for Waterloo South use that word compulsion when he said that we should compel our counties to do this job. This is so far from the usual concept that we hear from the Tory benches in this House that it is rather surprising and rather refreshing to some extent. We do hope that this point of view may have some—

**Hon. A. Grossman** (Minister of Reform Institutions): What is it you like—compulsion?

**Mr. Young:** I like to hear a Tory use that word once in a while, to recognize that there are some things that should be universal, like driving on the right-hand side of the highway, and other things like in this bill today.

So I rise to support the general concept of this resolution, although I would point out two or three shortcomings.

I was very interested when the hon. member for Niagara Falls described what we might call the floating assessment going on in his county. What that liquid was he talked about, I am not sure. But evidently assessment was predicated on the results of whatever the liquid might have been.

I have talked to many of my friends in municipal government who have described a good deal of the same kind of a situation, although personally I have not experienced it, not having been in county government. But I have heard a good deal of this kind of assessment. I have talked to assessors, who have had the problem of lack of training. I remember one chap told me that he knew the people in his county so well that it was vary hard to assess, because they were all his friends. Almost every one of them came back to him, and said: Now look, can't you just cut my assessment by $100 or $1,000? They were all his friends.

**Mr. Bukator:** Or copy last year's roll.

**Mr. Young:** Or copy last year's roll, as my hon. friend says. This is what often happens, so the assessor finds it much easier to copy last year's roll and thereby saves himself a great argument.

In this matter of assessment and the possibility of a good assessing job being done, we have to look at what is actually the situation in our municipalities in Ontario. When we take that look, one thing which is rather startling is the fact very few municipalities can really afford an assessor of their own, that is, a full-time person. Unless we have a full-time, trained, licensed person, the job of assessment is going to be poorly done. Unless we have the kind of person who can look impartially at the task, who cannot be swayed by the arguments of his own friends, and who cannot be influenced by the kind of argument that we have just heard take place in certain county councils, then we are not going to get the job we ought to have done.

I was very interested in looking into the annual report of municipal statistics to see that in the year 1963, the report I happened to pull out of my files, and we may have later figures which are not just as accurate as these today, but this is typical. It shows that in the province of Ontario we had, at that time, two municipalities with less than 100 of assessed population. Cockburn Island with 21 and another one with 84, Mattawa.

In this case we have a total assessment, in one municipality, of $71,000, with a total taxation revenue of $3,172. Certainly a municipality of that size, and these I hope are now disappearing, cannot possibly hire staff or do any kind of a job.

In looking over this list with townships and districts of populations under 5,000, there are some rather startling figures. Two under the 100 mark, 14 less than 200 population, 23 with assessed population of less than 300, and then we have 37 with less

than 400, 49 with less than 500 and a total of no less than 87 of our municipalities with less than 1,000 population.

In other words, about nine per cent of the municipalities in that year, for which this report was written, have less than 1,000 of assessed population.

In other words, about nine per cent of the municipalities in that year, for which this report was written, have less than 1,000 of assessed population.

This shows us where we stand in the attempt to build staffs which are adequate and which are trained. When we look at these municipalities, when we look at the size of them and the financial potential of them, we realize that as far as hiring decent assessors and doing a good job in this field, it is a sheer impossibility. So we have, as we heard from the hon. member for Waterloo South, and I do not want to repeat the argument he made, a great variety of rates, a great variety of methods in setting those rates, and rather slipshod methods everywhere in these smaller municipalities of doing a job.

The only logical thing to happen now is for these municipalities to combine in larger groupings. They can combine to hire one assessor, several of them combine to hire the one man. That is one way of doing it, but that is a poor way. The second way is the way that the hon. member for Waterloo South has suggested, that the county itself hire the assessor, do the job and that this province mandate that the job should be done that way. I think he falls a little short of the ideal here, in that he should look to larger units than the counties. We have been talking a great deal about regional government in this House and it looks, I think, to many of us as if the counties in many cases are too small and therefore we ought to look to larger regional governments. If we outline what those regions ought to be, and set up viable regional municipal governments, then one of the functions of those regional governments would be, of course, the appointing and the paying of assessors.

I suppose the hon. member for Waterloo South is sold on the general idea that counties are the regions he would like to see. I notice in one of his speeches before the Ontario division CPAC, on planning problems, and he calls it "The Future of our Counties," he mentions this: "That I believe our county can emerge as a strengthened unit to provide that type of government we have been looking for: It almost appears that he is therefore trying to set a pattern, a pattern of county government which would be called regional government, that the regions encompass only the county. I do not think that is good enough, and I do not think that many of our counties are adequate for the purposes of unified assessment.

And so, Mr. Speaker, while we support this bill today, and hope that the government sees fit to bring it to a vote, we do feel that it does not go quite far enough in that we should be thinking in terms of regional, rather than simple county government in this respect.

**Mr. R. G. Hodgson** (Victoria): Mr. Speaker, in making a few comments on this I would first of all have to say I cannot agree with the resolution for one reason only.

My disagreement is with the date suggested for all to have operational county-wide systems of assessment.

My disagreement is also based on my belief we would not have adequately trained personnel to carry out the desired objective. Therefore, I listened with a great deal of interest to the hon. Minister of Municipal Affairs when he stated a very similar opinion at the introduction of his estimates this week.

The hon. Minister suggested, I believe, that the department feels there must be a minimum of 1,500 graduates of the courses for the training of municipal assessors applying their professional knowledge before we can hope to provide equitable assessment across the whole province.

He further quoted that there are at present approximately 480 who have graduated to date from such courses, and one can conclude this means at this time we have only one-third of the necessary personnel now trained.

I further believe those who make up the 480 trained people are mainly at this time the personnel interested in becoming professional assessors. Therefore, to obtain the necessary number of 1,500 minimum we would have to encourage students in our school instructional system to enter our assessors' profession.

This will require a programme to bring to the attention of our students the opportunities available in this field of endeavour on a broader application throughout the school system. The shortage will have the tendency to increase salaries of the professional assessors in this province in the next few years at a rapid pace. This means to me that a review of the grants provided must be constantly under study and perhaps a revision

upward to encourage the personnel in the municipalities to move implementation of centralized county assessment systems.

Without this incentive the acceptance of this desirable objective will slow down and perhaps meet resistance due to the increases in cost factor to the municipalities.

When full usage of the new manual is adopted and practised across the province by trained assessors, we should then have evaluations much closer to proper perspective in each municipality. This could have a tendency to slow the urgency of adoption of the county wide system, as an opinion of county councillors who also must ask the voter for approval of their actions. He will be hesitant if such a system were to apply large increased costs of operation on the local taxpayer.

Most hon. members of this House realize certain costs can be large in bringing a township assessment into the overall uniformity of a county in order for the efficiency of the larger administrative unit. Perhaps a grant arrangement should have consideration to provide assistance in bringing about a uniform record system for the county centralized assessment system, and it could add incentive for the township to enter in the original instance. This might take the form of a one-time grant on the roll entry basis.

I am particularly pleased to have seen the hon. Minister's announcement this week about the establishment of a new research branch of The Department of Municipal Affairs. Perhaps the activities of this branch should now be used in making every effort to study the problems outlined here today and devise measures to help achieve this objective which has been spoken of as desirable.

A centralized county assessment system should provide great assistance in easing the present implementation of the new assessment equalization factor results in some areas of this province. I believe this should also have the immediate attention of this new research branch.

Such variations as have been the result of this new assessment equalization are of great concern to several of my municipalities at this time. The residential classification values of a township used in the sales analysis in the new assessment equalization factor, must have additional study in order to be just for the taxpayer.

I therefore believe The Department of Municipal Affairs can proceed in a very desirable way and implement some of the suggestions given here today, but I cannot support the stated date of the resolution to have the objective mandatory. I would suggest to the hon. members that a date some years hence can be achieved by further incentives from this government in easing the burdens of such an action and toward acquiring the professional assessors personnel by increased endeavour to attract students to this needed field.

I thank you.

**Some hon. members:** Hear, hear!

**Mr. Singer:** Mr. Speaker, in addressing myself to the motion before us, I must say that I support it and my quarrel, unlike that of the hon. member for Victoria, is that the date is not soon enough. I think the date could well be January 1, 1967.

I do not think that we have to wait for perfection until such a step is taken. I do not think that we have to wait until we have all of the trained assessors in the province of Ontario that we need. We have a great number of trained assessors and some of them will be found in the larger municipalities and some of them will be found in the counties where this system is working successfully. What could be a better method of immediately bringing about more trained assessors than by taking the best men and putting them into those counties that do not have a county assessment system and letting them train the other assessors who are at present there?

We are short some 25 is it? There are some 19 of our counties that have county assessment systems and there are some 25 to go, and there are some 7 districts. So 25 and 7 is 32. Surely the hon. Minister could find 32 assessors in those advanced systems in the larger urban centres and in the counties that now have county assessment and put them into the other areas that do not have a county assessment system; and do that immediately, because the inequities in those areas where they do not have a uniform system of assessment are so great that they just scream for immediate attention.

Now the mover of the motion gave several examples of this. The hon. member for Middlesex South was nodding his head. I do not know whether it is in agreement or, as I suspect, in disagreement with the idea of postponing the date. I think he, with me, would like the date to be next January 1. I think he, with me—he served on that committee, and many other hon members of this House served on that committee, and the reason we spent so much time on the

report was because we felt that this was a very serious matter that demanded urgent attention.

Mr. Speaker, it was interesting to listen to the hon. Minister's remarks. He indicated in his report to us that the greatest strides that he has made in updating any of the municipal procedures have been in the assesssment field. On many of the other fields where we feel that he should be making progress, he waves his hands and says, "In the fullness of time we are going to get on to it."

Now here at least he has taken some steps, but he has not really been bold enough, as the hon. member for Waterloo South has suggested. I do not think that it really requires a great deal of imagination to take this step. The hon. member for Waterloo South was being careful when he said January 1, 1969. It could well be January 1, 1967.

How many trained assessors did the hon. Minister tell us he had?

**Hon. Mr. Spooner:** I think that all told throughout the province there are something like 500 who are either men of experience or men who have taken their training, something like that.

**Mr. Singer:** There are 500 and these are 500 pretty good men in this field, are they not? Now surely the hon. Minister could extract from that 500—and almost immediately—another 25 and send them into these counties where we have had assessment systems under which good old Joe, who has been the assessor because the people in the village or the small township just would like to do something for him and they give him a roll to faithfully copy every year. Good old Joe, who worries about changing the assessment for his friends because they will not like him.

The assessment commissioner here in Metro had a very good approach to any politician who approached him about their personal assessments. He used to say: "Now you are in politics and you would not like me to have to explain why you had a lower assessment than all the people on your block." So as a result of that the Metro assessment commissioner managed to arrange, certainly in my case, that I always had the highest assessment of anybody on my block and he dared me to complain about it! Needless to say, I did not.

In some municipalities I expect this works in reverse. I think that it is high time, Mr. Speaker, that we did something about it. Now the hon. Minister has brought his time and his attention and the efforts of his staff to making substantial improvements in the assessment field, and I give him credit for that. I think that here is a step that is indicated that he could take now without waiting for the perfection that the hon. member for Victoria talks about. There are trained assessors in fair number throughout the province and these could be spread around and other sections of the province could have the advantage of their training and knowledge and their experience.

I think he could do it now, I think he could have the system ready to work on January 1, 1967. For these reasons I have no hesitation at all in supporting the motion that the member for Waterloo South brings to us. My only complaint about it is that he is too conservative in the date that he put into the motion.

**Mr. A. H. Cowling** (High Park): Mr. Speaker, I had not intended to participate in the debate, but after listening to my hon. friend who has just concluded, I felt that I should. He and I served on the municipal committee together over the years and certainly he made a great contribution to the reports and the general deliberations.

But on this particular point of assessors, inasmuch as I would like to support the proposal of the hon. member for Waterloo South, whom I greatly admire, and I appreciate his great municipal experience, too, but I cannot support the motion and I am going to tell you why.

One of the reasons—

Interjection by an hon. member.

**Mr. Cowling:** I distinctly remember the hon. member for Downsview saying on many occasions in our committee deliberations—and other members of that committee will remember, where he said we just do not have qualified assessors in the province—

**Mr. Singer:** I said enough.

**Mr. Cowling:** We do not have enough qualified assessors. I would imagine when the member referred to "good-old-Joe" there a few minutes ago, good-old-Joe who has made the same routine assessment in the small country village and on the farm for years and years, that good-old-Joe would be numbered in the 500 assessors the Minister has said we have. Would that not include good-old-Joe?

**Mr. Singer:** No, Mr. Speaker. The question I addressed to the Minister was: how many tested men have you got, licensed men whom

you would consider experienced? And his guess was about 500. Am I correct?

**Hon. Mr. Spooner:** The exact number in my department's files.

**Mr. Singer:** Yes, but about 500 senior, experienced and tested men.

**Mr. Cowling:** I got the impression from what the hon. member said it included the good-old-Joe type, which is precisely why, at the moment, we are not in a position to accept the resolution of my hon. friend. There are not enough qualified assessors to do the job.

**Mr. Singer:** Now you will have to support the motion.

**Mr. Cowling:** No. I am not supporting the resolution.

What I was going to say is that we do not have enough qualified assessors in the province to do the job that you want done, and all steps are being taken to get these qualified people. I remember when the bill was first introduced in the House to have a countywide assessor, and it was quite some time before any of the counties in the province took advantage of the legislation. I think one of the first counties was Ontario, and then I think Lincoln county had an assessor. Now we have more than 20 of them. So under this permissive basis, we are moving along quite nicely in the method of assessing on a countywide basis, giving the municipalities in the area every opportunity to select their own county assessor and to decide when they need that assessor.

As much as I would like to support my friend, I do not think now is the time to do it. The explanation by the hon. Minister on his problem of assessors and his research department and research branch satisfies me that we are moving in the right direction. I do not think at any time that I would support a mandatory bill to set up county assessors.

My hon. friend mentioned the part about compulsion. I am opposed to compulsion in almost any form and this would be one of the forms. So I would not support this resolution.

**Mr. Speaker:** Did the member wish to say a few words?

**Mr. K. Bryden (Woodbine):** No, I did not wish to participate in the debate, but I was wondering if I could ask a question relating to is probably the housekeeping of the House before you leave the Chair.

**Mr. Speaker:** Yes.

**Mr. Bryden:** A few minutes ago there was placed on the desk of most hon. members a brochure which appears to be a straight piece of advertising for a certain restaurant and bar in Toronto. It was a surprise to me that this sort of thing was permitted and I am wondering on what basis it was permitted. I am sure there are a thousand restaurants and bars in Toronto that might seek the same privilege.

**Mr. Speaker:** I would inform the member that the attendant passed one to my chair as well, and as soon as I received it I had the attendants at the door throw the rest of the letters in the wastepaper basket. It was an error on the part of the attendants at the door. They are new this year and they did not realize that it is not the custom of the House to have such things placed on the members' desks without my permission. For permission to be given the literature would have to be a little better than the one the member just mentioned.

**Hon. H. L. Rowntree** (Minister of Labour): I wonder if we might deal with some third readings if there is no objection to them.

**Mr. Singer:** It is the private members' hour and it was scheduled to end at six. At least one gentleman has some remarks to address to a third reading.

**Hon. Mr. Rowntree:** We know that.

**Mr. Singer:** I think at three minutes to six it is hardly the time, when the practice has been established that from five to six is for private members' bills.

**Hon. Mr. Rowntree:** I asked the consent of the leaders of the Opposition parties, and if they do not wish to extend it, that will be quite all right. I will not advance any further business this afternoon.

**Mr. Bryden:** I would say, Mr. Speaker, that we are quite willing to consent to the House leader's proposition.

It being 6 o'clock p.m., the House took recess.

No. 136




# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Thursday, June 9, 1966

**Evening Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JUNE 9, 1966

The House resumed at 8 o'clock, p.m.

**Clerk of the House:** The 31st order: House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF EDUCATION
(*continued*)

On vote 502:

**Mr. K. Bryden** (Woodbine): I believe, before we broke off for the private members' hour, the hon. Minister indicated that he would get us information on the amount paid for litigation and legal services last year.

**Hon. W. G. Davis** (Minister of Education): Mr. Chairman, there are two amounts; one I want to correct on the unforeseen and unprovided. Of the amount I gave, the $4,049 actually is the balance that was left. The expenditure was only $950 – $147.58 to Superior Electric Supply Company, and the second item of $802.75 to the Queen's printer for some forms. So that there was unspent $4,049.67. Legal services last year involving the firm of Chown, Cooke and Chown, I believe it is, in Renfrew, $25; the Robinson firm in Haileybury, $321; Arnup, Foulds, $298; McCarthy and McCarthy, $928, plus $15, and Lafrance, Hollinger, Shaw in Pembroke, $533.50, for a total of $2,141.46.

**Mr. Bryden:** Mr. Chairman, how was it that forms purchased from the Queen's printer had to be charged up to this so-called unforeseen and unprovided? Surely, forms would be covered by this broad basket category of maintenance.

**Hon. Mr. Davis:** Mr. Chairman, the amount for maintenance was used so that this was taken from the unforeseen.

**Mr. Bryden:** Mr. Chairman, I think this really points to the true substance of this unforeseen and unprovided category. I would like to ask the Minister how it is that he can foresee that what he will not foresee will be precisely $5,500 rather than $5,000 or $500 or $5. I mean, on what basis did he put $5,500 in here?

**Hon. Mr. Davis:** Mr. Chairman, it was just an estimate. I have no powers to foresee the unforeseen.

**Mr. Bryden:** It is not true, of course; the heading here is untrue in one respect: it is not unprovided. What the Minister is asking us to do is to provide $5,500 for nothing, or to provide $5,500 in case he goes over a vote in some other category which is what the item was used for last year.

It has been by understanding all along, Mr. Chairman, that we were getting away from that sort of budgeting, and that money was being asked in this House on the basis of programmes—programmes that were worked out and costed and approved by the Treasury board on the basis of a description of the programme—and that if, as happens since none of us have infallible foresight, for good and sufficient reason a department goes over its vote in any particular category, it can go to the Treasury board. There are procedures by which it can get extra money, even if a totally unforeseen item comes up that could not possibly have been foreseen. There is already provision in The Financial Administration Act whereby money can be obtained for that programme.

I am submitting to this House, Mr. Chairman, that it is high time we got rid of the unscientific heritages of the past which are described as items that are unforeseen and unprovided. It is impossible to do scientific budgeting for something that you cannot foresee. This is surely ridiculous on the face of it. I have raised this matter before with The Department of Education, both in the public accounts committee and in this House, and apparently they insist on carrying forward this item. Admittedly it is only $5,500 in a total appropriation of more than $500,000, but it still stands there as evidence of sloppy budgeting.

I do not think they should have the audacity to come to this House and ask us to vote $5,500 to them for nothing at all. They have absolutely no idea what they are going to do with it, yet they are asking us to vote it to them. It is not the amount of money that is important in this case, Mr. Chairman, it is the principle. It is a bad principle that

any Minister or any department should come to this House and ask us to give them money for no purpose that they can foresee. I am surprised that this "unforeseen and unprovided" item gets by the Treasury board year after year.

It is not only in this department that it gets by; it has cropped up in some other departments, not as many as in the past, but there are still some. Frankly, Mr. Chairman, I am getting sick of looking at it. I do not see why the departments come in with this sort of a request. Either they budget on programmes or they do not. If they do not, then it is time they started to do it. If they do, then they do not need such an item as unforeseen and unprovided. As I say, Mr. Chairman, it is not so much the amount of money that is involved, it is the principle that is involved. It is a principle of bad, sloppy budgeting. Therefore, Mr. Chairman, to call attention to the principle, I move that item 7 of vote 502 be struck out.

**Mr. Chairman:** Mr. Bryden moves that item 7 of vote 502 be struck out.

**Mr. R. F. Nixon** (Brant): Mr. Chairman, I want to say a word about this. The hon. member has called this $5,500 an audacious request. I cannot go along with him on that. He has raised this point several times in the past. I know that in the functioning of a business office, and this is surely what we are discussing under vote 502, some leeway is permissible and I would certainly commend that my colleagues in the party would vote against his reduction.

**Mr. Bryden:** Mr. Chairman, after all the talk we have heard from the Liberals about the need for sound practices in budgeting, this is a most remarkable attitude that they have now taken. The hon. Minister has just confessed that last year the item was used for the purpose of overspending another vote. What kind of financial control is that? They had run out of money on another vote—

**Hon. Mr. Davis:** Mr. Chairman, I did not say that we had run out of money on another vote, it was within the same department for maintenance. It was not another vote.

**Mr. Bryden:** Well, on another item—

**Hon. Mr. Davis:** There is a distinction.

**Mr. Bryden:** I do not think there is any distinction that amounts to anything, Mr. Chairman.

**Hon. Mr. Davis:** Well, it was within the same department and within the same vote.

**Mr. Bryden:** They had asked for a certain amount of money for maintenance, under this vote. In other words instead of saying that they used it because they overspent another vote, I will change that to say that they had overspent another item in the same vote. So they had estimated a certain amount for maintenance, they found that they went over their estimate and they used this unallocated trough in order to cover up the fact that they had made an underestimate on maintenance. The hon. member for Brant does not seem to be aware of it, but it is nevertheless a fact, that provision is made in The Financial Administration Act for that type of contingency, if a department can justify it.

**Hon. H. L. Rowntree** (Minister of Labour): The Legislature provided for it last year in that way.

**Mr. Bryden:** The Legislature, in my opinion, Mr. Chairman, made a mistake. I think that if we are going to have proper financial accountability, departments should spend under the item under which the money is voted to them.

We voted a certain amount of money to them for maintenance. As it turned out they found they needed a little bit more than that. Instead of going into this item, which is not allocated at all, they should have followed the proper procedure, which was to go to Treasury board and to justify to Treasury board that it was necessary for them to spend more.

You see, there is not a lack of flexibility as my friend from Brant pointed out. It is not necessary to put sloppy procedures into the estimates in order to provide flexibility. The Financial Administration Act as it now stands provides all the flexibility in the world. It does, however, provide control, at the same time as it provides flexibility. In other words, if a department goes over on an item or a vote, it goes to the Treasury board to justify its position. If it can, the Treasury board issues an order. If it has an entirely new programme that it could not have foreseen at the beginning of the year, it also goes to the Treasury board and it gets a warrant. So there is no lack of flexibility.

But the "unforeseen and unprovided" item is symptomatic of a lack of control. The department does not have to go to anybody to get authority for spending the money there. That is what I think is a bad principle. It is a principle which is a heritage from an era of unscientific budgeting, when there was not adequate control over the spending of money. I have already stated that the amount is not

the important thing, it is the principle, and I am surprised that the Liberals, after all the talking they have been doing in this House about proper accountability and about economy, would be prepared to justify an item for which there is no accountability at all, and over which there is absolutely no control.

**Hon. Mr. Rowntree:** Mr. Chairman, I must take exception to the remarks of the hon. member. There is accountability in the very fact that the hon. Minister has given you the details. There is no question of accountability. He is accounting to this House in his answers to the questions that have been posed this evening. Now on this matter, this is a matter of practice and—

**Mr. Bryden:** Well, it is bad practice.

**Hon. Mr. Rowntree:** All right now. Surely we need not have any rudeness or interruptions in the remarks that I am making.

The point is not a bad point and I am sure that the Treasury department and the Treasury board will take your remarks into account when the next estimates are being prepared.

**Mr. Bryden:** Mr. Chairman, I had hoped that in the past they would have taken this into account. I have put this case up year after year, both in this House and on the public accounts committee, and as far as I understood, people agreed with me that the point was valid one, that there is actually no need for such an item in the estimates. There is ample provision made in case something unforeseen occurs. The difference is that this in principle is an item that defies accountability and control.

The Minister of Labour says that the Minister of Education has come and told us what he has spent. He has told it to us after it was spent.

**Hon. Mr. Rowntree:** Is not that accountability? Of course it is.

**Mr. Bryden:** What I would like to see is this department accountable in advance. There are two ways that you assure accountability in advance. First of all, they come to this Legislature and ask for money to be voted to them. They do not spend more than the money voted to them, unless they go to the Treasury board and persuade the Treasury board that they have good and sufficient reason for spending more than was voted to them. That is a desirable precaution in my opinion. Somebody other than the department, people who are responsible for the administration of the province, should look the situation over before they permit a department to exceed its estimates, even on one item.

Surely this is the basic principle of financial control. Admittedly there is also the question of ultimate accountability. The department has to be prepared to explain how it spent its money, but surely both are necessary. It is necessary to ensure in advance that the money is spent in accordance with authorization, and also to account for it after it is spent.

What I am suggesting is that this type of item provides a means of evading the requirement of stating in advance how you plan to spend your money. That is why I am still advocating that it should be struck out and I have a motion before the House.

It used to be that the estimates of almost every department had this "unforeseen and unprovided" item in them. It is now a relatively small number that have it. When the hon. Minister of Labour intervened, I looked up to see if his department had it, and I notice—at least as far as I could see at a quick glance—it did not. I congratuate him for that. I think he is following the most modern and scientific budgeting procedures. The same is true of most of the other departments.

But I still cannot understand why the Treasury board permits it for any department. There is only one department that I can think of—I will not mention what it is—where I can think there is a reasonable explanation of it. Surely the explanation that the hon. Minister gave tonight of what was done with the "unforeseen and unprovided" item last year, is the antithesis of a reasonable explanation. In fact it is good and sufficient reason why we should vote for the motion that I have put before us. It was used as a way of getting money for another item that was not voted under that other item, and that is the principle that I object to, Mr. Chairman.

**Mr. R. M. Whicher** (Bruce): Mr. Chairman, the hon. member for Woodbine has said that we as Liberals do not appreciate the spending of money, by not supporting his motion, as far as this government is concerned.

**Mr. Bryden:** Mr. Chairman, I did not say that. What I said was that I was surprised that they took the position they did on this item in view of the attitude they have taken in the past with regard to the spending of money.

**Mr. Whicher:** Mr. Chairman, I would simply point this out: This item is for an

amount of $5,500 out of the total budget of The Department of Education for this year of $595,837,000.

The hon. Minister has pointed out that he has given accountability for what happened in this particular vote last year. To me, I just think of this: The animal that enjoys peanuts more than any other is the monkey, but the hon. member for Woodbine enjoys them even more than the monkey.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, these smart-aleck comments from a party that professes to be trying to get some—

**An hon. member:** Jealousy will get you nowhere!

**Mr. MacDonald:** I think if they had gone back and read Schindler's book a little bit more carefully instead of just regurgitating undigested portions of it, they would not be making comments like this.

Mr. Chairman, the only comment I have on rising, apart from commenting on the remarks that we had from the hon. member for Bruce, is this: The principle that the hon. member for Woodbine has enunciated is absolutely valid, so valid that the House leader has conceded its validity.

**Hon. Mr. Rowntree:** Why do you not accept it then? Let us have the vote!

**Mr. MacDonald:** The only reason why we are not accepting it is that this has been argued out in the House ad nauseam for years; it has been argued out in the standing committee for years, and for some reason or other while the House leader's department and a few others have bowed to it and acknowledged the validity of it and changed the procedures, this is one department that has not. All right, I think that is reason enough to try to get this established once and for all.

**Mr. Chairman:** Mr. Bryden has moved that item 7 of vote 502 be struck out.

All those in favour, will please say "aye".

All those opposed, will please say "nay."

In the opinion of the chair, the amendment is lost.

Call in the members please.

Al those in favour of Mr. Bryden's motion, will please rise.

All those opposed, will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 7, the "nays", 46.

**Mr. Chairman:** I declare the motion lost.

Item 8 under vote 502.

Is vote 502 carried?

**Mr. Bryden:** No, Mr. Chairman. We have not been following items under this vote.

**Mr. Chairman:** Is there something you want to discuss previous to item 8?

**Mr. Bryden:** Yes, I would like to discuss item 3, "maintenance."

**Hon. Mr. Rowntree:** Mr. Chairman, could I inquire as to what order is being followed in this matter?

**Mr. Chairman:** We are following in sequence item by item, but it was understood in the committee that if there was something that the members wanted to refer back to before the vote was carried, we would permit it. That was understood.

**Mr. Bryden:** As it turned out in this case, Mr. Chairman, the items were not called. I actually wanted to raise something under item 3, the "maintenance" vote, an amount of $349,000. I would like to have the major expenditures; I will not ask for every small expenditure, but say expenditures of $25,000 or more that are included in that item.

**Hon. Mr. Davis:** I could explain that the item is really divided into ten programmes—the office of the director, the accounting section, payroll, machine accounting, federal-provincial, equipment, grants, office, pupil accounting, administrative services, and this brings up the total of $349,000. In the main item we have: stationery, $20,500; equipment, purchase and rental, $125,800; printing and printing supplies, $75,000, and postage $100,000. They are, shall we say, the main general items under that section of maintenance.

Mr. Bryden: What was the equipment—

**Hon. Mr. Davis:** Equipment, purchase and rental, $125,800.

**Mr. Bryden:** And what does that relate to, is that a great number of small items or is it some major—

**Hon. Mr. Davis:** Accounting machinery, business machines, what-have-you, typewriters, reproduction equipment, stencil machines. Business machinery—we could put it this way.

**Mr. Bryden:** Mr. Chairman, could the Minister explain what type of litigation work the department gets involved in? I take it the figure of $400 is a nominal item. It keeps the

item open and if it runs into something, then it will be able to go to the Treasury board to get whatever is reasonably required, but what sort of litigation work does the Minister anticipate might occur under this?

**Hon. Mr. Davis:** Mr. Chairman, we quite frankly do not anticipate any; we sincerely hope there will not be any litigation. I can only go back to the items of perhaps a year or so ago. As I recall, there was some action in Renfrew.

**Mr. MacDonald:** I think somebody was guilty, if I may use the hon. Provincial Treasurer's term, of cooking their books.

**Hon. Mr. Davis:** There was some problem in Renfrew where we were required to retain counsel and also there was a dispute over the school area situation in the township of Ross and Cobden, if memory serves me correctly, where it was necessary to retain legal counsel. But we hope or trust that it will not be necessary to expend this $400 item.

As the hon. member has pointed out, it is wise to have it here, particularly in view of his feelings about the unforeseen and so on, because this way if we do run into trouble and it exceeds the $400 then the avenue is open to go back to the Treasury board.

Vote 502 agreed to.

On vote 503:

**Mr. Chairman:** In dealing with this vote, would it be better if we were to take the subheadings—office of the director, school planning and building research—those all come under the vote. Shall we deal with the subsections?

Subsection 1, office of the director?

School planning and building research?

**Mr. Nixon:** Mr. Chairman, on this one I want to bring to your attention a resolution that was first passed by the council of the city of Woodstock, circulated among a number of other centres and taken up by the council of the city of Brantford. I felt it was of sufficient interest to bring to the attention of the House and ask the Minister for his further comments.

The resolution is fairly lengthy but I believe it would be worth reading to the House:

> Whereas schools with identical requirements are being designed in many and diverse forms varying from designs that are efficient and economical to designs that begin as monuments to the architect and end up monuments to the taxpayers' ability to pay taxes on;
>
> And whereas much of the continuing cost of design itself is an added and unnecessary burden to our taxpayers;
>
> And whereas because of the repetitive nature of these school buildings which have identical or similar requirements;
>
> And whereas because of this volume it is feasible and economical to spend considerable time designing and refining the design of different types of school buildings to ensure that the plans and specifications provide the most efficient possible types of school buildings with provisions for variations where a studied consideration or site problem require variation;
>
> And whereas these designs can also be made suitable for ready expansion when required;
>
> And whereas additional savings and better results should be possible, as manufacturers can supply materials for these standardized plans at a lower unit price because of increased volume, and contractors construct them more economically because of familiarity with basic plans and types of construction;
>
> And whereas as most of the design work and preparation of these standard plans and specifications will already have been completed, architects should be able to complete designs for each specific site with a minimum amount of work and resultant saving in design cost;
>
> Therefore, be it resolved that the Prime Minister of Ontario be requested to have a thorough study made of school designs and specifications and then have standard basic plans and specifications prepared which can be used by the municipalities in Ontario to aid in providing more efficient and economical school buildings in the future.

That is a lengthy resolution. The author no doubt wanted to put all the arguments in favour of standard design of our schools in the one resolution. He includes, of course, the fact that there are variations in sites and some of the specifics of the requirements. He points out that it is quite possible to provide for variations in certain aesthetics associated with the building. Of course he goes on to point out that there could be and should be considerable saving if such basic plans were used across the province.

This has been raised before in the House. I am aware that the department does have

standard designs for specific rooms in a school —laboratories and certain other specific-purpose rooms. But the department has never gone to the point of preparing school designs that might be the basic plans for a similar type of school in all parts of the province. This, as I say, has been approved by duly elected councils in Woodstock and Brantford and perhaps other places. I wanted to bring it to your attention, sir, with the hope that the Minister would give us his comments.

**Hon. Mr. Davis:** Mr. Chairman, I have a few comments that I might make. Actually, this matter was also brought to the attention of the department by the hon. member for Oxford, and this has been discussed at some length in the House before and there are several arguments that one might give again.

First, if the department were to become involved in so-called standardized plans, it would mean, of course, establishing in the department a fairly large section of professional architects to develop these plans.

Second—and this is where really a good portion of the cost comes, as I am sure the hon. member realizes—the standard plans, no matter how desirable they may be, do not include supervision. I am not sure of the actual percentage, but I am told that of the, say, six per cent that the architect receives by way of fee, roughly four per cent of this is usually allocated for supervisory purposes. Obviously, if the department were to move in to standardize plans and the provision of plans, we would also have to provide the supervision.

At the same time, I think one could state rather specifically that school construction costs per se over this past number of years probably have risen less in this area of construction than in residential or commercial building. We recognize the desirability, of course, of trying to cut down or stabilize construction costs. We feel that perhaps the better answer to this is not a standardized plan, but rather the investigation of new building techniques and new materials.

The Metro board, as I am sure the hon. member knows, is now involved in experiments over the next three-year period—I think it is receiving some funds from the Ford foundation—on the component type of construction. It feels there may be some saving with this type of approach.

The state of New York, as I recall, in 1960 or 1961, adopted the idea of standardized plans, and it has not worked too effectively. We have looked at this; we have had some very competent personnel investigate this possibility and we will be communicating these general thoughts to the councils involved. We appreciate the concern that they are showing but at the same time we doubt that so-called standardized plans—which in many instances really are quite impossible of development as a standard plan, certainly for some of the composite high schools—will suit every locality or site.

For these many reasons, and these reasons we will communicate to the councils, we doubt that this is the answer to our school construction costs.

**Mr. MacDonald:** Mr. Chairman, I would just like to make a brief comment, particularly in light of what the hon. Minister has said. If there are difficulties involved in the standardizing of plans and there are alternatives that might contribute to a reduction in the cost involved in school construction, fine. I would hope, however, that this will be pursued with some vigour, because I must say that as I move across the province, and I get speaking to local school trustees, rarely do I come into a community without the cost involved in schools, and particularly this aspect of it, being raised.

It seems to me, if you want to undercut the tendency for a feeling that we are spending too much on education, this is an unnecessary frill. In the minds of many people, they believe it is a little bit of featherbedding with regard to a profession. Now this may be unfair, but certainly there is a growing belief that this is just maintaining the old procedure, so that the architects' profession will be able to maintain its six per cent cut.

On other occasions this government has been rather ruthless in terms of weeding out featherbedding and I would think in this instance that it should certainly give some pretty solid proof that it cannot move. I am convinced there must be some direction in which it could move, and let us have a report not later than next year, because this has been a running battle, I do not need to tell the Minister, for as many years as I have been in this House.

**Hon. Mr. Davis:** Mr. Chairman, I should point out this was really the specific purpose of the creation of this branch within the department—as the hon. member recalls, it is only two years old, I believe two and a half years—for school planning and building research. There was no branch of the department doing this prior to that time. Because we share the same concern, any way we can

find of effectively and intelligently cutting down costs, including school construction, we shall certainly pursue.

As I say, the evidence to date would indicate that perhaps the answer lies in directions other than standardized plans, which really perhaps are not the answer.

**Mr. Whicher:** May I ask the hon. Minister what is the cost of school construction in the overall picture? Would it be in the neighbourhood of six per cent of the overall budget for education?

**Hon. Mr. Davis:** I would have to do some fairly extensive research to get this exact figure for the hon. member. I think that I could generalize and say that roughly 70 per cent of money spent on education goes towards maintenance, primarily salaries and operating costs. I think this is a fairly accurate figure. To get the exact amount spent on capital construction we would have to do some research, but I would be delighted to get this for the hon. member.

**Mr. Nixon:** Mr. Chairman, I would be interested in knowing how many architects are presently employed by this branch.

**Hon. Mr. Davis:** Mr. Chairman, there is presently one architect, and there is complement for a further architect in this branch, plus other staff.

**Mr. Nixon:** Were their services used in any consulting capacity on behalf of the department when special problems occurred?

**Hon. Mr. Davis:** I do not know whether one should use the term "consultative capacity." They are there to give advice, yes, and they also conduct various workshops around the province, involving trustees, architects, engineers and so on, who are concentrating their thinking on school construction.

They have had workshops as I recall, in Sudbudy, I believe in Windsor, Kingston—several centres across Ontario, and this branch initiates these workshops or seminars to focus attention on school construction.

**Mr. Nixon:** I must say, Mr. Chairman, that under the system as it presently pertains, the architects of Ontario have built some of the most interesting buildings in the community. It is interesting that we, as members, from year to year attend these openings and see the styles change and how excellent the buildings are. This, of course, is a reason for maintaining their services. On the other hand, the hon. Minister has pointed out that this has been tried in—was it New York state?

**Hon. Mr. Davis:** New York state, yes.

**Mr. Nixon:** —and found wanting in some capacity. What was the main dissatisfaction?

**Hon. Mr. Davis:** Well, I have not discussed this personally with the New York state officials, but our information is that the standardized plan does not fit, certainly with your larger composite or your larger high schools. Many of the site situations, or the service situations, and also the requirements do vary from one school to another.

Take our own school programme here at the secondary level. Over the past few years, there has been a primary concentration on the vocational or the technical additions to the facilities. We are now facing situations where academic facilities are having to be increased, and the design and so on, varies quite a bit.

I think the main thing they found in New York state—and I am open to correction here—is that it in fact did not solve the cost problem. As I say, and as the member has pointed out, these buildings are with, us, in most instances, for many years, and I have always felt that you can have interestingly designed and creative buildings and they do not necessarily indicate exorbitant costs. You can have attractive and, I think, aesthetically pleasing buildings, that do not necessarily involve high expenditures of funds.

**Mr. Whicher:** Mr. Chairman, may I ask the hon. Minister what is the percentage of the architect's charge for school buildings in the province of Ontario?

**Hon. Mr. Davis:** Mr. Chairman, I am just trying to think now whether there was some alteration in their fees very recently. Up until recently certainly, it was six per cent, and my understanding is that roughly four per cent of this goes to supervision and two per cent probably for the creative design of the facility itself. This is roughly the portion of it.

**Mr. Whicher:** Mr. Chairman, may I ask the Minister who is the boss of the architects?

**Hon. Mr. Davis:** The school board is the employer of the architects.

**Mr. Whicher:** Really, we must acknowledge that the school boards in most instances across the province, really do not know too much about building. So is it not true that the architects—generally speaking—are their own bosses?

**Hon. Mr. Davis:** This is an inference or an assumption that the hon. member must

make himself. I have dealt with a number of boards and find a lot of fairly talented people who are reasonably knowledgeable in the field of construction, and do a reasonably competent task. But the board retains the architect. This is their function.

**Mr. Whicher:** I would say, Mr. Chairman, that I appreciate what the hon. Minister has said. But if he or I—certainly myself—were building a million-dollar building, I would feel quite incompetent to suggest just what should be done, and I suggest that the architects, as a general rule, are their own bosses and accountable to nobody. As a matter of fact, I think there is a general feeling, I agree with the hon. member for York South, that there is a general feeling around the province of Ontario that some of these people are getting some pretty soft money. While the reason I asked the question of how much did the capital cost as far as the building of schools was concerned, was to illustrate the fact that it is only about six per cent; in the overall picture this is not a huge amount. Therefore, the architects' fees on the overall picture is very small indeed.

I would suggest quite frankly that the architects are their own bosses. I suggest that in many areas they look after this school and that school and the next. I would suggest that there is a feeling amongst some of the people, particularly in rural Ontario, that they are getting their money rather easily, and it may be true that of course we have to have somebody to account to.

There is no doubt that in the majority of instances they do a very good job, but I was wondering if The Department of Education might have some architects, or somebody on their staff who could go around and check on these fellows.

Now when the hon. Minister says that four per cent of the six per cent would be for supervision, I wonder just how much supervision the architects really give in the construction of these schools? I think that the hon. Minister will agree that the people who build them, the construction people who build these schools, are, in the majority of instances, quite competent. They have a plan that is set out for them, and they go ahead and they build the school for the amount of money that they have tendered for. I would suggest that during many hours of many a day, there is no architect there to supervise anything, and that perhaps The Department of Education should have the odd spotter around to see what is going on, so far as these architects are concerned.

**Mr. MacDonald:** Mr. Chairman, if I may, on this point before we leave it. If there are 70,000 more students coming into our school system each year and the per capita cost per student in public schools is up to $1,000 and in secondary schools is way beyond $1,500—suppose it averages at $1,500—that is a figure of $105 million, and six per cent of it, my friend may be interested to know, is over $6 million. So it is not peanuts.

**Mr. Whicher:** No, it is not peanuts at all. But the point is it is only six per cent out of 100. The big cost, 70 per cent goes to teachers' salaries. Maybe my hon. friend would like to cut their salaries.

**Mr. MacDonald:** No, the hon. member is mixing it all up. Six per cent of the capital cost, and the capital cost is $105 million. Six per cent of that. This has nothing to do with the teachers' salaries at all.

**Mr. Whicher:** My hon. friend for once is wrong. The six per cent is six per cent of the total cost of education for capital construction. The six per cent builds all the new schools in the province of Ontario that we require, on an annual basis, 70 per cent goes to teachers' salaries, six per cent goes to capital construction. All you have to do is add. Six per cent, that is right, for once you are wrong.

**Mr. S. Lewis** (Scarborough West): As long as you admit that it is rare.

**Mr. Whicher:** Well, I admit that it is rare, but nevertheless it has happened.

**Mr. Chairman:** May we get back to the vote? The member for Windsor-Walkerville has the floor.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, under school planning and building research, last year I brought up, under the same vote, the idea of community schools—a school used for many purposes and also used more than simply for the six hours a day. Since that time my own community has completed one of these projects and it has worked out extremely well. Does the department recommend the idea of the community school to boards of education when they are first planning their schools?

**Hon. Mr. Davis:** Mr. Chairman, I would not say that we recommend the community school, say, in the concept of the situation in Flint, Michigan. I think that what we do do is to encourage the boards to appreciate that the school is a community asset and should be used by other agencies with-

in the community, if at all possible. There are some situations on an experimental basis, and the hon. member has referred to one. We anticipate there may be others where, over a period of time, perhaps we can more clinically analyze just how valid the relationship is between the school and the community type of situation to which the hon. member refers. It apparently has been effective in some communities. I was interested the other day in the release from the federal office of education in the United States where they are probably going to make incentive grants for site acquisitions if the schools relate to some community function. This has not proceeded too far because it is still in the experimental stage.

As far as the department is concerned we are still interested in the concept. We are not sure whether it holds all the answers or not, but certainly we have taken the position that we do encourage the boards of education, the school boards, to utilize the school facilities to the maximum. This, in my view, means having the community-recognized agencies within the community use the facility as much as possible.

**Mr. Newman:** Well, Mr. Chairman, would it not be good for the Minister's department actually to recommend in some instances, because there are many times when the only sizeable building in a community is the school. To have a recreation department come along and put up a separate facility, you would only be expending funds needlessly. Whereas if the local board was told, and even maybe encouraged if necessary by way of some type of additional grant that this multipurpose facility built in the school—I do not necessarily mean for recreation only, it could be combined with the parks department, it could be combined with the library board, it could be with any one of the numerous social agencies in town that have need for a facility like this.

Another question I would like to ask the hon. Minister under the research department. Is the department conducting any research concerning air-conditioning of schools? Now that we have summer schools in practically every one of our larger communities, schools in which a youngster may pick up credits having failed in one or two subjects and be able to recoup a whole school year, there might be some advantages in air-conditioning the schools.

**Hon. Mr. Davis:** Mr. Chairman, we have a committee working on this aspect right now.

**Mr. Newman:** Mr. Chairman, does the hon. Minister plan on instituting air-conditioning in any school in the province as a pilot project?

**Hon. Mr. Davis:** I do not think it will be a case of doing it as a pilot project. I think we will assess whether it has sense or not and probably then encourage it on a more general basis. I do not think one particular school will prove it. I think it is also a case of adaptability or flexibility of the programme. There is no point in having air-conditioning in a facility that could be suitably closed during July and August. I think we will have to wait until we have the committee's report and recommendation before any decision is made.

**Mr. Newman:** May I ask the Minister, Mr. Chairman, if the research branch has any figures or statistics on the advantages of carpeting over tiling and over terrazzo work? We often hear that the schools are going very plush with the use of carpeting in their buildings, yet some architects claim that it is a cheaper way of operating in schools. The carpeting lasts much longer than do some of the other types of materials used for flooring.

**Hon. Mr. Davis:** Mr. Chairman, I do not think any specific decision has been reached. I think in fairness to those who have used floor covering rather than, say, tile or terrazzo, that there is sufficient evidence to indicate that perhaps it does warrant the expenditure through the maintenance cost. However, it is still relatively new, and I think a lot depends on the strength or the structure of the floor covering that is used. The maintenance may be less, but it is still a little early to assess just how long the material itself may last, but we are considering it. We are not in a position to recommend that floor covering is more appropriate than tile or hardwood.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Chairman, the hon. member for York South and the hon. member for Bruce having finished their conference on high finance, could we have the benefits of the results of their conference?

**Mr. Whicher:** We would be very glad to give it to you, Mr. Chairman, but the hon. Minister, I am sure, would not believe it.

**Hon. Mr. Grossman:** Please tell us.

**Mr. Whicher:** You can have it when we report.

**Mr. Chairman:** The member for Essex South.

**Mr. D. A. Paterson** (Essex South): Mr. Chairman, under the business administration of schools, I believe the principal of the school has a great deal to do with this in many instances. I wonder if the question would be in order as to how the average teacher becomes a school principal, or gets into the principal's course, and if the departments sets out guidelines for the everyday business of the principal of a school?

**Hon. Mr. Davis:** Mr. Chairman, I would suggest that this question of principals' courses, and so on, would come under a later vote. I do not think it relates to school planning and research. I would be delighted to give the information at that time.

**Mr. Chairman:** Is the member for York South going to volunteer this information as requested by the Minister of Reform Institutions?

**Mr. MacDonald:** Mr. Chairman, I warn you, if I had known it before I would have been even more passionate on the point. It is even worse than I thought.

**Hon. Mr. Rowntree:** Do not be bashful.

**Mr. MacDonald:** In your presence I shall refrain, Mr. Chairman, if may say to the House leader. The point is rather interesting. Our dispute was that the annual payment for capital costs as they are amortized over a 20-year period, is approximately $36 million, and that is about six per cent of our total budget today for education which is $594 million. But if our annual payment for capital costs when amortized across the board is only $36 million, and each year we are paying over $6 million to the architects—I just ask you to pause and reflect on that.

**Hon. Mr. Grossman:** You were supposed to have settled that.

**Mr. MacDonald:** We have settled it, but I ask—

**Hon. Mr. Davis:** Without getting into a discussion as between the thinking of the two hon. members, I am not sure that one can validly state that there is only a capital expenditure of $36 million, and that the architects are getting $6 million on this particular sum. I do not think that this is really quite valid.

**Mr. MacDonald:** Well, if the hon. Minister forces me I will have to take him through the calculations. They are rather brief. This is in the category of mental arithmetic 40 years after you have left school.

**Hon. Mr. Davis:** Is this the new math or the old math?

**Mr. MacDonald:** There are 70,000 new students going into our schools each year, and it costs approximately $1,500 per student—that means $105 million new capital construction a year. At six per cent, that means that the architects are getting over $6 million in fees. Now, the amortization of the $105 million is over a 20-year period, and my hon. friend contends—and apparently he gets this figure from the department—that the total annual charge for education to pay for the capital construction that has gone on in the past that is still being paid for is in the range of $36 million a year.

**Hon. Mr. Davis:** Well, Mr. Chairman—

**Mr. MacDonald:** This is a separate calculation.

**Hon. Mr. Davis:** He should also calculate in this that a good portion of your construction—your capital construction—comes in at the secondary level, where perhaps it is not being debentured at all, at least as far as the local boards are concerned. This would be a complete grant, or was, for some years, by the federal-provincial levels of government. Now, of course, it has been apportioned so that in a calculation of this kind—and I guess we could spend a lot of time doing this—the figures would be substantially different.

**Mr. MacDonald:** What proportion is paid by Ottawa? Can you tell me?

**Hon. Mr. Davis:** No, I have no computer with me or I could perhaps give you an instantaneous answer.

**Mr. MacDonald:** The Minister is correct. The $36 million a year may vary because 75 per cent of it is paid outright by Ottawa, but it does not alter the fact that the architects' fees each year are $6 million plus. And, therefore, if the amortized costs for capitalization are less than $36 million, the contrast is even sharper.

**Hon. Mr. Davis:** No, but the total dollar spent—

**Mr. Whicher:** Mr. Chairman, to protect myself—when I got my figures, I got them not from the Minister, but from The Department of Education—

**Mr. Chairman:** Is there something under the third division of this vote—school plant approval?

**Mr. Nixon:** Mr. Chairman, this really is an extension of our previous discussion, but will the department approve a design that has been set by an engineer, rather than an architect?

**Hon. Mr. Davis:** Mr. Chairman, I do not believe that we will accept a design by an engineer unless there is an architect responsible or an architect's stamp. I will check this out specifically for the member but my recollection is that it must be a qualified architect.

**Mr. Nixon:** The Minister has made it clear that of this six per cent that is paid in architects' fees, four per cent goes for the supervision of the building. My understanding is that engineers are employed to take part in the supervision, particularly of the big schools.

**Hon. Mr. Davis:** This is right. The architect pays out of his fee—I should have mentioned this—the structural, mechanical and other engineering services. This comes out of his fee. The engineers, structural and mechanical are paid out of the architect's fee. The contract is between the architect and the board. The services that the architect retains, he pays for himself, and are included in whatever fee he charges.

**Mr. Nixon:** Is there a case in the Minister's knowledge where the architect has been unsuccessful in building a stable building and that the six per cent fee has provided the guarantee that we all look for in case of failure of that type?

**Hon. Mr. Davis:** Mr. Chairman, I do not know of one personally. I am sure there must have been, but I do not know of one personally.

Vote 503 agreed to.

On vote 504:

**Mr. Chairman:** Section 1:

**Mr. Nixon:** Mr. Chairman, it is rather difficult to separate this into items but the education data centre is surely one of the largest installations that the provincial government has of the new computer instruments that most departments are putting in.

I have several questions to ask, but first I would like to know if the general supervisory staff that comes under the direction of the Provincial Treasurer had anything to do with the decision to purchase the machinery that we now have in The Department of Education?

**Hon. Mr. Davis:** Mr. Chairman, my recollection is the machinery referred to in this particular vote came from Treasury. This was a Treasury machine prior to it being used by The Department of Education. I am just referring now to The Department of Education, but I would assume all installations of this kind go to the Treasury board.

**Mr. Nixon:** Is there any possibility that the school boards across Ontario will be able to connect themselves in some way with the data centre in the department so that they can make use of this facility without purchasing the same type of thing themselves?

**Hon. Mr. Davis:** Mr. Chairman, I could go into a long, involved—and I am not sure that I could explain it too well—explanation to the hon. member. Our planning on a province-wide basis over a period of years will enable the boards, particularly the smaller boards, to avoid themselves of either the central or the regional data centre. We hope to have, shall we say, terminal situations throughout the province, perhaps on a regional basis, where the facilities will be available to the individual boards for many purposes.

We also hope to tie in our own centre with the larger boards, such as the boards here in Metro and the larger urban centres—and, as I say, this is strictly in the planning stage; this will take some years to accomplish—so that there can be a total information system across the entire province. This is not easy to bring about, but we feel that it is quite necessary if it can be accomplished. In this way we can be of much greater service to the boards, and just as importantly to the teachers themselves.

The potential of data processing and the use of computers for straight administration, student records, timetabling and what-have-you—apart from any other aspect of education—I think really is quite tremendous. Our hope over a period of years is to develop an integrated information system for the entire province. This is not easy to bring about. It will not happen overnight, but this is the basis for our planning.

**Mr. Nixon:** Mr. Chairman, a good many of the school boards are making plans to purchase this expensive equipment for themselves, and some have already done so. Does the department have any overall approval on this decision?

**Hon. Mr. Davis:** Mr. Chairman, I am not sure that the word "approval" is the right term again. We have personnel that have been visiting with the boards to offer the best advice that we can give, to give the boards some guidance. I think the hon. member will understand we have to be somewhat careful. It is a very competitive field. There are three or four major producers and we do not want to be in the position of recommending one piece of hardware as opposed to another.

What we try to do is outline the possibilities, the type of programme they should be developing, and give them some guidance along these lines. But the final decision as to the type of hardware they should purchase, of course has to be determined by the board. We have had our own people working closely with those boards that are considering the purchase of this equipment.

As the hon. member knows, three or four boards have already done so, of course, and we are hoping to be able to provide the type of guidance that will enable us to tie all these machines together over a period of years.

**Mr. Nixon:** Mr. Chairman, this is a period that started two years ago, and will go on for the next ten—

**Hon. Mr. Davis:** At least.

**Mr. Nixon:** —when various levels of government and school boards are spending tremendous amounts of money on these facilities.

I have always been deeply impressed with the flexibility of the machines, and the fact that it is not necessary to have a complete installation for one specific job. I want to know, is the Minister's installation working now? Does it work at night or does it work from 10 to 3?

**Hon. Mr. Davis:** Mr. Chairman, it varies from day to day. I cannot give you the exact number of hours the machine is being used and how much of the machine time is being used perhaps by other departments. I can only tell you that it is being utilized to the best of its capacity as far the department's needs are concerned. The hours used vary from week to week or even from day to day. I think the hon. member is knowledgeable in this field and appreciates that the computer time used cannot necessarily be determined on a day-to-day basis. I would say that as far as as our machine is concerned, it is being rather substantially utilized.

**Mr. Nixon:** Is it available to other departments?

**Hon. Mr. Davis:** I believe the Treasury, and I am just going from memory, is at present using it part of the time. I should add that the teachers' superannuation commission is using it for the distribution or the making of its cheques.

**Mr. Whicher:** Mr. Chairman, while recognizing the fact that we simply cannot afford to be without it and we have to pay these huge expenditures for education, nevertheless, there are some of us who are worried about the costs now and the costs in the future.

I wonder if the hon. Minister could tell us—with his machines that are working part of the day or part of the night, whatever the case may be—what he estimates the bill of the province of Ontario will be for education three years from now?

**Hon. Mr. Davis:** Mr. Chairman, I can obviously say it will be substantially higher. I do not know that I am in a position to state specifically what the cost will be three years from now. That would be the fiscal year 1970, would it not?

**Mr. Whicher:** Would you have it two years from now? Your machines are working and we would like to know the answer.

**Hon. Mr. Davis:** It seems that the machines will not tell the answer. The cost will be determined to a certain degree by salary increases and by the rate of growth—which is something we can determine at this point, but the salary situation is not quite as easy to predict.

I think one could say that within The Department of Education itself two years hence, and this is just a guess, we will be in the neighbourhood of probably $700 million to $800 million minimum, I would think. It may be higher than that. I cannot relate The Department of University Affairs unless we get into the field of capital and I can into that during the estimates of that department. But I think one could be sure that in two years' time the combined budgets for education will exceed $1 billion, without any doubt.

Vote 504 agreed to.

On vote 505:

**Mr. Nixon:** Mr. Chairman, is The Department of Education taking part in this search for trained personnel in Great Britain similar to the one undertaken by the civil service?

**Hon. Mr. Davis:** We are not taking any direct part in it, Mr. Chairman. For most of the personnel that we require within The Department of Education, I am sure the hon. member would appreciate, primarily we are looking for people who have had some experience in the Ontario school system. A goodly percentage of our personnel obviously are brought in in the fields of inspection. I think it is necessary, obviously, to attract personnel who have had some substantial experience within the system of the province.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. Newman:** Mr. Chairman, I would ask the hon. Minister if the department is looking in the United States for trained personnel?

**Hon. Mr. Davis:** No, the department is not actually recruiting trained personnel in the United States. The department would be interested in any trained individual who has an interest in The Department of Education, no matter where he comes from, but we are not actively recruiting personnel in the United States.

**Mr. Newman:** Mr. Chairman, in the Detroit *Free Press*, Sunday, January 9, 1966, I read: "Ontario Department of Education invites applications for teaching positions." That is advertising in the United States, Mr. Chairman.

**Hon. Mr. Davis:** Mr. Chairman, I understand that there is some circulation in the Windsor area of that particular paper and there are also a number of former Canadians who are still Canadians and Ontario citizens living in that particular community, but these are not—

**Mr. Bryden:** Also in California and other places.

**Hon. Mr. Davis:** Yes. Actually some Canadian universities are looking for graduate students who are at present enrolled at a number of American universities, but these are former, and some of them are still, Ontario and Canadian citizens.

**Mr. Whicher:** I would like to point out to the hon. Minister that either this week or next, the large aircraft industries of the United States will be actually advertising in all of the Toronto papers—not just small advertisements but large advertisements — for engineering graduates from all of our Canadian universities. They give the room number and the telephone number and the name of the man they are to see here in the city of Toronto who is looking for trained engineers for the aircraft industry. I would suggest, if the hon. Minister requires trained personnel, not to be afraid to advertise in the United States and let us steal some of the personnel back from them that they are stealing from us in every one of the professions.

**Hon. Mr. Davis:** Mr. Chairman, I want to make it very clear that we have no hesitation in recruiting personnel—

**Mr. MacDonald:** Stealing.

**Hon. Mr. Davis:** I use the term "recruiting"—personnel from any jurisdiction if we think they can be helpful to us; none whatsoever.

Votes 505 and 506 agreed to.

On vote 507:

**Mr. Chairman:** May I suggest to the members in connection with vote 507 that it is divided into four areas and most of those areas cover the 14 items that are listed. Shall we deal with them in areas?

First, office of the director, under vote 507.

**Mr. Newman:** Mr. Chairman, I do not know if this would be the actual vote under which we could get the hon. Minister's ideas concerning the raising of the school age from 16 to 18.

I had conducted surveys in about six different schools. The wish of the students themselves was that about 66 per cent suggested they be forced to stay in school up until the age of 18, rather than be allowed to quit at the age of 16. This was not the opinion of 50 or 100 students. There were over 1,400 students who were involved in this survey.

Would the Minister inform the House if the department has undertaken studies concerning the increasing of the school age and what policy it intends to pursue?

**Hon. Mr. Davis:** I am not sure that this is the appropriate vote under which to discuss this. I have no hesitation in expressing my views—

**Mr. Chairman:** I think to expedite the work of the House, perhaps we should proceed with this vote at this time.

Office of the director.

**Mr. MacDonald:** Mr. Chairman, if this is the appropriate vote, I would like to raise a question and see if I can get more detailed information from the hon. Minister of Education with regard to the ETV programme.

I was rather interested, although unfortunately I could not personally attend a conference that was convened by—

**Mr. Chairman:** Excuse me, this is under curriculum division is it not—the second item? Is there anything under office of the director?

**Mr. MacDonald:** I am sorry.

**Mr. Newman:** Mr. Chairman, where may I ask the question that I asked previously?

**Mr. Chairman:** I will try to find that out in the meantime. The member for York South, under curriculum.

**Mr. MacDonald:** At a recent conference of the metropolitan educational television association of Toronto, I was interested that they had a panel that was chaired, I believe, by somebody from The Department of Education, and significantly the panel was addressing itself to the topic, "Why is television not in the mainstream of education?" While considerable progress has been made in terms of production of programmes, I think it is still true that we have not got television into the mainstream of education in the province of Ontario.

In my view we are not going to be able to assist in raising standards of education—particularly throughout rural areas where there are many other disadvantages that they have to cope with all the time in terms of quality of teachers and limited facilities and things of that nature—until we do get an ETV programme available to all parts of this province. I wonder if the hon. Minister could give us his views on this, and more particularly, is he in a position to be a bit more frank with regard to the prospects at the moment on the ETV programme and the getting of a channel from the BBG?

**Hon. Mr. Davis:** Mr. Chairman, the hon. member has stated some of my own sentiments as to the potential of ETV. I think there are several reasons why it has not, shall we say, reached the mainstream of education. One of the factors, of course, is cost. TV is a very costly means of communication. The other problem I think is that there is some slight resistance on the part of people in accepting television as being a valid educational tool. I think this feeling is dissipating and I think we can look forward to a readier acceptance of television as a classroom instrument or teacher aid. I believe that this resistance will, over a period of time, tend to disappear.

I also think that part of the delay has been caused by the fact that TV has not been appropriately utilized in those jurisdictions where they have what one might refer to as a fairly substantial ETV situation. You can go into some jurisdictions—I know of one—where part of their ETV programme will be a rebroadcast of the NFL Sunday afternoon game. This is not the proper utilization, in my view, of ETV.

In some areas, as I outlined in my opening remarks, such as Italy, they have utilized ETV in a very appropriate fashion, but once again in this instance they use it not, shall we say, to enrich the curriculum or reach certain groups that were not reached through the regular school programme, they were using it for actual purposes of instruction. I do not visualize this taking place, necessarily, in the schools of this province, because, fortunately, we have sufficient staff and sufficent classrooms so that we can appropriately treat the pupils in this manner, but in Italy, as I pointed out, there is no choice. Either it was ETV or no type of formal instruction whatsoever. So I think they have, for their purposes, developed a good use for educational television.

In my view, here in this province, TV has great potential and it is not confined just to the elementary and secondary grades. My own thought would be that in in-service teacher training and perhaps even in the adult education field there may be more initial potential than in the elementary or secondary areas. Obviously, it must be done over a period of years on a provincial basis; it cannot be confined just to the urban situation.

As far as the department is concerned, we recognize this rather basic principle that it has to be on a provincial basis and as a result of this, the decision was made to explore the technical feasibility of initiating a provincial network with the first facility here in the Metro Toronto area. There was really one choice open to us at that stage, although one or two have been suggested since, and that was consideration of the UHF channel.

It is impossible to have a comprehensive ETV situation in Ontario by using—although they have been very helpful to us and I want to emphasize this—the private or the CBC affiliates or the CBC itself. They have very kindly made time available primarily in the morning hours when the viewing audience is not as great. But I think to have an effective type of programme, we must go from whatever it is—nine o'clock—in the morning till four or five in the afternoon and on into the evening, so that obviously the private stations

themselves will not be in a position to assist us.

So the decision was made to go to UHF. The technicial study has been completed; it was a very extensive study. The engineering would indicate that it is feasible and as a result the department has made application to The Department of Transport for a licence to transmit over channel 19, UHF. The Department of Transport now must make the decision as to whether or not it will refer it to the BBG, which in the final analysis will have the say whether the licence is to be awarded.

It is difficult, Mr. Chairman, for me to predict or to anticipate what the decision of the department will be. I can only say that I think ETV has such great potential, I would feel badly if it was not recommended to the BBG or some alternative suggestions were not developed so we could effectively develop an ETV network here for the province. I think I can say, Mr. Chairman, that in some form or other I am optimistic that it will come about.

**Mr. MacDonald:** Mr. Chairman, I appreciate the hon. Minister's rather frank elaboration on this. There is only one point in his comments, if I understood him correctly, with which I do not think I agreed. In contrasting the situation in Italy where the only way the children could get a formal education was through ETV, and here, he said that we are fortunate in having the teachers.

I do not want to be ungracious with regard to some of the teachers in our schools, but if one reads the diplomatic language in the Minister's committee on elementary school teachers' training, one can read between the lines that it is indicating that there are some seriously unqualified teachers in our schools. Incidentally, there is a tendency for these to be concentrated in rural areas, particularly in the smaller schools in rural areas. I am wondering whether, with some sort of an effort, initiated presumably in the first instance by The Department of Education, there could not be, once you get ETV into operation, some sort of courses to train teachers to be able to use television as a teaching aid.

I happened to be talking to a person who is pretty familiar with this whole ETV field and he made a comment, which I am willing to believe 100 per cent, and that is that modern children are TV experts. One smart member of the modern generation is supposed to have quipped that he would sooner get a headache from TV than from the teacher.

Forgive me, but there is the odd teacher that I know of, about whom I think the remark might not be inappropriate. I am wondering—though I am not unmindful of the difficulties of getting older teachers to be willing to use a new technique like this, or an ETV aid like this—whether we cannot get television to be used as a teaching aid and lift our standards of teaching out in the areas where conceivably they are most in need of that lift.

**Hon. Mr. Davis:** Mr. Chairman, I think this is quite possible. I would say this though, that I would like to feel that perhaps we could take an initial step. That is, rather than persuade the teachers that this is a valid educational tool, that through the use of television to these remote areas, we may do something to upgrade the quality of the teacher himself, because obviously this is the optimum, if you can have a qualified teacher dealing with students. I would echo the hon. member's sentiments—young people today, if I can speak purely from personal experience, have some rapport with the TV set and I think it is something we must all accept. It is perhaps the most powerful communication tool that we have and it should be utilized.

**Mr. Nixon:** Mr. Chairman, if I may make some remarks about this important subject. The Minister has said that the acceptance of educational television has been relatively slow in this province and I would say to him, sir, that he is the prime example of the slow acceptance of the use of this medium. Our discussions have been of a very amicable nature but for him to come in here and tell us of the efficacy of educational television as if this were a complete flash of light as far as this House is concerned is just unacceptable.

**Mr. V. M. Singer** (Downsview): Christopher Columbus Davis.

**Mr. Nixon:** For years since he became Minister we have had the same sort of attention paid to this matter as perhaps his air conditioning committee is paying to that important matter. It is important in its own way but very far down the list of priorities. Evidently his trip to Italy last year convinced him—and I am delighted that this is so—but the fact remains that we in this province are at least five years behind even the most placid jurisdictions in spending the money that is necessary to develop a network of television training.

I would say to him that the CBC, both television and radio, have done excellent work, but they are perhaps at the present

time impeding the progress of our provincial network because of their background and fixed position in this regard. I do not know whether this is true or not but it has been said by those who have looked into the field that this is a possibility.

I would submit to the hon. Minister that if he considers the use of the television as simply an enrichment tool or something that will attract the attention of the students, he still is missing the mark, because, you can have the very best programmes involving the use, say, of conversational French, and if it is given on an optional basis, perhaps, over CBC at a time when the young people can avail themselves of it if they choose, no matter how good the programme is, it is a wasted effort except for those who have children in families where the parents are willing to sit down and keep their attention pointed to the subject matter. I think that conversational French could be very effectively taught over television right in the classroom. Classes are required to pay attention to the lesson, and the teacher herself or himself, paticularly in the lower grades, would be able to learn a good deal at the same time.

I am glad he feels that the upgrading of teachers is possible through this medium. I would really like him to state a little more frankly the process of negotiations with the federal government on the acquisition of the channels that we require. I know he has said The Department of Transport now has the freedom to propose to the BBG the award of this channel, but according to certain people this appears to be a political decision or a decision made by those who feel that by awarding the channel to Ontario, they will be setting a precedent that may fragment the whole national system of broadcasting. What are the chances of an early award of this channel?

**Hon. Mr. Davis:** Mr. Chairman, I will endeavour to retain, I hope, the rather amicable and constructive nature of the discussions, although I think in fairness I should point out that the Minister has not really undergone a recent conversion as far as ETV is concerned.

**Mr. Nixon:** I remember not too long ago when the Minister certainly considered it a gimmick that maybe would require $25,000 for a year of investigation.

**Hon. Mr. Davis:** With great respect, Mr. Chairman, I have never considered it a gimmick. As I recall historically, I have headed this department for roughly three and a half years, and a decision was made roughly a year and a half to two years ago that the department would move into the field of educational television. It was made long before any experience in Rome or any other jurisdiction. We have made rather substantial progress.

Once again, Mr. Chairman, I think one would have to look very carefully at what our sister provinces are in fact doing in the field of ETV before one could make the statement that Ontario perhaps is five years behind our sister provinces in this regard.

**Mr. Nixon:** Is the Minister comparing us with Newfoundland or New York state? New York is not one of our sister provinces but surely our requirements are more roughly comparable to the state of New York than they are to Nova Scotia or even Alberta.

**Hon. Mr. Davis:** Mr. Chairman, I should point out that not all portions of the state of New York are covered by ETV. In fact, if you get beyond the confines of Manhattan or greater New York, you will find that ETV is still in rather limited use. This has been confined primarily to the major metropolitan centres within that jurisdiction and I think that it is fair that we might compare our own progress here with our sister provinces, to a degree at least.

So as I say, historically it has not been a recent conversion. The technical study itself for the channel 19 outlet took very close to a year to accomplish, and I am sure the hon. member is aware that you cannot make an application to The Department of Transport until your technical studies are finished. The studies were finished, and the application was submitted, my recollection is, sometime in March. I am sure, in view of the hon. member's great interest in ETV and since he shares my concern, that he will add his weight or his arguments to the Minister of Transport. I think it is important that this—

**Mr. Nixon:** I do not know him.

**Hon. Mr. Davis:** I would think, Mr. Chairman, if the hon. member has not, I would be delighted to have his support because it is important that a decision be made. The decision should be made very shortly, because we are faced with programming problems and production situations, so that if we want to start our provincial network based on UHF facilities, we must have this referred to the BBG in the very near future. I can only say, Mr. Chairman, that the application is there, and I cannot predict for the Minister of Transport what he in fact will do.

**Mr. Singer:** Mr. Chairman, my friend the hon. Minister of Education, in typical Tory fashion, compares incomparables. When my hon. colleague from Brant talks about what is happening in New York state, or talks about what is happening in other jurisdictions, my friend says, "What provinces? Is he comparing Ontario to Baffin Land? I do not know." Or when he talks about comparing Ontario to New York state, he says, as an excuse, or as a reason, or something, "Well, it is only the metropolitan part of New York state."

My friend has colleagues on his side of the House who will say, "If it is good enough for Toronto, let it be good enough for the whole province." I would not say that, but some of my colleagues will, and some of his will as well. If it is good enough for New York city, surely it is good enough for Toronto. If it is good enough for New York state, surely it is good enough for Ontario.

Our complaint, sir, is very simple. The Minister is dragging his feet and surrounding this whole controversy with a bunch of non sequiturs. He is not pushing as he should, and this is our complaint.

There are modern techniques of education, and he is a master at publicity. He is a master at patting himself and his officials on the back, but he has not done a job in educational television and he knows it and we know it, and we hope the people of Ontario are recognizing it.

**Hon. Mr. Davis:** Mr. Chairman, once again I shall endeavour to keep this on a relatively friendly basis, but I would suggest that—

**Mr. Singer:** Why—

**Hon. Mr. Davis:** All right then, I shall not. I will just make the point once again. We have completed our surveys. We have allocated the funds. We are ready to move ahead with an ETV network for the province of Ontario, and the decision rests with the federal government as to whether or not the application will be forwarded to the BBG. Mr. Chairman, we can make no real progress towards a provincial system of ETV without a licence, and I want to make this point abundantly clear: The decision on the licence rests entirely with the BBG.

**Mr. Singer:** My substantial answer to that, Mr. Chairman, is this. If the hon. Minister feels that the only roadblock is the decision from Ottawa—

**Hon. Mr. Davis:** It is.

**Mr. Singer:** —let him say loudly and publicly that he and his government are prepared to embark on a genuine system, not to say that we are as good as other jurisdictions in Canada—

**Hon. Mr. Davis:** Mr. Chairman—

**Mr. Singer:** —not to say maybe metropolitan New York state. There is a difference, let him say, and there will be an answer I am sure. If there is blame to be attached to those awful fellows up in Ottawa, let us attach the blame. My colleagues and I simply will not be remiss in our duty if the blame lies in Ottawa, agreeing with the hon. Minister that that is where it lies.

But we believe that the hon. Minister has not pushed hard enough, is not serious about it at all, and really does not believe in ETV for the province of Ontario.

**Hon. Mr. Davis:** Mr. Chairman, I would suggest that of all the arguments, that really has very little validity. I think the fact that we are voting something in excess of $1 million just for production time alone—nothing to do with the capital plant—is a pretty clear indication that we are serious about ETV, and this application is there.

It has nothing to do with Metro Toronto, it has nothing to do with comparing with any other jurisdiction. We must have transmission facilities if we are to have an effective television network in the province of Ontario, and I must say this for the federal authorities, it is a difficult decision for them to make.

There is a very major policy situation involved, I would think, on their part, and I appreciate this. This is why I am not being loudly critical, because it is a difficult situation for them. But I do say this to you—and I have had some discussions with these people, and I recognize the difficulties—that a decision has to eventually be made and I suggest it has to be made fairly soon. The key to ETV in any jurisdiction in this country is in the field of transmission. You must have the transmission facilities and there is only one way to get it, Mr. Chairman, and that is through a licence from the board of broadcast governors, there is just no other way.

**Mr. Newman:** May I ask the hon. Minister if he has not considered the use of television tapes? The Sony people and the Amtex people make television tape machines that are very reasonable. They are home recorders in fact. If I find anything in any jurisdiction, I am more than pleased to bring it to the attention of this House. I would like to ask the hon. Minister if he has considered the

use of television tapes. You could make the tapes now and project them later.

**Hon. Mr. Davis:** Mr. Chairman, really one might not even confine oneself, say, to television tapes. You can just use the ordinary films and projectors. You accomplish the same thing as you would with the so-called television tapes. This is not what we are aiming for.

We have projectors and films available for the schools. We are looking forward to a complete system of educational television, and the other is at best a very poor alternative. It has its place. It has been very helpful in the school system. It will continue to be used. But in the broader context, there is only one way we can effectively bring it about, and I do not want to repeat it again, but the key is transmission. We cannot do it any other way, and you must have a licence to transmit.

**Mr. Singer:** Mr. Chairman, the thing that puzzles me about this is the avenue opened by my colleague from Brant, and he says, and I think he says most validly, that there is no point in looking for television time at eight o'clock at night where a parent—and my friend the hon. Minister of Education is a parent and has children and he recognizes these problems—has to bring his children to watch educational television in lieu of Batman or Ed Sullivan or the latest western. What has to be done is to provide ETV at a time when the school facilities are available and when there is discipline to bring these children before the television screen, in order that they will be able to absorb what is being offered.

**Hon. Mr. Davis:** I am not saying—

**Mr. Singer:** Part of this discussion on the Minister's estimates certainly has revolved around the scarcity of secondary teachers of ability in the fields of history, advanced mathematics and science, and all these other fields where it is very difficult to find enough teachers to go round. Certainly many of the things that we have been talking about, this year and in the years before, have been the suggestions to the hon. Minister and to the administration in The Department of Education that there are certain teachers who must be available in this system, who can portray to many thousands of students in Ontario the techniques of advanced mathematics, or history, or what have you, and it can be done during school hours, and it can and should be done as a part of the educational system, not as an alternative to Batman.

**Hon. Mr. Davis:** No one is quarreling with that.

**Mr. Singer:** I say that the hon. Minister has not really put his heart and soul into this. He has hung his hat on the thought that he has got some sort of an application in at Ottawa. If the Minister seriously believes that Ottawa is holding him back, he is the only one on that whole Treasury bench who has been backward about coming forward with his criticism of a Liberal government.

If the Minister really believes that this is holding back the educational system in Ontario, then he should have been loud in his criticism of the federal government. The Minister has not been; he has filed a quiet application.

**Hon. Mr. Grossman:** How do you file a noisy one?

**Mr. Singer:** Well, my friend, the hon. Minister of Reform Institutions needs no lessons in being noisy. My friend, the Minister of Reform Institutions, when he wants to criticize the federal system of penal institutions, has not been backward about coming forward at all.

What I am suggesting, Mr. Chairman, is this, that this is the first time that the hon. Minister of Education has been so backward about saying that it is not his fault, it is somebody else's fault. In other words, Mr. Chairman, to make it very simple, the Minister, I do not believe, is really convinced that ETV is meaningful. And in not being so convinced, then he is swimming against the tide of educational techniques that have been established in North America.

If he means what he says, if he believes that ETV is valuable to the education of our youngsters, then he will get up and say it is only because Ottawa is holding us back. But he does not mean that because he has not convinced himself yet that ETV has any importance.

**Mr. MacDonald:** Mr. Chairman, if the hon. Minister will permit me, I just feel persuaded to add a footnote here. The best offense is a defence and the best way to cover up on the failure of the Liberals at Ottawa is to attack the Minister vigorously here.

**Hon. Mr. Davis:** Mr. Chairman, I will not prolong the—

**Mr. MacDonald:** He does not even have his heart in the argument, he is just making it up as he goes along.

**Hon. Mr. Davis:** I will not prolong the discussion. I think I have made it rather clear that our intentions are very definitely serious.

I should point out—and I am sure the hon. member took the opportunity to watch them—we have had too, I am told, rather excellent programmes produced by the department this year. The one on the grade 13 physics related directly to the curriculum of this year; the one on the grade 7 math was so well received in some parts of the province that it was requested that it be rebroadcast not just for the students but for the parents of the youngsters in that grade level, because they found it to be very helpful.

If the hon. member had been here, and perhaps he has read my opening statement to the House on the estimates, I very clearly pointed out the subject areas that we were covering this year without our own transmission facilities, one course including the upgrading of teachers.

But I want to make this point abundantly clear, Mr. Chairman, the full potential of ETV will not realized if we are confined to the elementary and secondary areas or to the morning hours of transmission. The potential does exist for the evening hours. The universities are interested. I am sure the hon. member took the opportunity of seeing the series of programmes produced by Scarborough college, some very excellent. These were transmitted rather late at night.

I think perhaps the hon. member will recall my opening statement about the BBC in Great Britain considering having a university of the air, and whether this will be brought about by television. Obviously this means courses that are given beyond, say, the morning or the afternoon hours. The full potential must go beyond this.

I cannot make it any clearer, Mr. Chairman: Our intentions in the field of ETV are more than serious, but it is not my intention to get up in this House and condemn the federal government or The Department of Transport. The application has been there since March. It took roughly a year to complete the technical surveys. I am not condemning them because I appreciate it is a difficult situation for them. I am saying this, we must have some form of transmission facility and I would urge the federal government to give this very serious and very urgent consideration, but I am not, Mr. Chairman, going to get up and shout in this House and condemn the federal government because I appreciate the difficulty that faces them.

**Mr. Singer:** Mr. Chairman, the two programmes to which my hon. friend refers, I assume, were not in school hours.

**Hon. Mr. Davis:** As a matter of fact, Mr. Chairman, some of them were and some of them were not.

**Mr. Singer:** Could the Minister tell me then how many of the students in the grades to which these courses were directed were before television sets when these programmes were being produced? How many of the students in Ontario were—

**Hon. Mr. Davis:** Mr. Chairman, I must be very frank, I did not keep a count.

**Mr. Singer:** No, I am sure the hon. Minister did not. This is the whole point.

**Hon. Mr. Davis:** I would say this, that as far as the grade 7 math is concerned, we anticipate that really it reached the vast majority of the grade 7 students because a good percentage of the programmes were in the early hours, or in the school hours. As to the grade 13 physics, we feel from the survey that was conducted that something in excess of 60, perhaps even 70 per cent of the grade 13 physics students, plus their teachers, were watching the Saturday morning telecasts, and they were well received. I say they were well received because we have many favourable comments from the people who observed them, including the professional teachers.

**Mr. Singer:** Mr. Chairman, the hon. Minister, as the parent of young children, and I as a parent of similar children, certainly must recognize the difficulty of getting youngsters on a Saturday morning before a television set to watch an education programme. The fact remains, Mr. Chairman, if the Minister is serious about ETV he will produce it during school hours with a school type of supervision. If this is not done, then the programme is doomed to failure and my point is established by the Minister's own words—he is not serious about this programme at all.

Interjections by hon. members.

**Mr. Nixon:** Mr. Chairman, on page 18 of the hon. Minister's statement, he refers to 38 special vocational schools specifically designed to meet the needs of students who are

taking the one- or two-year vocational courses.

We mentioned this last year but it has come to my attention even more forcibly that there are large groups of people in Ontario who are not entirely in favour of the decision to collect these students who are capable of something less than the mainstream of academic accomplishment, and to put them all in a separate institution. There are advantages, certainly. But here is a case where the Minister's lead has been followed by at least 38 of these communities and it is this decision that I want to discuss briefly with you.

We have commented in the House before that the members of the House have little or no opportunity to take part in the decisions of the department; we can criticize them or commend them after they are accomplished. We have also pointed out that the autonomy of a good many of the local boards is small, and in some cases vanishingly small, and when the word comes down from on high from the Minister's office and from his advisers that a certain course of action should be followed, then there is a tendency to say, Well, this must be so.

In this particular case, these vocational schools are going to collect the students in the community who cannot take part in the regular stream of academic, commercial or industrial activity. They have sometimes been passed along out of the elementary system without achieving success there and I would submit to you, Mr. Chairman, that there is some question as to the validity of the decision that these should be segregated in separate institutions.

In the city of Brantford, near where I live, one of these institutions is going up. It will be in operation this fall. I think that it would set the minds of a good many parents at rest if he would indicate the reasons why it is to the advantage of all concerned that these young people of lesser accomplishments would be segregated from the rest of the young people in the community in the way that has been decided by the department.

**Hon. Mr. Davis:** Mr. Chairman, I should feel flattered to a degree, I guess, that the hon. member feels that all these instructions come down from the Minister's office. Actually, the decision to have special vocational schools was made prior to my becoming Minister, or really becoming a member of the government. Special vocational schools or technical schools have been part of the educational structure here for some many years.

**Mr. Nixon:** Mr. Chairman, on a point of order, perhaps I have not made myself clear or I am not understanding the hon. Minister now. I do not mean the vocational schools but the schools in which the auxiliary students are congregated and removed from the rest of the stream.

**Hon. Mr. Davis:** Mr. Chairman, I think I know the schools to which the hon. member refers, and once again the decision—and I say this quite frankly—in many instances initially was made by some of the major boards. The Parkway vocational school and Castle Frank in the city of Toronto, I think, are excellent examples. I would think you will find that the decision to erect a special vocational school in the city of Windsor was really initiated and determined—there are two of them—by the Windsor board, and I see the hon. member from that community nodding his head in agreement. This is where, really, the initiation came from.

I can only tell you that from the department's standpoint and from my own observations, the schools are doing a very excellent task. They have been able to assemble in sufficent numbers, this group, or these students, so that they can give a very specialized type of education that is necessary. It is not a case of diverting them from the so-called mainstream, it is a case of getting a sufficient number into a facility where the staff and the principal are sympathetic to the situation and I think really this is one of the encouraging aspects of education in this province at the present time.

The hon. member refers again to the fact that the members do not have opportunities to discuss this. I would suggest to the hon. members they should visit some of these special vocational schools and discuss it with the staff. I would take them over to Castle Frank or Parkway to see the reaction from the students themselves. I have visited many of these schools, spent some time in them, and I think it is, as I say, one of the significant developments as far as education is concerned.

The courses at Parkway and at Castle Frank have undoubtedly been of great assistance to these students. Out at Bendale, I believe it is, if I am correct, in Scarborough, I was at one of their opening ceremonies to see young people taking classes, who perhaps four or five years before that, or even less, had no opportunity, or at least no hope of education beyond the grade 8 level. Some people perhaps scoffed at the time, in servicing automobiles, or pumping gasoline,

somebody said this was not a valid form of education. Mr. Chairman, I suggest in a relative way, it has validity and to see these young people taking as much pride in learning how to pump gasoline as a student in grade 13 would in learning to do physics, is, I think, of significance. I think that you can only accomplish this, or accomplish it best—if I may put it this way—if you can have a specialized type of facility that the major boards, quite frankly, have been developing.

The department has not discouraged it. At the same time this type of initiative has come from the boards themselves, and I think it is very encouraging.

**Mr. Nixon:** I would not for a moment condemn the type of instruction that is given, because I have had an opportunity to see them in action, and before they were segregated into these separate schols, if I can use that term, I had the opportunity, and an interesting opportunity it was, to teach this type of class myself.

As you know, most of the schools that were built during the federal-provincial plan for 100 per cent of the coverage of local cost, included these occupational rooms. These worked out very well and courses in gas pumping, and of the type that the Minister has already described, were able to be laid on and taught effectively. The young people were able to take part with the rest of the people in the school in athletics and all the other activities that should be a part of an integrated school programme.

But it was, I submit, in the case of probably 25 of the 38 schools that are mentioned in the hon. Minister's report, at the suggestion of The Department of Education, that the decision was made to bring these classes together in a single school. And I simply questioned, not the wisdom of teaching material that these people can benefit from—far from it—but of setting them apart from their fellow students and the community.

It is a form of segregation. It may be for the benefit of the children concerned, but, frankly, I am not convinced of this. They cannot be kept segregated in the years that lie ahead, following their graduation from the two-year course, and surely they should have the opportunity to be with their peers, as far as age is concerned, in the school system. I personally have serious misgivings as to the wisdom of segregating them in these institutions.

For a city like Toronto, they have an experimental board. I have visited the Castle Frank school; it is a magnificent place, certainly, and there it serves a large enough community so that perhaps the fact that they attend Castle Frank is no reflection when they go back to their own street corner. But in a good many of these places, it will be a reflection. They are definitely out of the normal stream of schooling; they are segregated on the basis of intellect, and I feel that this is a tag that is going to be very difficult for them to shake off in the years that lie ahead in their own development.

**Mr. J. F. Edwards** (Perth): Mr. Chairman, I listened with interest to what the hon. Minister said, and what our hon. friend from Brant has said. It has been my pleasure and experience to go through the school in Stratford and a similar one in Palmerston, founded as the member has stated. And the results that are coming out of that school are just beyond all comparison with any other place they can go. Those that will not go along the academic stream are being trained in these different trades, and I think the Minister has a letter that I sent him from one of the people that went to the school in Stratford, and who is making $105 a week; before they took the training they were making $35 a week. That, I think, is the purpose of these schools, to train people to earn a living, to support themselves.

**Mr. Newman:** Mr. Chairman, I think the hon. member has the type of school confused there really. We are talking about special vocational schools, schools that take care of the youngster with an IQ of 80 and under generally. One of the bad features that I find concerning this type of education—and it is the same bad feature that you had when you first introduced technical schools—is that there was a stigma on the youngster attending a technical school; he was supposed to be inferior mentally to the one attending a high school. That is what other students thought of him, something that was not necessarily so at all.

Now there is a similar stigma being cast on these youngsters today because they go into this type of school, and I think this is the type of thing that only time itself will eliminate. These youngsters that go into the school actually are being sort of blessed—given this opportunity of obtaining this type of education.

I have had the same opportunity as the hon. member for Brant, of teaching these youngsters and it is really amazing to see how co-operative most of them are. There are some that are a bit emotionally disturbed,

and you may find problems with them, but I think the education that these schools are providing is very, very worthwhile.

We, in the city of Windsor, happen to have two—one for boys and one for girls—and we are building a third one. There is one feature that is bad, and that is that the youngster finds this is a terminal education. He cannot go anywhere after he completes his three years, and some of these youngsters want to go on. Where do they go, Mr. Minister, where will they go after they finish?

**Hon. Mr. Davis:** Mr. Chairman, there is no ready answer as to where anyone goes when they have completed the course—that has developed, shall we say, to the maximum of their potential. I cannot speak for individual youngsters in a programme, but I do say this to you, that if these youngsters do have the ability to go further, and they do actually have it, that as the colleges are developed under the regulations it will not be necessary to have just grade 12. They will take mature youngsters, or students over 19, into these facilities, if they have the ability to do the work. Now, I cannot assess the graduates of the three-year programme in some of the Windsor vocational schools. This is impossible for me to do. I think it is obvious that a lot of them will go straight into employment. This is perhaps the destination for a good percentage from the two-year course; I do not think there is any question about this. But if they do have more ability, I think over a period of time there will be places for them to further their education. I am not sure really what percentage the hon. member would be talking about.

**Mr. Newman:** Mr. Minister, at present it is terminal for them. They are not accepted in any of the other places of education in the community, and the youngster may be a little too young to go into employment.

I have had this case brought to my attention by a constituent, and this is why I bring it to you now.

**Mr. Nixon:** I have some more comments to make on the curriculum division, if I may, Mr. Chairman.

In the Minister's remarks, he referred to a revision of the present grade 13 course, and I have already brought to his attention complaints that have come to me as a member, and perhaps because I have been a teacher in the community before, about the difficulties that some of the teachers have had with the new grade 13 physics and biology.

The fact that he is calling for a revision of the course after it has been in operation for only one year would surely indicate that he, himself, has received some complaints—not only from teachers, who according to those who talk to me about it, find it extremely difficult to apply except for those who have had some special instruction in it—and certainly from students who find themselves completely at sea and frightened to death about the position they are going to be in when the results of the grade 13 examinations come out this year. Although their background in science has been good, they are going to be in difficulty with these new courses.

I would ask the hon. Minister if he is aware of these difficulties and what plans he has to remove them.

**Hon. Mr. Davis:** Mr. Chairman, the difficulties were there this year with the two courses, primarily physics. I do not think biology has created the same degree of difficulty; I think that physics has been the main one. The other new course coming in, or planned to come in next year, as I said earlier in my remarks, is chemistry. We have delayed the introduction of chemistry until the following year to give a greater opportunity to acquaint the teachers with the new course content. This has been decided and this will be the course that will be pursued.

**Mr. Nixon:** What is going to be done with last year's physics course? Is it going to be changed elaborately?

**Hon. Mr. Davis:** Mr. Chairman, I do not know where the hon. member got this impression. We do not intend any change of the grade 13 physics course. As I say, it was a completely new course introduced this year and it has created some difficulties.

**Mr. Nixon:** On page 49 it says the grade 13 physics presented last year will be revised and extended.

**Hon. Mr. Davis:** That is the television course.

**Mr. Singer:** A Saturday morning or Sunday night one?

**Hon. Mr. Davis:** It will not be Sunday night. We are extending the ETV programmes in physics.

**Mr. Singer:** I see—very available to children on Saturday morning.

**Hon. Mr. Davis:** When we get our own transmission it will be much easier.

**Mr. Nixon:** There is a problem associated with the teaching of French, particularly the experimental programme that has been extended down to grade 7. He refers to it as "experimental" but says that it is leaving this stage and that definite outlines are now being made for next year's course and will be distributed in time for the teachers. Now does he mean that they will be ready for this coming September and that there will be a curriculum laid on for this coming September?

**Hon. Mr. Davis:** Yes, Mr. Chairman, the course has, as a matter of fact, been distributed to the teachers. It will be available for this coming September in grades 7 and 8. I should point out that the hon. member made an observation which I think is quite valid. Obviously, the earlier you start—I am no expert as to whether it should be grade 2, 3 or 4—the greater sense that it makes. But we made a decision to start with the grades 7 and 8 level, knowing that we could not introduce it across the whole spectrum of the elementary grades initially, so that it could tie in with the grade 9 programme. When grades 7 and 8 become established we can move down the scale.

Now, some might argue that you should move the other way, but if you are going to create a gap, say, between the grades 3 and 4 programme before they get into grade 9, you can see the difficulty. So we decided to start at the grade 7 and grade 8 level so that it could tie in with grade 9.

**Mr. Nixon:** This is one place where, if we had been fortunate enough in having educational television, we could have covered the gap, but I do not want to raise that matter again.

Your new mathematics course is presently given in most of the grade 7 courses across the province, with the exception of about 5 per cent of the schools. Why were these exceptions made?

**Hon. Mr. Davis:** I am trying to get the latest figures, Mr. Chairman. It is still between 4 and 5 per cent. The only reason for the exception is the availability of trained personnel. As soon as we have a sufficient number of trained teachers it will become completely uniform across the province.

**Mr. Nixon:** Are you suggesting, then, that all the teachers teaching this are trained in the new mathematics? I do not believe that this is so.

**Hon. Mr. Davis:** I would say that they are reasonably adequate.

**Mr. Nixon:** I am sure that the hon. Minister is aware that because there are a number of elementary schools—I would suppose all of them in rural areas—that have not been able to get teachers who can teach the new mathematics. The result is that the graduates from these few elementary schools will go on to a secondary school that covers a much larger area and get into a programme where the teacher and the system are geared to working with students who have already had this introduction to the new mathematics.

Now this is an intolerable situation in the few cases where I have had some experience with it. Is the hon. Minister aware of this difficulty? If so, how can it be set right?

**Hon. Mr. Davis:** Mr. Chairman, there is a difficulty; no one is denying this at all and once again we are faced with the situation that because of four per cent or five per cent, the programme is held up for a period of time until there is sufficient personnel to do this. It relates primarily to the isolated sections of the province and in many instances where we have the one-room school with—

**Mr. Nixon:** Not isolated at all.

**Hon. Mr. Davis:** I think I know the one to which the hon. member refers and which, in this instance, is not isolated, but most of them are and I can only tell you that we are doing our best to see that these boards do have qualified personnel just as soon as we can arrange it.

**Mr. S. Lewis:** Mr. Chairman, I would like to ask the hon. Minister about the committee on the aims and objectives in education in Ontario. What kind of research staff does the committee have and which jurisdictions is it visiting?

**Hon. Mr. Davis:** Mr. Chairman, they have attached—when I say attached, I mean working with the committee—the director of curriculum, and a Mr. Dennis who has been attached to them on a fairly permanent basis. They have requested material from the curriculum branch—I cannot reply to this specifically but I shall endeavour to find out for the hon. member—I believe they have requested or are requesting material from the Ontario institute for studies and education and, as I said earlier this afternoon, I will endeavour to get the names of other organizations or groups who will be contributing research material.

As far as the jurisdictions visited, I know

that one portion of the committee has been to Boston and New York. I think some of them went to see Operation Headstart in the Boston area where they have had some experience with this programme. I am just guessing at this, Mr. Chairman, but I know that some have been or are in the process of visiting the area around Coco and Melbourne, and I think the Nova school in Fort Lauderdale. I know that some are planning to visit Great Britain and I believe another group is going to California.

Perhaps there are other visits but, quite frankly, I stay well away from the committee itself, but I could get the list of all the places the committee has been or is planning to go. This would cause no difficulty at all, Mr. Chairman.

**Mr. S. Lewis:** Mr. Chairman, I want to support remarks that my leader made during the course of his opening address and express some very real reservations about the committee and what it is designed to do and what it is likely to achieve.

It has an enormously pretentious title—I do not know how long the hon. Minister intends it to sit, and I do not know what esoteric and informed presentation it will finally make, but I am not at all sure, to be perfectly frank, that it can meet its various obligations.

It has been presented up to this point with the usual run of briefs, and I do not put that to you in a derogatory fashion and I do not demean the quality of the briefs, but we are all familiar with them in this Legislature. They are brought to select committees of the Legislature. I dare say that many of the briefs that were presented to the select committee on youth were, by and large, the same briefs that were presented to the Hall committee. Indeed, I have seen a couple of them and the parallels are rather striking.

Now, these briefs are developed by special interest groups. They advocate a specific line, sir, however relevant that approach may be; they do not question the fundamentals of the educational system. They, by and large, accept its framework and the establishment attitude toward it, and that is really what worries me about the Hall committee. Indeed, it is what worries me about the hon. Minister's response.

There is one researcher attached to the committee and there is someone from the curriculum branch, and they have asked for some studies from the curriculum branch which is probably desirable because it is a product of the province of Ontario, but if this committee is to achieve anything, then I suggest to the hon. Minister, through you, Mr. Chairman, it has to challenge the entire rationale of the educational system in this province.

Challenge it, root and branch and work from the premise that it has very serious failings in certain areas, that by no stretch of the imagination is creativity, certainly at the elementary school level, developing to the degree that many of us would like to see, and that the basic structure that we accept, the basic framework, has to be either entirely overhauled or at least approached in an entirely different way and that the ideas of the Goodmans and Friedenbergs, and that type of educational philosopher, are just as relevant to the province of Ontario as they are to the radical dissenting voices in the United States.

I am not at all sure that such people and such views and such attitudes are ever going to come anywhere near the ken of this committee. Indeed, even for the committee to visit a project like Operation Headstart is not very stimulating. There was a group two years ago or three years ago in this very city which visited Operation Headstart and many of its features have been incorporated into programmes already at work in the province of Ontario.

There is a tendency to redundancy, there is a tendency to accept those experiments which are already working, there is a tendency to accept the general framework and try to make certain marginal changes within it. And I think a committee of this kind should be challenging the entire framework; saying that the educational system is obviously operating in certain areas with a serious degree of deficiency and saying: "We are going to give you an entirely new blueprint which you may, as a member of government, reject, but at least that will be our approach."

But that is not what one senses, one senses a committee which has very real qualities of excellence in personnel and in motives and a committee which will hear some fine presentations and a committee which will present a report which may on the surface have some impressive features, but a committee which is not likely to be revolutionary in scope.

I would be interested, for instance, if the committee came forward with suggestions that have been posed by others in other areas: suggestions that we should start teaching children of two to read, suggestions that you can convey principles of advanced algebra at grade 5, suggestions that you can teach college economics to second-grade

pupils, that anthropology is relevant in the first two or three years of the primary system, that third and fourth graders can deal with relativity physics, that some of the most revolutionary modes and techniques of the learning process are applicable at the elementary school system. There has not been a breath of that kind of thing in all that has thus far surrounded the committee. And without it we will continue in an aura of impoverishment in much of the Ontario educational system.

I appreciate that the Minister cannot tamper with this committee as it were. He establishes it and quite properly allows it to extend itself in whatever direction it deems best. But I think there is some value in a little ministerial guidance in the sense that carte blanche is given, and what is more, that they are encouraged to perceive the system at its worst, as it were, and to provide a document that is really quite exciting and radical. At the moment, I suggest to the Minister, that is not really in prospect and that is what worries us in this party.

**Hon. Mr. Davis:** Mr. Chairman, as I say, I cannot predict, of course, what the committee will do. I can only assure the hon. members that they were given very broad terms of reference and have not been discouraged from discussing with, shall we say, some of the dissenters in the traditional field of education: they have not been discouraged at all. If we have given any sort of direction at all—and as I say, I have tried to stay away from this—it has been to encourage the involvement or the visitation to certain other situations where creative and somewhat different things are in fact taking place.

I do not think it is sufficient just to discuss it with certain individuals who have thoughts; I think you have to see programmes or the experimental type of situations actually in operation. These are available. The experiments or the situations which the hon. member refers to are available to be seen and to be discussed I think in some depth. Whether they have state-wide or province-wide application is something that would have to be assessed after some evaluation is made.

I obtained some further information for the hon. member. The committee is obtaining research from professional economists. I cannot give the names of the personnel, but they have asked for information from the committee of presidents of the Ontario universities, as I said earlier, from OISE, and also they have requested research material from some university sociologists as well as psychologists.

I think, Mr. Chairman, it would be really premature and somewhat unfair to pre-judge whatever the committee might report or might be accomplishing on the basis of the briefs that have been presented to it. I think it was necessary that it receive briefs; some of them really were quite good, and there were others that were not as good. But I think you will find that a good portion of the work of this committee and the results will come from studies other than the briefs that they received.

**Mr. Singer:** Mr. Chairman, I compliment the hon. Minister; he really is the master propagandist on the government benches today. He appoints a committee and he picks out a number of leading names in the Canadian community—leading intellectuals and leading educationalists. I mean, who can quarrel with people like Mr. Brisbois, the chairman of the separate school board; Dr. Charles Phillips; Dr. Reva Gerstein, who is such a source of comfort to the government they put her on almost every committee; Mr. Fenwick; and Dr. Ross, the president of York University. The Minister really does it up brown when he appoints a committee.

**Hon. Mr. Davis:** I try to get a good one.

**Mr. Singer:** Oh, he does, he does a great job, and then he chooses his chairman, Dr. Emmett Hall, Mr. Justice Emmett Hall, who produced that great report on medical health in the Dominion of Canada, which the Minister's colleague, the hon. Minister of Health, brushed out of sight. But I give the Minister full credit, he is indeed the master propagandist. Then, having selected this committee, and their bona fides are beyond question, he asks them to say, "Will you identify the needs of the child as a person and as a member of society?" Well now, what could be more noble in setting a group such as this—

**Hon. Mr. Davis:** And more difficult.

**Mr. Singer:** I could not agree more. I think this is a wonderful objective to reach for but I ask the Minister in all sincerity, amongst the 108 members of this House, are there not at least a few in whose judgment he could seek a little encouragement, whose intelligence he make use of?

My colleague, the member for Brant, mentioned the committee on education met for, what, ten minutes this year? Less than ten minutes. Its duty was to elect a chairman and since then it has never been summoned again. Surely it would make some sense to take that very select group, the members of

the Ontario Legislature who are sent here from all portions, all sections of the province of Ontario, and to ask those eminent gentlemen—I do not know whether my friend, the hon. member for Hamilton Centre is on it—but those eminent gentlemen and that lady if they had any thoughts about identifying the need of the child as a person and as a member of society? Has my friend no faith in his colleagues in the Legislature?

**Hon. Mr. Davis:** I have great faith.

**Mr. Singer:** Is he not interested in the opinions of the members of the Legislature in this regard? He asks this eminent committee to set forth the aims of education for the educational system of the province. Surely, Mr. Chairman, the members of the Legislature are sent here to have some views about these important problems. But the Minister of Education has less faith than the people of Ontario do in the members of the Legislature. He does not choose to allow the members of the Legislature to be given the opportunity to express an opinion on this very important problem.

And then, having taken all the broad aspects, he confines it to the very narrow aspect of outlining the objectives of curriculum for children in the age groups at present designated as kindergarten, primary and junior divisions. Now he is asking these eminent people to give a very defined and a very directed opinion, not the broad theoretical opinion, but a very confined and directed opinion to a particular problem in our educational system.

Again, sir, I say, why should the 108 members of the Legislature be ignored in seeking this sort of information and advice?

One of the other objectives that is mentioned in this story is to propose means by which the aims and objectives may be achieved. Same question, same answer. The hon. Minister chooses to ignore the advice of his colleagues in the Legislature and moves outside to get this sort of opinion, and finally a report for the consideration of the Minister of Education.

I would ask the hon. Minister, since he has chosen to ignore the advice of his colleagues, since he has chosen to ignore the advice of the elected representatives in these very important features, and there can be no more important features than these, has he received any report? This committee was set up over a year ago. Has he received an interim report, a temporary report, or any indication, other than the fact that it is doing certain studies, and conferring with economists and other eminent authorities, that it is progressing at all?

Surely it is time the hon. Minister stopped appointing important-sounding committees. Surely it is time he began to bring before the Legislature and the people of Ontario, the results of this sort of investigation, and surely, Mr. Chairman, it is time that he took advantage of the talent that exists in this Legislature, or made it plain to the people of Ontario there is a lack of talent in this Legislature.

Let the education committee meet, let it discuss these things, let it make its report to the people of Ontario. The hon. Minister, in his arrogance, chooses to ignore the intelligence and ability of his co-members of the Legislature.

**Hon. Mr. Davis:** Mr. Chairman, I will just reply to that very briefly, not too unkindly.

**Mr. MacDonald:** Not in kind, then.

**Hon. Mr. Davis:** No, it will not be in kind. The only thing I can observe is that I have been Minister of this department for something less than four years. We have debated some issues in this House. I have had some very substantial assistance in the thinking of The Department of Education emanating from the benches opposite and I would suggest that it is most appropriate that these suggestions in fact be made.

I will not trace them all specifically on this occasion; but to suggest, Mr. Chairman, that the members of this House do not have an opportunity, that they cannot express their views on education, is not factual.

The hon. member for Downsview has been a member as long as the Minister of Education. He has had great opportunties to participate in the debates on education. He has had an opportunity, if he so desired, to make representations, not necessarily as a member but as an individual, to this very committee that he is suggesting perhaps should be discussed or these views should be presented, here in the House itself. I would say to the hon. member, Mr. Chairman, that I would be delighted to have his constructive views as to what should be the aims or objectives or the principles of education in this jurisdiction.

I would be delighted to receive them from him on any occasion. I think he has had ample opportunity to so express them and with some respect, with the exception of some discussions we have had which have been helpful in the field of library service and last year over a grant to an organization deal-

ing with problems of young people and alcohol, these are the areas of contribution that the hon. member has been making in the field of education.

I say, Mr. Chairman, that I cannot indicate when the committee is going to report. I can only say that the committees that have been appointed and have made reports to the hon. Minister, their material has been made available to the members. We have had full discussions on the grade 13 committee report, a very important report. The members have received the report on elementary teacher training and as I assessed the discussions yesterday and again this afternoon, the parties in this House appear to have reached some unanimity, at least as to the broad principles that were expressed in this report. I would suggest, Mr. Chairman, this is the function of the Legislature, that we should discuss this material that is presented. I have made these reports available to the hon. member and I would suggest that if he wishes to make observations on them, if he was some suggestions when we get to the teacher training section—and I am sure he has read in great detail the report on elementary teacher training and that I can anticipate some constructive remarks—I think this is the appropriate way it might be done. I shall look forward, Mr. Chairman, to hearing the suggestions from the hon. member for Downsview when this vote comes up in the estimates.

**Mr. Singer:** Mr. Chairman, I think this is a very poor answer to what I think is a question of major importance.

**Hon. Mr. Davis:** I think it is a very good answer.

**Mr. Singer:** I think this is a very poor answer to what I think is a most pertinent and valid criticism of the way government carries on, in hiding information and avoiding discussion in matters that are of such importance.

**Hon. Mr. Davis:** Mr. Chairman, we made—

**Mr. Singer:** In the first couple of days of every session, Mr. Chairman, one of the first tasks we are faced with is setting up a number of standing committees. One of the very important committees that we set up is the standing committee on education, and some 25 members of the Legislature are designated to sit on that committee.

Now, surely the hon. Minister is not suggesting in his personal comments directed to me, and perhaps I deserve the type of answer that he gave me, surely he is not suggesting that the few hours or few days that his estimates come before this House are the alternative to an open and frank and free discussion of all educational problems before a properly designated committee of this House.

He heard my hon. friend from Brant say how wasted the efforts of this committee were. He heard my friend from Brant say that the chairman of the committee, the hon. member for Russell, in an effort, in the early days of this committee, came forward to him and said: Could you give us a half a dozen topics that in your opinion would be worthy of discussion? Then they were forgotten about.

He heard my friend from Brant say that committee had met for a few moments, and their only task was to elect a chairman. He heard my friend from Brant say, and he cannot deny the fact, that that committee has never met since. He heard my friend from Brant say, and he knows that he cannot deny the fact that there has not been an opportunity, in the 1966 session of this Legislature, to bring before the standing committee on education the various senior civil servants or other people who were knowledgeable in education, to ask them questions, to suggest alternatives, to have a real discussion on the topics that he gives to this illustrious committee. My hon. friend, in asking for my particular criticism on the various pieces of paper that he brings before us from time to time, is deliberately—

**Hon. Mr. Davis:** Not at all.

**Mr. Singer:** —and conscientiously avoiding the issue.

I say to my friend, the hon. Minister of Education, that he should take advantage of the talent, or lack of talent, that exists in this Legislature and allow the education committee to sit and to do the function that legislators are able to do. He has deliberately avoided it because he does not want this type of discussion by the public representatives.

**Mr. MacDonald:** Mr. Chairman, there are two items I would like to raise in this branch, and one of them is on this Hall committee.

I think that this is important enough that I do not want to play political games with it, and I am not going to confuse it with the standing committee. I agree that the standing committee could have met, could have done a job. I think the hon. Minister himself conceded this afternoon that conceivably he could have given some more direction or

leadership on it, and I would hope that next year it will change.

But my basic objection to the Hall committee is that in my view—and this I trust was implicit in my remarks this afternoon or else they were very lacking in clarity—our first master priority is to be able to develop an educational policy.

We have, in the last six years, been developing at an almost incredible pace. We have caught up with literally a generation or two—indeed, in some respects even more than that—or we have attempted to catch up in the last five years.

But only now are we trying to assess what is the underlying educational policy—what are the priorities; what are we seeking to do?

Now to appoint a Hall committee—and I agree with the hon. Minister that it is unfair to prejudge what they are going to bring down—but I cannot chase out of my mind the feeling that the setup of the committee and other aspects related to the committee, will make it impossible to produce the kind of report we want.

When the committee was set up, in the first instance you got as eminent a person as Justice Hall, who is not an educationalist to begin with. It is true he was not an expert on health matters, but anybody who knows about the Royal commission to investigate health matters at the federal level, knows that it had a very sizeable full time staff. They were not seeking to get a brief from some sociologists here; they were not seeking to get some advice from the director of curriculum there, or some other representations from elsewhere. They had a very sizeable staff that was reaching out and then taking what they got and researching it still more in depth and sorting through it. I submit that if you are going to sort out the incredible variety in the whole of the educational system in the province of Ontario at the present time—to bring some order out of chaos, as my colleague the hon. member for Scarborough West has said—to examine it critically—then, sir, we have to get away from the tendency in this House to say that "We have the best of all possible worlds in our educational system." We simply have not had an educational system capable of doing the job if we are going to keep up with a modern industrial society.

Indeed, until five or six years ago, when we pretended to do something about it in the Robarts plan, we were two generations behind—literally two generations behind. We had a Department of Education that was literally dead on its feet; that had not had a new idea for literally a couple of generations; that was drifting along with an old-style academic programme in a modern industrial age that began at the turn of the century in the province of Ontario. They had not even implemented the reports that they got themselves from men like Dr. John Sneath back in 1910.

Now you have a committee that was set up, headed by Mr. Justice Emmett Hall, who is not an educationalist. On it you have worthy people, some of whom know a great deal about education, like Dr. Charles Phillips. But these people are only part-time on the job; they are meeting infrequently. As a matter of fact, since we have this out on the floor we might as well look at it. In the first meetings of this committee there was even some thought that they could prepare a report by the end of that year. This was the approach of Mr. Justice Emmett Hall to the whole thing. I think, as a matter of fact, he was drawn in on this because he was a good front man and a particularly good front man in the wake of the Hall committee.

**Hon. Mr. Davis:** A very able man.

**Mr. MacDonald:** All right, a very able man, but if you pick a man who is a distinguished jurist and you ask him to do a job in a field in which he has not been an expert, he has got to be given the kind of committee that you had, for example, in the Royal commission on health, which is far beyond this committee. This committee is an "in" committee. Until recently, most of its personnel were full-time people in The Department of Education.

For example, my friend from Downsview is pleading that you should try to pick the brains and get the ideas of the hon. members of this Legislature. With all respect to hon. members of this Legislature, on this issue of taking a searching analysis of our educational system in the province of Ontario and coming up with something that would pretend to be an educational policy, we cannot do the job here. We simply cannot do the job and the hon. member for Downsview had better get off his little political podium and face the facts, on a subject with which he is not very familiar.

This Hall committee started out to look at only the first seven grades—now I am rather interested because of the inadequacies of a committee whose title is "The aims and objectives of education in the province of Ontario." The hon. Minister has gradually broadened this out until, quite frankly, I do

not know what in the educational field is not within its jurisdiction.

If it was difficult for this committee to have done a job in what I think were the limited original terms of reference, I submit that it is going to be impossible for it to do the necessary kind of job. After such a flurry of activity in the last five or six years in the province of Ontario, with developments that the epoch-making in terms of reshaping our educational system and in terms of catching up on a couple of generations of lagging behind, only now are we beginning to do the planning and to try to evolve, in a pragmatic way, the educational policy which presumably all this might have been an outgrowth of.

We have things backwards and therefore I think that we have to have the kind of committee, I said this afternoon, they had in the Parent committee in Quebec. The hon. Minister said that the Parent committee had a lot to do with administrative details. They did, I agree, but the interesting thing is this: Two distinguished people were asked to look into the whole question of university structures in the Dominion of Canada—Sir James Duff and Professor Robert Berdahl and they made a report. It is interesting that they say with regard to rather significant aspects of university education and university structures that "we include as an appendix to our report certain chapters from the Parent report. We can add nothing more."

I wish that I could believe in my heart that it is likely that any future committee established to look at any aspect of education is going to pick out from the report of this committee—not because of the people involved, but because of the structure and setup —any part of the report and say that "it is such a final word, so to speak, for the moment, that we must accept it and put it in as an appendix to our report because we have nothing more to add."

I leave the matter where I raised it. I do not know of anything that is more important at this time than getting in the facts and assessing recent developments in terms of what is needed in modern education, in terms of bringing some principle and rationale and underlying policy out of this flurry of activity in the last six months. I do not know of anything that is more important than this and I just cannot see how you can expect this committee to do that job, and that is the reason why I am critical of it.

**Mr. Nixon:** Mr. Chairman, in my remarks on Tuesday I brought the inadequacies of the history curriculum to the attention of the hon. Minister. He did not see fit to comment on this matter when he answered the general remarks earlier today and I do not want to repeat everything I said at that time.

I believe that the Minister would agree with me that the curriculum in the primary and secondary systems is grossly inadequate in this regard. The only situation where proper exposure or opportunity to learn about the development of responsible government in Canada and about anything that is by any stretch of the imagination a relatively modern development in our province and in our country is in grade 13 where it is an optional subject. I would like to know the Minister's plan to correct that situation.

**Hon. Mr. Davis:** Mr. Chairman, we went into this, not in detail as to specifics, last year but we had some general discussion on this question of Canadian history—

**Mr. Nixon:** Has there been any change since last year?

**Hon. Mr. Davis:** Yes, the curriculum branch has been working on this and I think very shortly there will be introducted, starting in the very early grades, a progressive programme to interest youngsters in Canadian history—starting perhaps at the grade 2 or grade 3 level but in the very early years.

As I am sure the hon. member is aware, and I do not say we need go this far, in many states south of the border where they do have a great appreciation—I think it is only fair to acknowledge it—of their own history, we may say that they go a shade too far. They have done this by starting in the very early grade levels.

In the kindergarten to grade 6 area there will be information and suggestions provided to the teachers within these grade levels as to the developments or interest that might be taken in Canadian history. Mr. Chairman, so much can be accomplished by specifics in the school programme, but as I said earlier, and I do not labour it again this year, it is so much more involved than the appreciation of history within the school system.

I think the attitude of many adult members of this country toward our own history leaves a great deal to be desired. How this is offset, quite frankly, I do not know. I just feel badly from time to time that we do not take the interest that we should in Canadian history and so we are attempting in the school system to rectify this, but it is not the only answer. We are exposed to the communication media from south of the border; we read so much of their literature,

watch their television, listen to their radio, and we do not get the full appreciation, I believe, of our own historical significance.

I am not saying that we cannot solve this to a degree in this system. We are in the process of doing so, but it is not the only answer.

**Mr. Nixon:** Mr. Chairman, the thing that brings it home to me more than anything else is the large numbers of young people that I escort around the halls of these buildings. I see some of my colleagues doing the same thing, not in large groups, but small groups, and the portraits in the main hall out here are absolutely excellent. We point out Sir John A. Macdonald and they know who he is. But when we go around to John Sandfield Macdonald, Oliver Mowat, the fellow with the cockeyes, George Brown and others, most of our visitors have never heard these names. I have not met a student yet who has ever heard of William Blake, who was, among other things, the second Premier of Ontario.

This is really a commentary on the matter. I am not suggesting that we emphasize this for any nationalistic purpose; it is simply a crime that the students in the province of Ontario know nothing about the development of our history. I would suggest to the Minister's committee that is dealing with this that just because we are starting this at an early level, they should not feel they have to start from the beginnings of our history. As I mentioned in my earlier remarks, the dots and dashes back and forth across the upper part of the continent representing the early explorations should clearly be handled at some later time before they stultify any interest in the development of history.

The Minister is quick to say we have discussed this before and it is being worked on. Really, we have gone through years and years of working on this without coming to any satisfactory conclusions. Surely the discussions—the rather heated ones that I remember, when it was suggested that for centennial year we would be able to make some sort of progress and reach some sort of milestone in this connection—should have raised the department to some further action. Now, we hear that the committee simply is not waiting for the Hall report, but we are in fact going to introduce certain changes in the first six grades; I just do not think that is sufficient.

**Mr. MacDonald:** Mr. Chairman, there was a second item I wanted to raise—the hon. member for Brant got in, not that I am objecting, he gave me a breather. I want to come back to the main theme in my introductory remarks this afternoon—to what I thought was a fairly solid documentation—it is a documentation that I find much more widely accepted than I thought myself—that our educational system in the province of Ontario is class-structured.

As a matter of fact, what tends to make me a little bit sceptical of the Hall committee report and the hon. Minister's happiness with it is his rather cavalier dismissal—I say this kindly—of the suggestion that there is any class-structured nature in our educational system. I think that the hon. Minister is too close to it; he has lived too long with colleagues who talk of it being the finest in the world, to perhaps see some of these basic defects.

I find a little difficulty, Mr. Chairman, as to how one can come to grips with this, as I propose to do. Some of my colleagues, during the course of the estimates, will raise it in relation to one or another vote. The one we have before us at the moment is curriculum, so just let me, within the context of dealing with curriculum, tackle this. There is just no dispute at all, and I cannot believe the Minister is not aware of the solid documentation, not only from people like John Porter, but from others in the educational research field, of the difficulties faced by a child in the early years and not coped with because of the inadequacies in our educational system. They result in the child being locked in the economic category from which he emerged, namely, in the low-income group.

Maybe I can make my point simply, without going on at excessive length, in the example of Duke of York School.

Barrie Zwicker wrote an article about it. It was rather interesting. His comment is:

> What is going on in this typically downtown school where there is no home and school association, never has been one; where nearly every report card used to carry bad news; where the sound of the strap echoed through the halls 550 times in the last school term, but only a few times this term.

Then he goes on to speak of the attitude of parents in these lower-income areas where they themselves had a limited opportunity in education and are, therefore, not convinced of the value of education.

Sure, they harangued their children: "You've got to go to school, you need it"; but as he said, the child knows there is a hollow

ring in it, that the parents did not have a happy educational experience themselves and they do not really believe in the value of education.

Now, how are you going to break through that? Because if you do not break through it, these thousands of children in schools like this in the low-income areas, crowded with large classes, are simply never going to have an opportunity to develop to the full their native talents.

The proof of the point I want to make is perhaps most simply put this way: The Duke of York school is experimenting this year on a proposal to tackle this massive problem, one of the really major problems in critically analyzing our educational system. It is working today on a programme that was proposed by its principal, William Quinn, last year. They are starting it this year.

This is one school. And it has what—600; 800; 1,000 pupils? I do not know the exact number. There are tens of thousands of pupils not only in Metropolitan Toronto but in the downtown areas of other cities in similar condition all across the province of Ontario.

I submit to the Minister, within the framework of curriculum are other factors that cannot be separated out, such as attitude towards school, attitude on the part of teachers, a change in the attitude of parents, the fact that your classroom teacher has to have the auxiliaries if they are going to be able to establish the personal contact with the child and establish communication and a system in developing the general learning pattern in those critical years. All this is necessary.

But at the heart of it, I submit, is curriculum. What it can be, I do not pretend to know. I talked to the people who are in the research branch of the Toronto board of education. They have one man, one very competent educational research person, who is spending most of his time in studying the consequences, studying the results of an experiment in the Duke of York school. Presumably after a year or two or three of this experiment, he will be able to come up with a solution.

The point I am making, Mr. Chairman, is that when he comes up with that solution, only then—a year or two or three years from now—will the Minister have the basic material which will give him some guidance for tackling this fundamental problem in our educational system. Only at that time will he be able to alter the educational system so that he will be able to eliminate a feature in it that cannot be described as anything other than class-structure. Because a child comes in from a materially disadvantaged home in a low-income group, he is stuck with it; the statistics are overwhelming in confirming that he is stuck with it. Indeed, the statistics are almost chilling in their capacity to show that you can pick that child out in grade 1 to be a dropout in school in grade 8 or 9, because of the inadequacies of the system in coping with his problems.

Now, I do not know how the Minister can dismiss this as lightly as he did with the proposal that we have not got a class-structured system when he is not coping with these problems that are common to the overwhelming majority of children who come from the lower-income families.

**Hon. Mr. Davis:** Mr. Chairman, if the hon. member was suggesting that I was treating it lightly, this is not the case. Perhaps our definition of terms is not the same.

I was gaining the impression from the hon. member's remarks that he was referring to the situations, say in the reorganized programme of study, which I would take issue with as to being, shall we say class-oriented or class-structured within the school system.

Mr. Chairman, I do not think anyone is going to dispute the fact that there are—I do not know that cultural disadvantage is even the right term—but there are youngsters who need special help in the early elementary grades. I am not an expert; I question though, whether the answer is necessarily in curriculum. I think the answers may well lie in the teaching methods, the type of facility, the fact that youngsters can move perhaps more rapidly, than other youngsters—

**Mr. MacDonald:** If you will forgive me, I was laying the emphasis on curriculum so the Chairman would not rule me out of order. I agree with you—there are other factors.

**Hon. Mr. Davis:** Mr. Chairman, I hope you will not rule me out of order either, because I am really getting away from curriculum myself. I do not know that the answer is basically in curriculum.

There are some experts who will say that you do not need to wait until grade 1 to identify a certain number of dropouts, you can identify them before they even enter the school system by the social and economic environment from which they come. Now, I am no expert on this, I am just passing on suggestions that have been made to me on other occasions.

I can only tell the hon. member that this is a situation that is not unique or faces the province of Ontario alone. I think we should be encouraged that educators and society generally are beginning to realize that we must, in some way, alter the approach, if we can use this term, to the early school years. Whether it is ungraded, quite frankly, Mr. Chairman, I do not know. There are certain problems with this. I think if one can state any general situation, it is an acknowledgment that each individual child is different. Their learning abilities are different, their interests are different; and to the best of our ability, within the economic means available, we should be developing programmes that will suit the individual aptitudes, interests and motivations of these young people.

Mr. Chairman, it is easy for us to stand here in the House and say this is what should be done. I can only tell you, Mr. Chairman, that it is very difficult to accomplish but it is, I think, of paramount interest to many educators in many jurisdictions. They are tackling this in the city of Toronto and in other parts of the province. What general application this will have, what types of programmes will come out of this that could have general application, I can only assure the hon. member that we are as interested as he is in trying to alter the approach that is being taken at the elementary level.

As I said earlier today, I gave a fairly lengthy speech on this subject to the primary section at the OEA this past Easter. I do not know what more I can usefully add. I can suggest to the hon. member that I do not share his pessimism. I think, speaking optimistically, that the Hall committee will be tackling, or by perhaps shedding some light on, this very basic subject. The hon. member shakes his head. I believe it will be.

**Mr. MacDonald:** I hope you are right.

**Hon. Mr. Davis:** I think the committee is quite capable of doing so, because there are situations that can be, in my view, assessed. I do not dispute for a moment, Mr. Chairman, that the hon. member is touching on, or emphasizing, a very basic problem that faces education everywhere, not just in the province of Ontario. I would like to think that we will move progressively and perhaps even be able over a period of years to show some example in this particular area to other jurisdictions.

I can only tell the hon. member further that the new institute for studies is devoting a special section to the learning process, motivation, and what can be developed for these individual students. I think, Mr. Chairman, that we should be encouraged that this is becoming known and, I believe, accepted by society as a whole.

**Mr. S. Lewis:** Mr. Chairman, as my leader pointed out, there are other aspects of the walking-in feature of class which are obvious in the educational system and I think we will get into them in later votes, and some we would like to explore a little in this caucus.

But what I want to ask the hon. Minister is, what is the extent of the other experiments akin to the Duke of York, in other parts of Ontario? How many thousands of children does one, in a sense, have to lose over a certain period of years before we begin to act on the experiment?

**Hon. Mr. Davis:** Mr. Chairman, I cannot give the hon. member the names of the specific boards but I think there are two or three other boards that are doing similar types of experiments.

Of course, as the hon. member knows, there are a few jurisdictions—and the number is limited—south of us that are conducting experiments in a somewhat similar fashion. Quite frankly, there are very few western European jurisdictions that are approaching this yet, but we understand that they also are beginning to look at this particular problem.

I believe there are only two or three other areas in the province that are looking into this particular situation at the moment.

**Mr. S. Lewis:** Then I simply say to the hon. Minister, he would probably agree—that is, not quite in the same words—that it is a pretty serious position, because in fact we are not moving in a way that would suggest that this will become generally applicable in a short period of time, and if the Duke of York experiment has shown anything, it has demonstrated that there are thousands of children adversely affected if that kind of programme is not applied.

I am going to speak for a moment of its positive accomplishments, which I think are immeasurable. I have nothing but overwhelming respect for principal Quinn in what has been achieved, but it certainly has demonstrated the numbers capable of benefitting from this kind of experiment.

I would think it has demonstrated it beyond dispute, and I hope its general application is near. As a matter of fact, the principal, Mr. Quinn, was recently on a panel where he expressed very profound concern

about what happened to these youngsters after grade 6. How can one maintain the supportive features which were demonstrated in the earlier primary grades? I would think that some of the areas worthy of further experimentation are in the later primary and early secondary grades, or we will simply have solved the problem at the outset only to find it rearing again at a later stage.

I admit to the hon. Minister, as does my leader, that solutions are not easy, but there are enough now available to allow us to begin to think of general application.

**Mr. Chairman:** Is the curriculum item carried?

**Mr. Singer:** Well no, Mr. Chairman. I did want to say a word or two about the problem of teaching history, because I have been watching the exercise books of my youngsters as they come home from school, with their history lessons in them, and the words of my colleague from Brant ring so true.

I cannot recognize any great difference in the history lessons that my youngsters are being taught today, and the ones that I learned more years ago than I care to designate. They are still being told about the voyages of John Cabot and Jacques Cartier, the explorations of La Verendrye, and Henry Hudson, and the Indian villages of Hochelaga and Donnacona, the explorations of Père Marquette, and Thompson, and Mackenzie, and this sort of thing.

**Hon. Mr. Rowntree:** Have they changed?

**Mr. Singer:** No, they have not changed at all, but, and I am sure the hon. Minister of Labour is going to be interested in this, they have never heard of people like Mr. Drury, a Prime Minister of this province, or of Howard Ferguson, or of George Henry, or of Mitchell Hepburn, or of Gordon Conant, or of Harry Nixon, or George Drew, or Tom Kennedy, or even Leslie Frost.

Yes, they have heard of John Robarts.

**Hon. Mr. Rowntree:** Mr. Chairman, I think this would be an opportune time it being 11 o'clock—

Interjections by hon. members.

**Hon. Mr. Rowntree:** It is a very complicated area that we are entering into and I think some of us would like to have a word on it in the cool light of day.

Hon. Mr. Rowntree moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, tomorrow, Friday, we will look to the Budget for debate. We shall also deal with any bills that are on the order paper.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.00 o'clock, p.m.

No. 137

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Friday, June 10, 1966

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, JUNE 10, 1966

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today students from the following schools: In the east gallery, St. John Fisher separate school, Forest; and in the west gallery, St. Lucy separate school, Toronto and Winchester senior public school, Toronto.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

## THE FINANCIAL ADMINISTRATION ACT

Hon. J. N. Allan moves first reading of bill intituled, An Act to amend The Financial Administration Act.

Motion agreed to; first reading of the bill.

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Speaker, this Act provides for the appointment of a secretary and staff of the Treasury board in the regular way, rather than by designation of Treasury personnel. It also brings up-to-date certain functions of the Treasury board.

A new section, which is comparable to section 22 of The Financial Administration Act of Canada, will permit the Provincial Treasurer of Ontario to make a settlement with a taxpayer on the same basis as the hon. Minister of National Revenue of Canada.

**Mr. J. P. Spence** (Kent East): Mr. Speaker, before the orders of the day, I have a question to ask of the hon. Minister of Highways, of which I have already given notice. The question is as follows:

Would the hon. Minister inform the House if any action is taken to eliminate the serious concern of the people in the area of Highway 3 and county road 15, Rondeau park, Kent county, where fatal accidents have occurred since the beginning of the year; and does the hon. Minister intend taking any action regarding the recommendations of the two inquest juries?

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, before providing the answer to the hon. member, I would like to implore his indulgence in allowing us to take some time to prepare an answer and simply say we were awaiting the results of the inquests. For this I thank the hon. member.

It is acknowledged that there has been a second fatal accident at the intersection of Highway 3 with county road 15, county of Kent. You will recall that in the case of the first fatal accident the coroner's jury recommended that a flashing signal be installed. After careful study and upon the recommendation of the regional traffic engineer, the department decided that no signal was required.

As a result of the second accident there has been considerable radio and press agitation for a signal and an implied criticism against the department for not having followed the coroner's jury recommendation.

For this reason it was felt that the department should be represented at the second inquest. Therefore, sir, Mr. S. C. Wilson, regional traffic engineer, and Mr. W. Q. Macnee, traffic and planning studies engineer, attended and acted as witnesses. It is the department's belief that the testimony given at the inquest substantiated our action in not erecting a flasher.

There was no evidence submitted that even indirectly implied that a flasher could have prevented the accident. The driver of the vehicle had failed to stop for the stop sign; by his own free admission admitted that he had not seen several speed limit signs a mile or so from the intersection; and failed to see the "Stop 750 Feet" sign, as well as the stop sign itself.

It was noted that in evidence given by an Ontario provincial police corporal in answer to a direct question, he stated that he did not believe any additional control devices were necessary. Both the Crown attorney and the coroner in summing up the evidence, and in charging the jury, implied

that the use of signals would not be a valid recommendation.

Despite this, the jury recommended that flashing signals should be installed.

Due to the conflict between the recommendation of the coroner's jury and the opinions either implied or expressed by the Crown attorney, the coroner, the department's traffic engineer and the Ontario provincial police, the department is carrying out a further investigation to determine the action that should be taken.

**Mr. D. A. Paterson** (Essex South): Mr. Speaker, I have a question of the hon. Minister of Lands and Forests, notice of which was given. It is a three-part question.

Is the hon. Minister going to investigate the damage done to fish in the Root river by the use of poison specifically intended to control lampreys; in what other rivers of the province is this poison being used; and is the hon. Minister confident that the controls over the use of this poison and the qualifications of the persons using it, are sufficient?

**Hon. A. K. Roberts** (Minister of Lands and Forests): Mr. Speaker, in answer to the three questions of the hon. member for Essex South, I will endeavour to give the House the details as we have them on this problem.

In dealing with number one: As has been announced, the operation of sea lamprey control, hitherto largely confined to Lakes Superior and Michigan, is being started in waters below these lakes, commencing with certain streams in the Sault Ste. Marie area.

It is obvious that a strong poison that will kill sea lampreys will sometimes kill other fish. Poisoning operations in Canada are carried on by the lamprey control unit of the federal Department of Fisheries located at Sault Ste. Marie. Constant communication is maintained with The Department of Lands and Forests.

The Root river is one on which an electrical barrier is maintained to kill spawning lampreys. This is not a useful form of lamprey control, and is simply an operation carried out to detect the presence of lampreys and to give an estimate of their numbers.

These barriers often kill coarse fish, and occasionally some game fish. This year the barrier on the Root river killed many thousands of suckers, and this may be related to the question my hon. friend has put.

The Root river was poisoned recently. The lamprey poison is – I will try these words – trifluilrometal nitro-phenal–or TFM for short. In certain chemically rich waters, it is desirable to use the chemical synergist or compound to intensify its action.

The Root is such a river and the synergist used is known as Bayer 73–I do not know whether that is related to aspirin or not–but it is Bayer 73.

In the poisoning operation, a number of suckers were killed by the synergist, and in one tributary, Crystal creek, a kill of speckled trout took place.

These have already been replaced from hatchery stock. We do not, of course, propose to replace the suckers. The lampreycide has been used, is being used, or will be used in all streams tributary to the Great Lakes in which sea lampreys spawn.

In this year's programme it has already been used on the Root and on seven creeks, on St. Joseph's island, namely, Gawas, Two Tree, Richardson, Watson's, Gordon's, Brown's, and Kaskgawan. No game fish have been killed in any of these waters. Three rivers, the Garden, Echo and Barr, have yet to be done.

The United States authorities are treating streams on their side with the same material, and we have repeat treatments scheduled for 14 streams running into Lake Superior. We have the utmost confidence in the competence and qualifications of the fisheries department staff.

It should be added that this year's results in lamprey control have so far been very satisfactory. May I add also, knowing that my friend's interest in this is certainly not political, that if he has any information he thinks might be of assistance in working towards the general solution to the problem, we would be very pleased to have it. Or if he questions any of these procedures on grounds that he thinks can be justified, we would be pleased to have that information also.

**Mr. F. Young** (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Economics and Development which he might answer on Monday as I understand he cannot be in the House today.

No. 1: Has the Minister any information regarding the reported shutdown of the eight production lines at McKinnon Industries Limited in St. Catharines?

No. 2: If the shutdown is taking place; (a) has the Minister been given any advance notice of it; (b) what measures are being taken to safeguard the interests of the workers and those of the community?

No. 3: If the report of the shutdown is acurate, is the part of the report correct

which says that seven of the eight production lines are to be moved to the United States?

**Hon. Mr. Allan:** Mr. Speaker, I would like to reply to the question that was asked yesterday by the hon. member for Essex South with regard to children betting at racetracks.

My answer to the question, am I in favour of nine-year-olds betting at racetracks, is: "No, I am not in favour of children betting at racetracks."

**Mr. R. M. Whicher** (Bruce): Is the Provincial Treasurer sure?

**Mr. D. C. MacDonald** (York South): Is that the hon. Minister's considered view after overnight reflection?

**Hon. Mr. Allan:** In reply to the other two questions—

**Hon. J. P. Robarts** (Prime Minister): If one asks a silly question, one gets a silly answer!

**Mr. Whicher:** The hon. Prime Minister allowed it.

**Hon. Mr. Robarts:** No, I did not.

**Hon. Mr. Allan:** I would advise that I have asked the racing commission to have the supervisors of both harness racing and thoroughbred racing make a complete investigation into the allegation of children betting at the racetracks. When I have received their reports the commission and myself will then give the matter consideration and decide what action should be taken.

I might say that I have made inquiries at several of the tracks and have not found that this is prevalent or permitted. However, we will look into it.

**Mr. Speaker:** Orders of the day.

## THIRD READINGS

The following bills were given third reading, upon motion:

Bill 45, An Act to provide for the licensing and regulation of nursing homes.

Bill 52, An Act to amend The Charitable Institutions Act, 1962-63.

Bill 82, An Act to amend The Income Tax Act, 1961-62.

Bill 83, An Act to amend The Corporations Tax Act.

Bill 86, An Act to amend The Loan and Trust Corporations Act.

**Clerk of the House:** The 6th order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the Chair and that the House resolve itself into committee on ways and means.

## ON THE BUDGET

**Mr. H. S. Racine** (Ottawa East): Mr. Speaker, when the debate was adjourned last Wednesday, I was making some remarks on some urban renewal projects in Ottawa, particularly the lower town project now on the planning board. I had expressed the hope that mistakes made in other projects would not be repeated in this one.

Another problem that seems to worry many people in the area is the purchase by the collegiate board of Ottawa of the large tract of land where a new high school or perhaps a trade school would be erected. According to very reliable information, it would appear that less than 25 per cent of the students who will attend that school would live in the area. I would suggest to the hon. Minister of Education to have a close look at this project. Many people feel that the area would be better used if more housing were built rather than the school. This would permit the housing of a large number of families who otherwise would have to move elsewhere; perhaps bring back to Ottawa many of the families who had to move out of the city because their property was expropriated in that part of the city some time ago.

I believe, Mr. Speaker, that the main consideration in an urban renewal project is people. This should be the first worry of the authority. Low-income families could be rehabilitated more easily if they were given proper housing at reasonable rents. They should not be subjected to the greed of hungry speculators who have no consideration for others. Because the province would have a very substantial investment in this project, I would suggest that a very close look be taken by the Ontario housing commission to make the most out of it. I hope that before this project is completed, the authorities will initiate phase two of this lower town redevelopment project. This would considerably help to make of Ottawa one of the most beautiful cities in the world.

Mr. Speaker, I would like to ask your indulgence to speak to this House about a document presented to the Ottawa city council some time ago entitled, "The Ottawa-Hull transportation study." This report recommended an expenditure of some $450 million on an expressway system which, to my mind, put far too much emphasis on the

private automobile and too little on the transportation of people. My main reason in bringing this to the attention of this Legislature is that, according to knowledgeable people, the plan lacks imagination and would cost a considerable sum of money to this province and to the taxpayers of Ottawa who can ill afford further increase in their municipal taxes.

Let me quote a report of a meeting that took place in Ottawa in April of this year of the national capital branch of the community planning association of Canada. The Ottawa *Journal* of April 27 reports as follows:

> Spending vast sums on new freeways to meet the insatiable demands of a car-driving public, is not the answer to the area's transportation problems. The association urges, instead, development of an efficient high-speed public transit system; perhaps a survey of an above-ground monorail. If reliance on the automobile continues unabated, downtown Ottawa will become a barren, pot-pourri of office buildings and widened high speed streets.

An editorial in the organization's yearly book "What's New in Planning?" charges public transit was relegated to a back-seat role by transportation experts. It insists the people of Ottawa do not want to pay for a system that will require massive installation of parking spaces in the downtown district. The editorial cites convenience and comfort as the main reasons for the automobile's popularity as a means of getting to and from work. The editorial also says:

> Today's auto driver will endure high operative costs, traffic jams and frayed nerves, rather than leave his car at home, the group contends, but he would be willing to switch if something better came along.
>
> An efficient, readily accessible air-conditioned subway or monorail just might be something better. To promote effectiveness, all fares could be scrapped and this system totally subsidized by the municipal government. Since the city already pays for things like roads and parks, why not public transit?

The editorial suggests several ways in which use of public transportation could be encouraged:

> Large parking lots could be established on the outskirts of the city for use by commuters living some distance from the subway or monorail. All-day parking rates downtown should be prohibitively high to discourage all but tourists and shoppers from bringing cars into centre town.
>
> The federal government should abolish free parking for civil servants downtown and funnel the money saved into a public transit system. The planning association sees the 20-year proposal of the transportation study as the thin edge of the wedge. After 1986, more automobiles will produce endless demand for more expensive freeways. We shall find ourselves in the position where the automobile is leading us around by the nose.

An editorial in the Ottawa *Journal* of May 2, 1966, agrees almost entirely with the article I have just read, and I would like to quote the last paragraph of that editorial:

> The price of such luxuries has now risen too high, not only in dollars for building new roads, networks of interchanges and bridges, but in terms of the damage to the human scale of the community. The demand of the private cars is insatiable. It is Parkinson's law of the road that cars multiply to occupy space as fast as it is made available. The planning association should continue to question the assumptions of transportation authorities who tend to place other urban values secondary to moving vehicles at 60 miles an hour. Of course, some expressways are necessary if cities are not to strangle, but they are only part of the answer. Public transportation of a quality that will attract customers is perhaps more important.

As I mentioned before, this plan would cost a sum that the taxpayers of the city of Ottawa could not bear, and Mayor Reid's and Controller Fogarty's comments are noted in an article appearing in the Ottawa *Journal* of May 12 this year, and I quote:

> Mayor Reid balked Wednesday at altering Ottawa's official plan of roads to make it conform with the multimillion dollar proposals of the Ottawa-Hull area transportation study. "Right now I would have to vote against certain portions of that study," said the mayor in persuading the Ottawa planning area board to defer decision on the amendment recommended by the city technical experts. Later the mayor explains he finds no fault in the methods proposed by transportation consultants for solving the national capital's traffic woes in the next 20 years. "It is the cost that worries me; the freeways, new streets, high speed bus routes and other innovations called for in the plan have been priced at an astronomical $435 million. It has been

predicted that this plan might cost as high as $1 billion before it is completed." The proposals have already been approved in principle by city council. The mayor feels the city must be assured of increases in existing levels of federal and provincial assistance before committing itself to implementation of the plan. This was his reason for urging the planning board to delay the decision.

Further in this news item we read:

The province had a large interest in the transportation plan, he explained, and might want changes before agreeing to cost-sharing agreements. Planning board chairman, controller Ken Fogarty, agreed it would be unwise to proceed at this time.

Everyone agrees, Mr. Speaker, that new expressways are needed in a growing community. However, I am convinced that what is needed in Ottawa and in Hamilton, Windsor and even in Toronto, is a system to transport people, and transport them quickly and efficiently. The Toronto area will have its commuter system in 1967, and in connection with the opening of the commuter system in Toronto, as announced some time ago by the hon. Minister of Highways, he made a statement with which I agree. May I comment on some of the remarks he made at a recent meeting as recorded in the Toronto *Daily Star* of March 28, 1966. The heading reads: "High-speed transit key to development in '70's." The article reads as follows:

The man in charge of Ontario's highways sees high-speed transit as the key to transportation problems in the next decade. Highways Minister Charles MacNaughton still sees high-speed expressways as becoming "standard," but regards commuter trains and public transit as the major means of moving masses in the 1970s.

"Development in public transit and subsidized commuter service," he said, "is part of the totally planned and balanced transportation system. If commuter services can attract heavy usage," he predicted, "they will take over the chief role in transportation, relegating expressways to second place."

In my Budget speech last year, I referred to the difficult position of the Ottawa transportation commission because of the fact that it had to pay over $350,000 a year in diesel fuel and sales taxes. I understand that the amount to be paid this year will be around $400,000. It might be interesting to the hon. Provincial Treasurer to know that this sum, if it were refunded to the OTC, would permit this wonderful transportation system to purchase ten new buses per year, and consequently give the travelling public a much more efficient service and, at the same time, eliminate a very large number of automobiles from the crowded city streets.

The Ottawa area members of this Legislature have assured the OTC and the mayor of their sympathy toward this problem. Nothing, however, in this Budget leads us to believe that the Cabinet has done anything about it. What is the government waiting for? Another crisis? I can assure the hon. members of this Legislature that the crisis will soon be with us unless something is done and done very quickly and, as often happens, the cost will be considerably higher than if something were done now.

If no help is forthcoming from the government, the OTC will have no choice but to increase its fare and, as everyone knows, an increase in fares will bring a decrease in passengers. This has been the experience in all communities, and I am afraid that this would also happen in Ottawa.

I agree that this may also be a problem to be looked into by the federal authorities, the city of Hull and the government of the province in Quebec. I would suggest to the hon. Prime Minister and to the hon. Provincial Treasurer and the hon. Minister of Transport to initiate talks with them. This is a long-term project, but now is the time to negotiate.

In the meantime, nothing would stop the government from refunding to the OTC fuel taxes because their buses do not operate on the highways. A refund should also be made of vehicle taxes and sales taxes. This should be done this year and should be made retroactive to the first of the year. A decision along those lines would be well received in the Ottawa area, as numerous editorials appearing in the Ottawa newspapers in the last few weeks have been unanimous in urging the government to do so.

There is a desperate need in our municipalities for a proper mixing of expressways and public transportation. As I have said, I feel that the Ottawa-Hull transportation study overemphasized the impact of the automobile.

This overemphasis is dangerous for many reasons. First, the undisciplined construction of superhighways can ruin the centre of a city. The superhighways can destroy neighbourhoods and isolate various parts of a city. We have seen this happen in Boston, in Detroit, and in Los Angeles.

Second, more superhighways mean more parking lots in the centre of the city, and parking lots are, for the most part, not very glamorous additions to the centre of the city.

Third, superhighways do not solve the problem of traffic in downtown areas. They simply dump more cars onto already crowded streets.

Fourth, in building superhighways, we are really encouraging an inefficient form of city transportation. In many cases the cars that clog our highways carry only one passenger, the driver. Ottawa needs expressways, but it also needs good transportation and I have several suggestions to make.

First, the city, with provincial help, should build a monorail. As I see it, the monorail would run east and west from, say, King Edward avenue to Kent street. Parts of the monorail could be built over the city's canals. I understand very attractive monorail systems have been built over some of the canals of Europe. It would seem fitting that land set aside for an old form of transportation, canal boats, should now be used to transport the 20th century man.

Second, the province should not charge the Ottawa transportation system fuel and sales taxes as I have argued. Similar arrangements should be made with other transportation systems in Ontario communities because their buses do not use provincial highways.

Third, the OTC should be given subsidies so it can keep its equipment up to date and its fares down.

Fourth, the bus system should be integrated with the monorail system, and on streets where it is possible, the buses should be given their own lanes. At present, they move at an average speed of 10.2 miles an hour in Ottawa, which is much too slow.

Fifth, the federal government should consider subsidizing bus routes which have to run past vacant federal property such as the experimental farm.

Sixth, the city should consider combining in one commission, parking, public transportation and traffic, because these all deal with essentially the same problem, moving people.

I would like to impress upon the government that the public transit in Ottawa and other communities also needs help. The government cannot stop with the Toronto-Burlington commuter line. I think the province should immediately study the possibility of using the rail lines which will become free when the railways move out of the Union station. It is quite possible that these lines could be used for a provincial commuter service for the cities of Hull and Ottawa. It would give the OTC a tremendous lift if a provincial commuter system was started and integarted with the public transit.

I guess it is quite coincidental, as hon. members might know, these remarks of mine have been prepared for some time and in yesterday's *Globe and Mail*—I will just refer to the heading and a couple of the paragraphs: At the mayors' convention in Vancouver someone suggested that a national policy on urban transport development be sought. Among the recommendations that have been made in this report are many of the recommendations, on a broader basis, that I have just made in these remarks. So, I guess the thinking of the people in the know today is that something should be done about urban transportation. I am sure, Mr. Speaker, that the government of this province through its own Department of Transport, its Department of Highways and perhaps other departments, will look into this problem very thoroughly, because to me and to a lot of people, it is a very urgent problem.

**Mr. H. J. Price** (St. David): Mr. Speaker, once again I use this opportunity of congratulating you on your appointment as Speaker of the House. The Deputy Speaker's duties, like your own, are exacting. I extend my congratulations to the hon. member for Eglinton who is fulfilling his position so ably. I offer congratulations to the mover and seconder of the address in reply to the Speech from the Throne. Both speakers, the hon. member for Lambton West and the hon. member for Armourdale were a credit to the electors of their respective ridings.

This session, we have two new members of the House, the hon. member for Nipissing, and the hon. member for Bracondale. I add a warm personal welcome to them and wish them continuing succes in their future political endeavours.

Once again it is my pleasure to bring greetings and salutations from the old Toronto riding of St. David. As the Budget debate provides all members an opportunity to speak in the House, I am happy to offer some observations and comments to you at this time. Mr. Speaker, the hon. Provincial Treasurer this year presented us with a sound and sensible Budget. In the present fiscal year, greater revenues are necessary to maintain and expand our dynamic and growing economy. I congratulate the hon. Provincial

Treasurer on the introduction of the greatest development Budget in Ontario's history, amounting to some $1,812.9 million. This is $318.8 million, or about 20 per cent, higher than last year. New taxes or increased ones during this period of growth are inevitable.

The economy has surpassed all expectations in this past year, and we shall continue to expand and develop our economy through 1966-67. The $1.7 million rise in the 1965 Ontario gross provincial product of $20.7 billion is a new record. Thousands of jobs were created in 1965, bringing our total employment figures higher than ever. Unemployment figures fell from a ratio of 3.2 per cent in 1964 to 2.5 per cent in 1965. In my opinion, Mr. Speaker, these figures are spectacular.

Many manufacturing industries reached new records of production. Primary industries continued to grow rapidly. New export opportunities were opened to our manufacturers by the direct action of this government.

Mr. Speaker, educational demands continue to cost huge sums of money. The rapidly rising education cost is a matter of considerable concern to this government and other government throughout North America. In the current fiscal year, the total outlay for education is $678.3 million. This figure exceeds the estimated revenues derived from liquor, succession duties, sales tax, and other taxes. University grants amount to $91.4 million, an increase of $26.8 million or 41 per cent over 1965. The cost of education now amounts to over 37 cents of each dollar of provincial revenue.

Health expenditures this year will amount to $244.1 million, a rise of $75.8 million over 1965. The expenditure for our mental hospitals amounting to $87.8 million, is up $12.6 million over 1965. The new medical services insurance plan costing $58.9 million is voluntary. It offers benefits in the form of comprehensive physicians' services wherever they are rendered. These benefits are available to all residents of Ontario regardless of age, state of health or financial circumstances. Effective April 1, 1966, benefits were automatically extended to those receiving assistance under welfare legislation. During the period March 1 to May 16, 1966 enrolment was open with general coverage effective July 1.

The Department of Health continues to expand our hospital facilities, and many projects are now nearing completion. Once again, I express the hope to the hon. Minister of Health, that he will make every effort to commence the construction of chronic and convalescent hospitals which are so badly needed to relieve the pressure on our general hospitals, thus making beds in our general hospitals available sooner, and at the same time creating new facilities to keep abreast of the ever-increasing demand.

Mr. Speaker, I think it was approximately ten years ago, I believe in my first speech in the House, that I mentioned the importance of expanding our park facilities so those of our citizens who are unable financially to afford a holiday may enjoy an inexpensive holiday with their family in our beautiful north country.

At that time I believe we had only four provincial parks. We now have 90. These parks are visited each year by millions of our citizens and by many tourists from outside the province. Most people take their own camping equipment and supplies along with them, paying only a small daily or weekly rate for their location, cooking and other privileges. The rates are well within the means of most people, and I think the widespread use of our parks is proof of the acceptance of this programme, and in my opinion, Mr. Speaker, it is one of the finest achievements of The Department of Lands and Forests in recent years.

Some years ago I inquired about the provincial government providing a park within 20-30 miles of the city of Toronto. At the time it was not considered that a provincial park would be suitable for the Metro area. I can see no good reason for not having a park in the metropolitan area, and in fact I will request the hon. Minister of Lands and Forests to establish a provincial park within or on the boundary of the metropolitan area, possibly on Lake Ontario.

In the years to come we will need thousands and thousands of acres of additional park land to accommodate our citizens who will have more leisure time to spend in the outdoors. Mr. Speaker, this land is available and must be set aside now—not in five or ten years when it may be too late. I would seriously suggest to the hon. Minister of Lands and Forests that he request the members to advise him of available land in their ridings which should be optioned or purchased for future park development. Only by careful planning will the required acreage be available for our needs in 1986.

The public has the right to expect that we as members of this Legislature, assess park and recreational needs of this province for the next 20 years and plan for them accordingly. We must not fail our citizens, and in this connection, Mr. Speaker, I would like to suggest

that a select committee be appointed by the Legislature of Ontario to study the recreational needs of our province for the next 20 years.

Fewer hon. members appear today to have in their ridings continuing problems which they raise in the House each session. For example, I remember the former member for Riverdale, Mr. Macaulay, bringing to the attention of the Legislature on many occasions the air pollution problem existing in that riding. The former member for Wentworth, Arthur Childs, was particularly interested in automobile safety, and we frequently heard him discuss the advantages of safety belts. Likewise, we used to hear from the former member for Woodbine riding, Mr. Fishleigh, on the problem of termites which was of great concern in his constituency.

One of the matters which has been of serious concern to me—some of the members will perhaps recall my raising it in the House in other years—is crosswalks. For years, sir, I have been complaining that crosswalks, as we presently know them in Toronto, are not safe, either for the public or for the motorist. They have many defects, some of which can be corrected. Some of these I have mentioned before, but I will bring them again to your attention for the information of the House:

1. Crosswalks can be widened in order to give more protection to a pedestrian in the event that there is a mechanical failure in the vehicle, or in the case of mental or physical lapse in the driver.

2. Overhead crosswalk signs presently in use, are not large enough, and they are not adequately illuminated.

3. Certain crosswalks, because of their location, should be equipped with a pedestrian actuated light. I know that one company in St. Thomas developed a very satisfactory light for this purpose, and I was told that it can be made available for less than $300.

Recently in the House, Mr. Speaker, we were debating the high cost of automobile repairs, and I am sure that hon. members are aware that crosswalks contribute to this cost. Collisions frequently cause passengers to suffer whiplash, which is a very serious and painful injury. In certain cases of whiplash, the injured party never fully recovers. I think it would be in order, Mr. Speaker, to make a new appeal to the hon. Minister of Transport, to reconsider crosswalks with a view to making them safe for both the public and motorists. How about it, Mr. Minister of Transport?

I am sure it is evident that our youth needs special consideration in these fast-moving times. A special department of youth in the province of Ontario is long overdue. The province of Quebec has had a youth department for many years; why should Ontario lag behind? I first mentioned the matter in the House some years ago, and in recent years it has continued to receive approval and support from members of my party, but it has not been acted upon. I have the distinct impression that we are getting closer to creating a youth department in our own province. I these changing times, we have a growing responsibility to our youth in assisting in their moral and physical development.

Mr. Speaker, certainly one of the major problems facing us in this province is pollution in all its forms.

In Metropolitan Toronto, it has been estimated that 90 to 95 per cent of the sanitary sewage flow is now receiving treatment. The commissioner of public works for the city of Toronto has recommended a net capital expenditure of approximately $155 million over a 25-year period at current construction costs. The Metropolitan Toronto board of works has engaged a consulting engineer to design a crosstown intercepter sewer to alleviate present conditions. The cost of this programme is in addition to the $155 million which is required in the next 25 years.

It is worth recording in this context that under storm flow conditions a combined sewage system in older sections containing raw sewage joins the storm runoff and bypasses through 18 major overflow outlets into Lake Ontario. It is an unhappy thought that raw sewage is being discharged into Lake Ontario, polluting our lakefront, in June, 1966.

Mr. Speaker, the Budget address devoted only two paragraphs to the subject of housing. We were told that the Ontario housing corporation, in conjunction with central mortgage and housing corporation, will have available $100 million for housing purposes. With this kind of money we should be able to meet many of the demands that now exist in this province for housing accommodation.

In St. David riding, there is more public housing than in any other riding of Canada These housing projects include Regent Park North, Regent Park South, and Moss Park. In addition, Mr. Speaker, we have several large limited dividend projects.

No one is more convinced of the benefits of public housing to a community requiring this sort of redevelopment than I am. I have

seen first hand, the benefits resulting from public housing in my own riding.

Some of the benefits I am thinking about which accrue with the construction of public housing as a part of the redevelopment programme in the older sections of a city like Toronto, are the substantial increase in land taxes, the reduction of fire and police costs, the opportunity of families to remain as a family unit, the providing of first-rate living accommodation for families which otherwise would live in third-rate accommodations, the victims of landlords greedy for high rents.

The provincial government is giving greater attention to public housing matters than ever before. The provincial level is where the initiative is needed; the solution to the problem of public housing is at the provincial level. What we need, Mr. Speaker, is action, not words.

I should like to put on the record a summary of the revenues and expenditures of Ontario for the current fiscal year. The summary of Ontario's budget figures, I hope, will be useful and interesting to the members as well as to the readers of *Hansard*, who will not find it similarly treated in any other speech.

The estimated figures I give now are for the current fiscal year, in millions of dollars.

Revenues: Retail sales, $383 million, corporation tax, $258 million; liquor control board, $133 million; succession duty, $72 million; income tax, $362 million; gasoline, $257 million; motor vehicle licences, $93 million; other income, $168 million. Total, $1,728 million.

Expenditures: Education and university, $677 million; health, $244 million; natural resources, $92 million; municipal affairs, $54 million; interest, and so on, on the public debt, $77 million; highways $373 million; public welfare, $90 million; public works, $56 million; other departments, $146 million: Making a total of $1,812 million.

This is up $318.8 million over last year.

Shortfall of revenues, 1966-1967, $84.9 million. Education spending, up $158 million to $678 million. Health spending up $75.8 million to $244 million. Medicare, $58.9 million. Capital debt, $1,464 million. The interest on this debt, $77.3 million.

Gentlemen, the people of Ontario are fortunate in having a leader of the calibre of the hon. Prime Minister of this province. He is possessed with an innate sense of justice, integrity and political sagacity.

Those of us who sit on the government benches of this House are determined to give the people of Ontario increased prosperity and contentment in the years to come under a dedicated Progressive Conservative administration.

**Mr. E. G. Freeman** (Fort William): Mr. Speaker, I would like to add my words of appreciation to those that have been expressed by other hon. members of the House with regard to the fine manner in which the Speaker carries out his duties, and also to express my appreciation for the manner in which the Chairman of the whole House carries out his duties. I think this deserves special commendation.

It might also be very fitting, at this time, if you would permit me to ask for one moment of silence to permit the members of the government who are present today to put their heads in their hands and say a deep prayer for the hon. Prime Minister for whom they have such a deep and abiding appreciation.

**Mr. A. Carruthers** (Durham): We do this every night.

**Mr. Freeman:** I am sure the hon. member does. He should.

Mr. Speaker, there are a number of matters that I would like to speak of briefly today. One of them, I think, is in an area that many of the members have had contact within the recent past. I speak particularly, at this point, of car sales and finance companies and this sort of thing.

I have had on two or three or four occasions just within the last 30 days—a bit more, six weeks perhaps—I have had some things brought to my attention that have really amazed me. One particular case stands out and I would like to describe it briefly to those few members of the government party who are here today—

**Mr. W. D. McKeough** (Kent West): Oh now—

**Mr. Freeman:** —and the fine representation of our friends, the Liberal Party, and those members of our party who could spare time from their onerous duties elsewhere to be present this morning.

This case though, seriously Mr. Speaker, is one that I think many members have had called to their attention by people in their own constituencies. If they have not, if this has not happened, I would definitely like to be sure that it is brought to the attention of everyone here this morning.

This concerns two people in my constituency, and I have the documentary proof to substantiate that which I say. This couple was childless, the husband had a car, his wife was employed, as many of the fine ladies are today. She felt she should have a car to transport her to and from her work and the husband agreed, so they bought the car. He signed the note and it was explained at the time the purchase was made that the date of the 15th of the month upon which the payments were due might be exceeded by two or three or four days, just depending on the date of payment, when the wife received her salary. And this was apparently understood.

However, the paper was sold to a finance company and if any of the members wish me to name the finance company, I can do so. I would prefer not to. I do not think it is going to serve any good purpose to mention it.

Two or three months after the car had been purchased the lady had a telephone call from the local manager of the finance company and he was a little bit perturbed because the payment was two days overdue. She explained at the time that the arrangement had been agreed upon that it might be two or three days between the time of the agreed payment and the time that payment was made. Two or three months later the same thing happened and she hung up the telephone receiver on the manager of the finance company.

So he sent the bailiffs around the next day and after some degree of protestation they seized the car.

The lady phoned her husband, he came from work. It was too late then to do anything, but the next day they went over to the finance company's office with the full amount of the balance owing on the car, some $168. This was in April of this year, I may say.

When they went to the finance company office it was agreed that the full payment would be made. The finance company I suppose in proper operation charged them interest on the full loan up until August of this year, advance interest, and also charged them $35 for the bailiff's fee which should have been $30 and when payment was finally being arranged, the manager, the local manager said: "Now, this is the total plus $50"—plus $50. Why the $50? "Because your wife hung up the telephone receiver in my ear. And if you open your mouth, it will be another $50."

Now, this is great stuff.

**Mr. H. Worton** (Wellington South): We ought to have that penalty here.

**Mr. Freeman:** Indeed, I think we should.

The people got in touch with me. Now, I must say this in due respect to the president of the finance company, with whom I was able to get in touch, this happened on Sunday, I was here on Monday and I was able to get in touch with the president of the company. I explained the situation to him and he said to me: "Well, some of our managers get a little bit overenthusiastic from time to time and a little bit perturbed and so on, however, we will take care of it."

**An hon. member:** Pretty expensive.

**Mr. Freeman:** Very expensive, I would say.

But Mr. Edgar, I do not mind mentioning his name, some hon. members may know him, I think he was very reasonable, very decent, very sound about this thing. He got in touch with the local manager with the result that the $50 fine for hanging up the telephone receiver was refunded to the people involved. They had to go for the extra $5 for the bailiff's fee, which I think was unfortunate because the fee is very definitely set at $30, and they did receive some form of apology.

But I would say to you, Mr. Speaker, and to those in the House this morning, that this undoubtedly goes on in various parts of this province more often than we realize. I think it is a great shame that the people of our province should be subjected to this sort of indecency and unfairness. I would hope that any time any member of this Legislature finds conditions of this type appearing that they will take strong and drastic action to see if it cannot be wiped out.

Now, we know that some of the finance companies are very unfair in their approach to the problems of our fellow Ontario citizens. I do not think any of us have too much sympathy for the problems they sometimes contend with; but I do think people in this province do not deserve to have their intelligence insulted and their citizenship insulted, if you like, in the manner in which this manager of this finance company at the Lakehead did not too long ago.

In this area of used cars, Mr. Speaker, I have been amazed actually. Just recently I was doing a little research in this area and I wanted to try to find out how many sales there were in used cars in the province per annum. I got in touch with R. L. Pope and Company in this city, who referred me to a Mr. Ward at the National Auto Research

Company with a telephone number. I may say I phoned this number several times without results. Then finally I got a corrected number, which I phoned several times and asked for Mr. Ward, but Mr. Ward was not available, apparently. Then I discovered that the telephone number which had been given to me and which was apparently the number that was being used by National Auto Research Company was an answering service. I left a telephone number for this gentleman to call back, but I never did receive a telephone call form him and I am wondering just how efficient this area of tremendous business, big business, is in this province.

I was somewhat surprised a few days ago, when we had a meeting of the committee on highways and tourism; the Minister of Transport and his Deputy were present, and I am sure I am quoting correctly when I say the Deputy Minister in answer to a question or in making an observation perhaps at the time, said there are some 900,000 transfers of used car licences per annum. This apparently was as of last year.

Now that being the case, 900,000 sales of used cars or transfers of used cars, it would seem to me that this involves a rather large sum of money, running into many millions. If it does go into the many millions, then it obviously follows that the sales tax on these many millions of dollars is a very important asset to the Treasury of this province.

But the fact is that we cannot pinpoint the actual number of sales. The Department of Transport admits it does not know precisely how many used cars are sold each year. They have no record at all, and this appears to me to be somewhat amazing. I would think in this area, with modern computation equipment which is available, that this information would be right up-to-date every day in the week, that we would simply have to call the office or call someone in authority at the office who would have this information available and be able to give it to anyone who was interested.

I am sorry the Minister of Transport is not here this morning. I am going to take this up with him again. I do think that this is an area that could be very well explored.

Again I am sorry, I had occasion in the last few weeks to be in various places in the province and talk to different groups of people, and at the end of any words that I have been able to say or speak, there has usually been a question period. One of the questions that stands out perhaps above all others put to me at these various meetings is: What is this province doing about air and water pollution?

I have been around the shores of Lake Erie and various tributary streams; I have been down in eastern Ontario; and in central Ontario, southern Ontario; and certainly northwestern Ontario. This problem of pollution, Mr. Speaker, is becoming increasingly frightening. When I heard—and again I am sorry that the hon. Minister is not in his seat today—the Minister of Energy and Resources Management say in this House not too long ago that he would have—

**Mr. R. J. Boyer** (Muskoka): He is here.

**Mr. Freeman:** He is here? Good!

**Mr. K. Bryden** (Woodbine): He is not in his seat though.

**Mr. Freeman:** It is all right, the hon. Minister can be comfortable in the other seat he is occupying.

But what I did hear the Minister say from his seat not too long ago was that his department, together with the ancillary groups who are working with his department, would have the problem of pollution licked, as it were, by 1970.

After looking over some of the areas which I have looked over just recently, I began to wonder whether the hon. Minister was the most naive person I have ever known or the most ill advised person I have ever known.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, on a point of order, I at no time have ever said in this House, or outside of this House, that we would have the problem of pollution licked by 1970.

**Mr. Bryden:** The hon. Minister said that the back of it was broken.

**Hon. Mr. Simonett:** I did not say that we would have it licked and I never said anything about the Great Lakes; I did say in this House, and if the hon. member will check *Hansard* it is there. I did not change it—in fact, I told the hon. member's leader that I, at no time, would get up or ask anyone else to get up in this House and say that we would lick pollution by 1970, or at any time. So I do not know where hon. members opposite get this idea that I said that pollution would be licked by 1970. It was never spoken by me and never will be.

**Mr. Bryden:** There were lots of witnesses.

**Hon. Mr. Simonett:** Well, the House did not hear it.

**Mr. Freeman:** Mr. Speaker, I am afraid that I will have to buy myself a new hearing aid. I may have misconstrued the hon. Minister's remarks, mind you, but I will go back into *Hansard* very carefully. The year 1970 stands out in very bright lights—

**Hon. Mr. Simonett:** I might just give the hon. member some more information. I said that we, the OWRC, would by 1970, have plans with regard to all pollution orginating within the province of Ontario, for all industries and all municipalities to clean up their pollution. I did say that, but I never said that it would be licked.

**Mr. Bryden:** The hon. Minister has had plans for as long as anyone can remember.

**Hon. Mr. Simonett:** We have.

**Mr. Freeman:** Mr. Speaker, I assure you that I have every sympathy for the hon. Minister and I wish him every success in his work. I am sure that the people of this province join me in that wish because in various parts of this province—and Canada as a whole, of course—but certainly in this province of Ontario, there are a great number of perturbed people, not only with regard to water pollution, but to air pollution as well.

**An hon. member:** And political pollution!

**Mr. Freeman:** Yes, that is a very good thought, too.

However, let us leave this matter for the moment. I know that it is going to cause the hon. Minister of Energy and Resources Management countless nights of sleeplessness, and I hope sincerely that he is able to satisfy his conscience with some of the remarks he has made in this House and outside of this House in the recent past, and we would hope for the best for him.

Now, getting to another area, Mr. Speaker, that I think is of real importance.

We have talked and heard so many words with regard to Canada's centenary, and the great plans and the large amounts of money that are being spent by this government and others, and by industry and so on. It would seem to me that one of the things that—and I think it has been mentioned by one or two of the hon. members of this House, too, from time to time—is of pressing importance in our province. In particular need—in this province of opportunity—are the areas approaching our cities and towns.

You drive along some very nice highways in this part of Ontario. Not up our way in northwestern Ontario, but in this part of Ontario the highways are quite good. I think that the Speaker will agree with me on this point, he knows the area very well. But in driving into some of the communities the entering areas are a complete, frightful horrible shambles—broken down buildings, unused for years; weeds along the entry way; areas of complete desolation that lead into what looks like a very interesting and nice area and where the people are spending money on the upkeep of their parks and streets and so on. But on the outside, in the entries to these areas, you see these old, broken-down buildings that have been unoccupied for years.

I have often wondered why there is not —or is there possibly—some thinking with regard to this type of thing when people own the property. You see it on farmlands, for instance, where there has been a house quite close to the road, and as the farm prospered they built a larger and better home. But they left the old homestead sitting right on the edge of the highway. In many cases, it has blown down, and all that is left is a root cellar and a pile of old, rotted lumber.

Why cannot this type of thing be cleaned up, and why cannot some method be devised to see that this area is cleaned up with the point of view of beautifying the area and the highways. I am sure that over this next weekend many hon. members who are here today when they are travelling along the highways, might take a look and note roughly the number of situations such as I have just described which they will come in contact with within a 50-mile drive. I would think that with all of the millions of dollars that are going to be spent on Canada's centenary, some few dollars could be spent cleaning up our highway approaches and our city approaches, and beautifying some of these areas as well.

Another thing with which you will agree again, Mr. Speaker, I am sure, another area that cries for some attention is our beach areas, particularly in the vicinity of our larger municipalities. It is a frightening situation when you go along the highways and roadways by beach areas, along bay fronts, and see the frightening conditions that exist for example, around Port Colborne; in the area of Niagara Falls; and further west up toward Sarnia and so on. See the beach conditions that exist there!

When we think that we are spending some millions of dollars to invite tourists to this province, I think we should be ashamed of

ourselves to have them view the beach conditions that we present.

Now, not too long ago, Mr. Speaker, there was an idea which was put into effect and I would like to call the attention of the hon. members of the Legislature to this matter again. I know they are all thoroughly aware of it, but I would like to get this in the record.

"Operation school supplies" was primarily a project initiated to help the needy schools of the out-islands of the Bahamas. We all know this situation, but I wonder if we know just how important this can be. However, because of the widespread acceptance of this undertaking, requests for used furniture and books have also been received from other island members of the Commonwealth, notably, St. Vincent, St. Lucia, Antigua, Montserrat, and Grenada. Because of the great need for educating the young people of these underdeveloped countries, operation school supplies has done a most worthwhile job, and those who know the project will agree, I am sure.

The side benefits of developing closer Commonwealth and trade ties with these islands are, in themselves, worth the investment of paying the cost of shipping old, worn desks to these islands.

Now, I understand, Mr. Speaker, that the hon. Minister of Education had hoped that the cost of shipping over 5,000 pieces of classroom furniture would be forthcoming from service clubs. Regrettably, sufficient funds have not yet been received. In view of the long term benefits to be derived by the needy people of the Leeward and Windward Islands, I suggest that the government consider making funds available, on a permanent basis, to ensure the constant flow of school supplies and possible assistance in other areas.

May I just mention, Mr. Speaker, to centre our attention on this matter at the moment, that more than 5,000 pieces of classroom furniture have already been shipped, including chrome kindergarten sets, teachers' desks, students' desks, science tables with sinks and taps attached, and manual training tables, new encyclopedias, ball point pens, more than 10,000 pencils and rulers and other items of educational value.

**Mr. G. Ben** (Bracondale): Mr. Speaker, may I ask the hon. member a question? Is the hon. member aware that while these islands are pleading with us to assist them in books, that they had a surplus last year of 1.5 million pounds, which they gave to the Royal Bank of Canada, to which board of directors was appointed the Minister of Finance, to invest for them. So while they have a surplus, they do not use it for education, but send it to London to be invested.

**Mr. Bryden:** Who is the hon. member talking about?

**Mr. Ben:** This is in the Bahamas.

**Mr. Bryden:** That is not necessarily a typical case. There is a reactionary government there.

**Mr. Ben:** That is an understatement.

**Mr. Freeman:** I am quite aware of the hon. member's thinking. The situation, I am sure the hon. member realizes perfectly well, and I am not being critical particularly in my remarks at this time, the situation is that there is a degree of bad government in that part of the country.

**Mr. R. M. Whicher** (Bruce): Nothing like here!

**Mr. Freeman:** In like degree, perhaps yes, There is a degree of bad government in that part of the world that puts the poor and the needy and the deserving, perhaps, in many cases, the deserving people of that part of the world, in a position where they simply cannot get the educational needs that they require. It is felt—I do not think I can be criticized for making this remark, Mr. Speaker—I think it is very soundly felt by people who know the situation better than cursorily, that there is a fear that by shipping—this has been expressed by Father McGoey, Rev. John McGoey, who visited them, and the hon. member for Brant, whether he has met the reverend gentleman or not, I know that he is aware of Father McGoey's interest in this part of the Commonwealth—it has been expressed by either Father McGoey or some of his associates, that if this educational equipment were shipped to the islands, the politicians—what their political stripe is I am not too sure, but I do not think they are New Democrats—but apparently the feeling is they are a little bit on the crooked side. Therefore, the people who are shipping material to that part of the country are a little bit worried about having the material come into the control, or under the control, of the politicians who are presently in power down there.

Therefore, this has been approached from a little different point of view with the idea of taking it away from any political control at all. If we can continue to do this, I would

think that what we are faced with at the present time is something that perhaps again you may have seen.

I now would like to get into the record, Mr. Speaker, something here. It is an article by Martin Millman, of the *Globe and Mail* of May 28 last. I would like to read just some excerpts from this:

> Ask anyone in the Caribbean what Ontario's chief export is, and the chances are the answer will be school furniture, thanks to the Ontario education department's do-it-yourself exercise in foreign aid.

I think this is a fine thing, and I think The Department of Education is to be congratulated, the hon. Minister is to be congratulated on this operation.

> Operation school supplies has sent 5,000 pieces of classroom furniture and 50 tons of books to the Bahamas, cleared the old storage rooms of schools across southern Ontario and left education Minister William Davis clutching a lovely bunch of coconuts and $25,000 in bills for a project that was supposed to be carried out without public funds.
>
> It began routinely enough apparently in Etobicoke. A separate school board donated a few hundred desks to the Catholic schools of the Bahamas with transportation costs paid by the Knights of Columbus. Reverend John McGoey, a missionary priest stationed in the Bahamas, was so taken with the project that when Davis visited the islands last September he sounded him out on the possibility of getting more used desks for the expanding and under-furnished schools of the Bahamas.
>
> Davis got in touch with Godfrey Kelly, Minister of Education for the Bahamas, who told him 9,000 desks would come in handy. Davis decided the Ontario government could help and—provided the programme was nondenominational and no public funds were used—tagged the scheme Operation school supplies and turned it over to George Mason of The Department of Education's information staff.

Now, I know George Mason has worked very hard on this project. He has been singularly unselfish in his devotion to the whole approach. But I know, too, that at the present time, in some of the buildings, or one of the buildings at the Toronto exhibition area there are large numbers of desks and other forms of school supplies in storage there. They are waiting for money, I think, to pay the transportation costs to the shipping point that they want to get them off to.

I would suggest, Mr. Speaker, and I suggest most strongly, that I believe the government of Ontario could do a tremendous service to that portion of the Commonwealth of which I have just been talking and to the world in general, if you like, by taking these used, discarded school supplies, storing them in some proper place, searching out an area in the world where they could be usefully put into action and this government would spend money wisely, very wisely indeed, by shipping and paying for the shipment of these school supplies to any part of the underprivileged world.

I would hope that the hon. members who are present today would agree with me when I suggest that it would be a finer thing to drop school supplies on various parts of the world, rather than to drop bombs.

**Some hon. members:** Hear, hear!

**Mr. G. W. Pittock** (Oxford): Mr. Speaker, I, too, would like to join with the previous speakers in extending words of appreciation to you, your deputy and our colleague, the hon. member for Eglinton, for the outstanding job you are doing in conducting the business of this House.

I would also like to extend a warm welcome to the hon. members for Nipissing and Bracondale on their entry to this assembly.

In rising to make some comments in this debate, I would like to discuss for a few moments a very important matter which has been before this House on a number of occasions. This has to do, generally, with the work of the conservation authorities of our province, but more particularly with the problem in connection with land acquisition for the dam being constructed by the Upper Thames river conservation authority at Woodstock.

To introduce this subject, I would like to fill in a part of the background concerning the formation of the authority.

Mr. Speaker, I would like to say, first of all, that I think the organization of conservation authorities in Ontario, and the members representing their municipalities, exemplify to the highest degree the concept "The government should not do for the people what the people can do for themselves." In the province of Ontario, the conservation movement originated at the grass roots and its programme has always been based on a philosophy that the people of the municipalities should endeavour to do the utmost

they can for themselves, with the assistance of the senior levels of government being sought where necessary.

The conservation programme received its start in Ontario following the disastrous flood of 1937. At that time, a small nucleus of interested citizens formed what was to be the group that was concerned about the conservation of our renewable natural resources. Many have been the accomplishments over the years of the 34 authorities, stemming from the efforts of thousands of citizens. Great numbers of people have made outstanding volunteer contributions of time and effort in promoting the many facets of the programme at the grass roots level.

Each and every project, regardless of size, is initiated by people acting on behalf of their municipality because of an interest in the betterment of the community in which they live and work.

The first survey and report on the Thames river was completed and presented in 1952. This report indicated that genuine co-operative effort would be required by the municipalities if this programme for the prevention of floods and the conservation of our soil, water, and trees was to be effective.

The report further indicated that, as a result of a study of flood control methods, adequate measures to prevent flooding in all municipalities would necessitate storage of 110,000 acre-feet of water. This was required to remove flood crest, in addition to the acquisition and preservation of approximately 19,000 acres of swamp, wetlands and source water areas. On the three branches of the river, storage requirements were divided with 84,000 acre-feet on the north, 17,000 on the middle and 12,000 on the south branch. Fanshawe dam was completed in 1952 on the north branch, with a capacity of 40,000 acre-feet.

In 1955 it was decided that we should combine the remaining projects, and consequently representation was made to the province of Ontario for assistance under a Dominion-provincial agreement to complete these flood control structures. Negotiations continued and with the co-operation of the two senior levels of government an agreement was signed in January, 1961.

This agreement provided for construction of the required structures, acquisition of land and channel improvement work at Mitchell and St. Marys at a total cost of $10 million. Later in the same year application was made to include under the agreement a project of three phases in the city of Stratford, namely, the construction of a new dam at Lake Victoria, removal of silt from Lake Victoria and channel improvements downstream from the dam to the city limits on the west boundary of Stratford. This addition to the agreement was approved and the first two phases have been completed for some time.

The first major flood control project to be undertaken was the construction of Wildwood dam near St. Marys on Trout creek, a tributary of the north branch of the river. This dam is essentially complete and will retain the flow to provide a lake of 20,000 acre-feet at flood crest. Along with Fanshawe, with its 40,000 acre-feet, this provides 60,000 acre-feet of the total requirement of 84,000 acre-feet on the north branch of the river.

It was during the planning of the Wildwood project that the membership of the authority developed the unique method of property purchase. This plan provided a means whereby all owners affected by the project were given as much information as possible and in this manner it was possible to enlist the interest of the property owners. This procedure also provided the opportunity for all owners to become conversant with the plans of the development and the methods to be used in the process of acquisition of their property.

I am sure I speak for all members of the Upper Thames River conservation authority when I say that it has always been the wish of that group that any property acquired by the authority should be paid for on a free market value basis. This method was approved by the director of the conservation branch, Dr. A. H. Richardson. Dr. Richardson had provided leadership and encouragement to the authorities in his position as director of the branch since its inception in 1944.

The property required for this project—which was to create a lake four and one-half miles long—was in the ownership of 37 families. As soon as the completed plans had been approved by the various departments a meeting with all the owners was called in the town of St. Marys. The plans were on display and a full explanation was given as to the needs and plans of the authority in completing this project. The owners were advised of the names of the appraisers selected for the appraisal of all properties. It was explained that the appraisals would be considered by the Wildwood advisory board members who were representing the local municipalities as members of the authority.

To the appraised amount would be added ten per cent in the offer to each owner, this to be considered compensation for forceful taking and inconvenience. These offers would be submitted to each owner for his consideration and if substantially accepted, a further $6 per acre would be added in final settlement—this $6 per acre being 50 per cent of the estimated cost of arbitration which the authority was willing to divide with the owner of the property.

On this basis, all but one property was settled and that has since been settled by arbitration.

In December, 1962, Dr. A. H. Richardson retired as director of the conservation branch and his successor would not allow the acquisition of land for the Woodstock project on this same basis in April, 1963. The membership of the Upper Thames River conservation authority resisted this change. However, instructions received in writing, after much discussion on this subject, outlined the procedure whereby negotiation of each parcel with the individual owner would only be acceptable to the conservation branch.

There was the alternative to withdraw the application for the Woodstock project. In my opinion, had the members of the authority had knowledge of the problems which were to develop in connection with the land acquisition they would have withdrawn the application in spite of the fact that a considerable amount of money had been expended on engineering of the project at that time. It should also be noted that every municipality receiving both direct and indirect benefits—excepting one, the town of Ingersoll—had approved of this project.

It is also of interest to note that during the visit of the select committee on conservation of the Legislature last fall to the Tennessee Valley authority—this being several years after the plan was used at Wildwood—we found the Tennessee Valley authority using relatively the same procedure for land acquisition as the Upper Thames River authority had received permission to use, and which had completed the acquisition of the properties for the Wildwood project.

There may be a number of reasons for this resistance. These may be because of change—change of director, change of the project at Woodstock and so on.

During the years of negotiation of our agreement with the two senior levels of government, and because of various factors, many changes have taken place since the original survey was made and the Thames report was presented in 1952. Many changes in the area developed during the period 1952 up to the signing of the agreement in 1961.

In the Woodstock area many changes have taken place and it was the decision of the authority to have a complete survey of the area made to provide information to compare with the recommendations of the Thames report of 1952, along with an updating of plans for the foreseeable future.

The recommendation of the Thames report was for a dam on Cedar creek south of Woodstock at Highway 59 to contain 7,000 acre-feet of water, and a dam on the south branch of the river, north of Woodstock, with a capacity to store 5,000 acre-feet of water. These, along with channel improvements on Cedar creek and the river, would provide relief from flooding and a storage capacity of 12,000 acre-feet of water.

The area study provided by the engineering firm employed by the authority showed a saving of $1.6 million.

This reduction in expenditure of $1.6 million was calculated to include the relocation of utilities, including the CPR main line right-of-way at a cost of $750,000. In addition it would include the storing of 13,385 acre-feet of water as compared to 12,000 acre-feet, and the reduction in the use of 1,000 acres of good arable farmland. To a great extent these changes were recommended on the findings during the study of soil and foundation conditions developed in the drilling of the areas under consideration.

The inclusion of the Stratford project and the changes in the plans in the Woodstock area, along with the development of the plan of purchase at Wildwood, were not popular with the director of the conservation branch. However, all decisions were made by the membership of the authority.

The success of the conservation programme in Ontario has been due to the efforts of the area representatives of the municipalities. This responsibility should always remain with the members of the authority and the projects should continue to be initiated by those at the grass roots level.

Mr. Speaker, it would be interesting to know to what extent recent developments with regard to decisions affecting the federal-provincial agreement have originated at the provincial level in the conservation branch.

We have read of debates in the House of Commons which indicate a resistance to the payment of the cost of land above the high water mark in the flood control projects. The

plans of these projects had been approved at both the federal and provincial level before they were undertaken. The approval of the conservation branch is forwarded to the federal department and on receipt of the federal department's approval the authority is then advised of the approval of the project by the provincial level. Would it not appear to be rather strange that resistance develops as the construction of the projects are proceeded with after the plans have already received full approval?

Also, another item which falls into the same "resistance" category with respect to any contribution by the federal government is the matter of fencing. Fencing of these projects is a dire necessity if the rights of adjacent owners are to be protected. However, considerable resistance has developed against the cost of fencing and it has been indicated that fencing will be paid for by the federal department in the area of the structure only. This may not appear to be an important item, but at Wildwood the cost of fencing is estimated at about $14,000. This is ordinary farm fencing for that project, and the approval amounts to about $1,400.

Mr. Speaker, would there be any particular reason why the director would continue to emphasize that – after Stratford had been added as a project to be undertaken under the federal-provincial agreement and Woodstock changed, and the plan revised whereby the expenditure would be reduced by $1.6 million, 1,385 acre-feet of additional water would be stored, and 1,000 less acres of good farmland would be used for water storage—would there be any particular reason why the director would continue to emphasize that it would be necessary to build Cedar creek dam in accordance with the original recommendation of the Thames report, which was written on the basis of a survey and study through the years 1949 to 1952?

Another point which seems to indicate the director of the branch has not yet heard of rising costs is the fact that he has mentioned at each opportunity that all work estimated in the projected cost in 1958 would have to be completed without exceeding the total amount of the agreement. Apparently the director is the only person in Canada who does not realize costs have increased since the year 1958!

Mr. Speaker, I would like to remind the hon. members of this Legislature that the conservation authorities of Ontario have continued to carry on in spite of the lack of leadership and the resistance to change which has existed since the former director of the branch retired in 1962. Let me say, Mr. Speaker, that in my opinion if the conservation branch relied on a profit to remain in existence it would not last until Friday of the first week!

The municipalities across this province of Ontario have done an outstanding job in the field of conservation of water, soil and trees. This work has been completed because of the excellent assistance given by this government to the municipalities in their efforts since The Conservaton Act was passed by this Legislature 20 years ago, in 1946.

This government has continued to add to the assistance provided, and the revisions in the form of assistance provided in recent years has, each and every one, proved to be of considerable advantage in the programme of the conservation of our renewable natural resources.

Mr. Speaker, in the farm pond programme the various authorities were struggling with their meagre funds to assist property owners to construct farm ponds. In their best efforts they were able to contribute only about 50 per cent of the average cost of a small farm pond. This part of the programme some years ago was turned over to The Department of Agriculture whose staff now assists the farmers with the planning and design of farm pond installations, and this government, through The Department of Energy and Resources Management, contributes 50 per cent of the cost of construction up to a maximum of $500. This has provided the necessary assistance to encourage the building of many more large farm ponds throughout the province. These have proven of inestimable value in domestic and livestock water supply, irrigation, recreation and fire protection. Many buildings have been saved because the local fire brigade or a mutual aid brigade had a water supply available when it arrived at a farm which has had the unfortunate experience of a fire having started.

Mr. Speaker, may I refer also to the small reservoir programme—a programme which will provide a means of water supply to the many hamlets right across this province, a programme assisted by this government to the extent of 75 per cent of the total cost with a long term repayment arrangement on the remaining 25 per cent.

These small reservoirs were previously constructed on a 50-50 basis with the province of Ontario paying half of the cost and the municipalities of the watersheds supplying the remaining 50 per cent.

These small reservoirs, along with swamp lands, source water areas and wetlands, amounting to thousands of acres across this

province, are the most important source of supply to the small hamlets, the agricultural industry and the citizens of rural Ontario. Proper management of these areas is essential, so as to ensure the retention of water, allowing it to infiltrate to the underground table, as well as supplying summer flow to the tributaries and creeks. We know that we have watersheds in this province where, under proper management of the water resources, summer flow in every stream, in every tributary, in every creek and in every river can be increased at least ten times the flow of the normal low flow now existing.

Mr. Speaker, do we need to be reminded that as this additional flow is added to the streams all over the watershed this has a direct effect on the underground table and provides the best quality water at the lowest cost to the citizens of the watershed area?

Do we also need to be reminded that the energy of the sun will deliver that water without cost of piping, without cost of pumping, to any elevation on the watershed?

Do we need to be reminded that throughout the province of Ontario every area is provided with more than an ample supply of water and that this renewable resource can be managed and stored for use when it is required?

Another major asset to this water supply is the recent announcement by the hon. Minister of Lands and Forests of the programme of assistance on woodlot management. It is to be hoped that this programme can be expanded to cover the total area of this province within the near future.

Mr. Speaker, if I may, I would like to make a brief reference to the ARDA programme, which we feel, as residents of southwestern Ontario, is a programme which must have been developed only for other sections of the country. There are many areas in southern Ontario, in the watersheds of conservation authorities, where wetland and source water lands should be acquired under the ARDA programme. Such a programme could make an outstanding contribution towards the management of water resources in those areas.

May I suggest, Mr. Speaker, that consideration be given to a study in those areas and a recommendation that the authorities be assisted by the acquisition of these wetland areas to the extent of 45 per cent federal government contribution, 45 per cent from the province and 10 per cent from the municipalities of the area.

I can expect there will be many in the urban centres who will say you are proposing to develop all of these things for the people of the rural areas. This is not so. In my considered opinion, summer flow in our streams would be of equal importance to the urban and largely industrialized municipalities as to the rural municipalities throughout the province. Regardless of the amount of money spent and the projects carried out to achieve the most efficient treatment of sewage effluent, an increased flow will be required in all our streams if urban municipalities are to be allowed to discharge their treated effluent without creating a nuisance hazard.

May I suggest that the hon. members will not need to look too many miles from these buildings to find a situation developing just such as I have mentioned, where the treatment of sewage from increased population continues to create an expanded problem because of the lack of flow in the streams in which the treated effluent is being discharged. This same situation will multiply many times across this province as our population continues to increase and the expansion of our industries continues, both of which, of course, we welcome.

Mr. Speaker, we have heard many comments from members of this Legislature and read many articles with regard to the acquisition of land to be used for storage of water for the prevention of floods. There have been statements made to the effect that these reservoirs are intended primarily for the purpose of creating recreation facilities. Let me say here, Mr. Speaker, that recreational facilities develop in connection with these projects as a secondary multi-purpose use because citizens of this province wish to take advantage of these facilities where water is stored. To many of our citizens this is the only vacation which they can afford; they enjoy the outdoor recreation of a conservation area or a reservoir storage area, at a distance they can afford to travel with their families.

When I read statements of this kind I wonder if those who express such views have forgotten that through the years we have laid many, many miles of hard surface in this province — in highways, streets and roads, parking areas, buildings and so on. How many acres have been changed from their former water absorption qualities to a hard surface which creates an immediate runoff of any rainfall over those areas? Does it not seem reasonable, therefore, that we will be required to store water—pile it up if you like—in order to prevent flooding in our urban municipalities? If I may, I would again refer to the Upper Thames watershed which includes 1,325 square miles of area in the counties of Middlesex, Perth and Oxford,

reaching downstrem to a point approximately 15 miles below the city of London.

Earlier in my remarks I mentioned the need for storage of 110,000 acre-feet of water in order to prevent flooding in all municipalities of the Upper Thames river watershed. In the major flood control projects, to store the 110,000 acre-feet of water will require the acquisition of 16,000 acres of land. Whether we like it or not, 16,000 acres of land is required to provide the storage capacity to replace the thousands of acres of swampland which have been tiled and drained, in addition to the thousands of acres of woodlots that have been removed and the land cultivated for agriculture. I am sure this 16,000 acres represents only a very small portion of the area that has been changed on the Upper Thames watershed in that 1,325 square miles during the past 100 years.

In addition to this flood storage area, in the larger municipalities it is necessary to acquire, by agreement or by purchase, the river valley land which may be under water during certain periods of heavy runoff during the year. This land can be used for extremely useful purposes in the development of parkland throughout these urban centres and can be used by our citizens for the greater portion of the year. The government is contributing 50 per cent of the cost of the acquisition of these lands in many urban centres throughout the province under a programme that has been in effect for a good number of years.

Mr. Speaker, another announcement by this government—another step in providing assistance to the urban municipalities—was the announcement of a 75 per cent contribution towards the cost of maintenance of flood control structures. This is another progressive move in the support of the support of the municipalities which provide the means for the development of the conservation programme in their watersheds.

As a member of the organization which initiated the public support for both the conservation authorities and the Ontario water resources commission, I will always be proud of the honour given to me to represent the municipality of the town of Ingersoll, from April 1937 to March 1965, a period of 28 years.

It was while I was chairman of the construction committee of the first project in this province, under The Conservation Act, that I was appointed to represent my municipality on the southwestern Ontario water resources committee. From the adding of the conservation branch to The Department of Planning and Development, in 1944, to the passing of the legislation of The Conservation Authorities Act, in 1946, this government has led the way and initiated every move. In a programme which has been cited as one of the most fundamentally sound ever undertaken by the citizens of any country, this programme has been referred to by the most active conservationists of the United States as a programme which cannot fail because it originates with the citizens of the various areas requesting assistance in order that they may assist themselves.

Mr. Speaker, the conservation authority programme of the province of Ontario has led the way and with leadership in the branch and the encouragement which it has received through the continued financial assistance of this government, the people of Ontario will continue to provide the means to conserve those lifelines of soil, water and trees.

Another far-reaching undertaking by this government was the legislation establishing the Ontario water resources commission in 1956.

Mr. Speaker, during the next few moments I would like to discuss the outstanding work of this commission. Those of us who knew the problem in this province at that time, were fully aware that this commission would have to "run hard to stand still." It has run hard and in my humble opinion, it has done an outstanding job in turning the trend of pollution in our streams. With respect to industrial waste control, it has, for some time now, examined and considered applications for industrial waste disposal for all new industry in this province. It has ascertained that pollution would not be created by that new industry, otherwise approval was refused.

These installations have cost new industry millions of dollars—dollars which add to investment which must have a return if that industry is to prosper and progress.

At the same time the commission has continued its efforts to control existing pollution and to remove the cause as quickly as practical. This applies not only to industrial wastes but also to sanitary sewage from urban municipalities.

We have heard much criticism; we have had many comments which would attempt to impress that nothing is being done to relieve this situation. Agreed there is much still to be done—the conditions which exist today have been many, many years accumulating and there is every reason to expect that with our buoyant expansion in population and industry, a number of years will be required

to restore our waterways to the condition which existed before we commenced to destroy them.

In all the criticism which we read and hear, however, never do we learn of some of the efforts put into pollution abatement and control by leaders of our major industries of this province. Not only are our industries expending millions of dollars in this work but so are our industrial leaders giving of their time and talents in the efforts of improving the existing conditions. It is always so easy to second guess—to sit back and criticize.

In the Ontario water resources commission, we have a model for all of Canada. It has tightened up its requirements, with over 400 industries being warned last year to correct the cause of pollution.

It had previously set deadlines for the pulp and paper industries to reduce their solids and chemical wastes. Should I have any criticism of the Ontario water resources commission, it would be due to their lack of bragging of their accomplishments. Only too often do we read the news releases of the OWRC outlining the results of its surveys and studies of conditions in various areas. In these reports it will name industries which are creating a problem—it will then follow up on the recommendations made to correct the problem, and when the problem is corrected that is the end of the publicity with respect to that particular problem.

Mr. Speaker, I would like to suggest that it is just as important to publish the end result and the solution to the problem as it has been to emphasize the condition of pollution—whether the cause be an industry or a municipality.

This could be the reason we hear misleading statements relative to the conditions of our streams and Great Lakes—statements intended to indicate the lack of action on the part of this government and the Ontario resources commission.

In 1956 when this Act was passed it was estimated that 20 years would be required to correct the then existing condition, together with an expenditure of $2.4 billion. Less than ten years have passed and in excess of half of this amount has been expended. This does not include millions of dollars spent by industry in design and installation of equipment to correct problems in addition to the millions spent in new installations. Co-operation with industry has continued and indeed is continuing—the job is progressing.

Two-thirds of the citizens of this province are accepting their responsibilities and are contributing tax dollars because their municipalities have accepted their responsibilities for the proper treatment of sewage. Do the remaining one-third of our people expect the two-thirds who have accepted their responsibilities to contribute to their cost of sewage treatment facilities?

Mr. Speaker, financing should be arranged for those municipalities who are not able to arrange to finance the projects required themselves; however, this should be on an long-term pay-back basis.

Getting back to the references which have been made indicating a lack of action, there have been several references of this kind from members of the Opposition parties of this assembly.

On Saturday, May 7, 1966, I attended the united action for clear water conference sponsored by the united auto workers in Windsor. This was a well-organized and exceptionally good conference on this subject—it was a pleasure to meet with so many citizens from a wide area of our province interested in this problem. The brochure of information distributed to each delegate was interesting and informative.

During the discussion period, Mr. George Burt, Canadian regional director of the UAW, made the statement, "the difference is in the definite action being taken in the U.S. as compared with the action on the Ontario side." Mr. Burt said that industries in Detroit have an objective to clean up the rivers by 1970. Having mentioned the Ruhr river cleanup programme and the areas having been reopened to bathing in this highly congested area, he then asked—"Do the Thames and Sydenham rivers have a cleanup programme?"

Then on the evening of Wednesday, May 11, I listened with interest to the programme "Dialogue," over station CFRB Toronto. The programme opened with a statement from Charles Templeton—whatever an authority he is!—who said: "Probably the most serious problem facing us in Canada today is the matter of water pollution, and yet, we are doing virtually nothing about it." Next, the voice of Pierre Berton—"I agree with that. I think in Ontario it is an example again of the Robarts government laissez-faire attitude wherever big business is concerned." Well, Mr. Speaker, I would like to bring to the attention of the critics of the pollution abatement programme some of the efforts of the citizens of this province who have accepted their responsibilities to their neighbours. These citizens have been paying, are

paying and will continue to pay in their municipal taxes for sewage treatment systems.

The municipalities I will first refer to are those urban communities of the Upper Thames watershed. These include every urban municipality in the 1,325 square miles of the watershed area on the three branches of the river above and including the city of London in the counties of Middlesex, Perth and Oxford.

Here we have the municipalities of Stratford, Mitchell and St. Marys in Perth. The total expenditure in the three counties, in all of the urban municipalities having in excess of 1,000 population, since 1956 those municipalities with an average population of just over 200,000 on the watershed, have expended in excess of $45 million with the completion of the plans now in effect. Those in planning are only the town of St. Marys, where they have a plan to spend $555,000, which is now getting under way; and a five-year plan to add to the work of the city of Woodstock amounting to approximately $750,000.

In addition to these costs we must be mindful too of the fact that each citizen is responsible for the cost of lateral connections on private property.

The communities we are discussing are included in only one watershed area of this province.

Again I remind the hon. members, the citizens of these urban communities have accepted their responsibilities to the extent of an average cost of $223.61, plus the cost of lateral connections.

When the critics make the statement that nothing is being done in Ontario, I would remind you that the citizens of these communities have spent, on the average, double that which has been spent by other individual municipalities throughout the province. If the same average expenditure had been made by all municipalities across the province, approvals for work by the OWRC would have reached the amount of money forecast to be expended by 1976.

Before I hear the comment from the opposite side of this assembly—"they needed to do it"—let me say that conditions on the Upper Thames watershed were not any different from those of the balance of the province, and indeed, I might say, they were considerably advanced over some of the areas with which I am acquainted.

Mr. Speaker, I would remind the hon. members that these are the same urban communities who have contributed, along with all municipalities of the Upper Thames watershed, to a comprehensive conservation programme including flood control and the conservation of the renewable resources of water, soil and trees.

At the united auto workers' conference in Windsor, as well as on the dialogue programme, reference was made to the clean-up of the lakes and rivers of the United States. We would be led to believe that this work was reaching the final stages of completion.

May I refer you to a recent article in the *Saturday Evening Post* by John Bird, entitled "Our dying waters," and I quote:

> Last fall Congress passed The Water Quality Act of 1965, which gives the states until July 1967, to develop standards of quality to be maintained on interstate streams within their boundaries. If the states don't act by the deadline the federal government will establish the requirements. The new law also established a new agency, the federal water pollution control administration to supervise federal action in this field.

Despite its promise the new water quality law is still a compromise, its programmes limited. Already President Johnson is urging a bolder course. In his February 23 message to Congress on conservation, he proposed that "we begin now to clean up and preserve entire river basins from their sources to their mouths," a much-needed approach.

I would like to remind the hon. members of this House that this is the action being taken in the United States of America in this year 1966. These actions are comparable with those taken by this government in this province of Ontario in the year 1946, with the legislation of The Conservation Act, and in 1956, with the passing of The Ontario Water Resources Commission Act. This government has not waited 20 years for leadership and action at the federal level.

Now, at long last, the various jurisdictions of our neighbouring nation to the south, are undertaking the projects comparable to those which have been carried on in this province for 20 years.

These are under way because of the pressures brought to bear by citizen groups who are representative of the many aroused angry people who witnessed the fouling of their favourite stream, lake or beach, and who began wondering what gives anyone the right to ruin their environment.

Mr. Speaker, I would like to summarize my remarks to the hon. members with a few statements of fact. These will indicate something is being done in this province. These

will contradict the many statements which are made to indicate a lack of action on the part of this government in the process of eliminating pollution of our water.

In the last ten years since The Ontario Water Resources Act was passed in 1956 there have been constructed in Ontario 141 sewage treatment plants—more than double the 70 plants built during the previous 30 years. In 1965, during the 12 months of last year, a total of 18 plants were put in operation—a new plant at an average of one every 20 days—to treat sewage effluent. Of 997 municipalities in Ontario only 26 discharge raw sewage to our waterways. Of these 26 municipalities, 16 now are planning, or are in the process of installing treatment facilities.

During the past good numbers of years, the largest polluters in Ontario, Windsor, Welland, St. Catharines, Cornwall—which for years ignored the problem—are now building treatment facilities.

In the past 10 years, Mr. Speaker, industry has spent more than $110 million on waste treatment facilities. Many more millions are being spent to overcome existing problems in addition to the millions being spent in new industrial expansion in this province. These are facilities which are desiged with approval of OWRC to prevent pollution by a new industry or processes.

Earlier I mentioned the costs to the urban communities of the Upper Thames watershed for sewage treatment facilities, where every municipality has completed, or are in the process of installing sewage treatment facilities. The same situation is found on the Grand watershed where every urban community has installed—or have in the planning stage—complete facilities.

A total of 59 new plants have been constructed in the municipalities on the shores of the Great Lakes in Ontario. Can this be approached by the communities on the U.S. side of the Great Lakes?

I listened with interest to the address of the Minister-Designate of Energy, Mines and Resources of the federal government, the Hon. Jean-Luc Pepin, speaking at the conference on water resources management on the 27th of last month, when he said:

> Objectives used by OWRC are the only sensible approach. Industry is co-operating.
>
> Water is provincially owned – national water policy is not possible. It must be a federal-provincial policy.
>
> Moral persuasion may be the best way to get it done.

Quoting from the London *Free Press* of May 26—a statement by the same Minister:

> Ontario is not shirking its responsibility for combating pollution. The province's record in respect to secondary treatment of municipal wastes is much better than that of the U.S. side.

These statements are confirmed in the use of CMHC funds for construction of sewage treatment facilities. To the end of the last fiscal year a total of $200 million had been advanced for this work in the Dominion of Canada. Of this $200 million, Ontario had used $112 million. This $112 million leaves a total of $88 million used by the other nine provinces—an average of less than $10 million each. When hon. members consider Quebec used $23 million they will see the other eight provinces used about $8 million on an average, as compared to Ontario's $112 million.

In our province, with approximately one-third the population, we constructed works which used 56 per cent of the total of the fund, and in addition, already in the current year, our municipalities have requested a further $40 million.

Mr. Speaker, during the past 10 years great strides have been made by many of the municipalities of this province. This programme will need to continue until every urban centre will have accepted their responsibility for the discharge of used water which is suitable for needs of its neighbours.

Mr. A. W. Downer (Dufferin-Simcoe) moves the adjournment of the debate.

Motion agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, on Monday we will proceed with second readings and there are some bills in committee of supply; following that the estimates of The Department of Education.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.

No. 138

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

## Monday, June 13, 1966

**Afternoon Session**

**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, JUNE 13, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests, in the east and west galleries, students from Prince Charles and Stewart Scott public schools, Newmarket.

Petitions.

Presenting reports by committees.

Mr. D. W. Ewen (Wentworth) presented the fourth and final report of the standing committee on standing orders and printing, which was read as follows and adopted:

Your committee recommends that the following sessional papers be printed for departmental use and distribution:

Accounts, public, 1,650; Agriculture, federated colleges, Guelph, report, 2,250; Agricultural research institute, report, 2,750; Agriculture, Department of, Minister's report, 2,425; Arts council, 5,000; Auditor's report, 600; Civil Service Department, report, 675; Education, Minister's report, 3,500; Estimates, 1,600; Highways, Department of, report, 775; Labour, Department of, report, 2,000; Lands and Forests, 1,350; Legal offices, report of inspector, 575; Liquor control board, 675; Mines, 6,500; Niagara parks commission, report, 400; Ontario northland transportation commission, report, 500; Police, provincial, report of commissioner, 380; Public Welfare, Department of, report, 1,300; Public Works, Department of, report, 450; Reform Institutions, Department of, report, part 1, 1,725; part 2, 1,725; Transport, Minister's report, 775; Tourism and Information, Department of, report, 2,375.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE REAL ESTATE AND BUSINESS BROKERS ACT

Hon. A. A. Wishart moves first reading of bill intituled, An Act to amend The Real Estate and Business Brokers Act.

Motion agreed to; first reading of the bill.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, the present Act requires disclosure of the fact that negotiations for resale are under way where the property is listed with a real estate broker. The new amending section would require disclosure of that fact in all cases of the negotiations for any purchase or resale and if there is a prohibition against receiving a commission in such case.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, I have a question for the hon. Prime Minister. Would he advise the House of the steps which have been taken, or are being taken, to protect the long distance toll revenues of the Ontario northland transportation commission in view of the impending takeover of the Northern Telephone Company by the Bell Telephone Company of Canada?

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, as I understand it the arrangements between the Ontario northland transportation commission and the Northern Telephone Company are embodied in agreements which will continue to be in effect regardless of who may own this share of the capital of Northern Telephone.

The Bell Telephone Company has put in a bid to purchase the shares, but it will not affect the agreements that exist between Northern Telephone and the Ontario northland transportation commission. However, we have been in touch with the Bell Telephone Company concerning these agreements because we want to ensure that the interests of the commission are protected.

**Mr. Renwick:** Mr. Speaker, would the hon. Prime Minister permit one supplementary question? I would ask him if those agreements are of a long term nature at the present time, or are they subject to cancellation on short notice?

**Hon. Mr. Robarts:** Mr. Speaker, quite frankly I have not examined them to find out exactly the question the hon. member is asking. I want to know myself what is the security contained in them. They were

renegotiated by the commission relatively recently.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, my question is to the hon. Attorney General. Is it the government's intention, as indicated in a news report, to proceed with Bill 101, An Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit?

**Hon. Mr. Wishart:** Mr. Speaker, the answer is yes, we do intend to proceed with it.

**Mr. MacDonald:** The Opposition must be effective.

**Mr. Speaker:** Orders of the day.

## THE PUBLIC UTILITIES ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves second reading of Bill 144, An Act to amend The Public Utilities Act.

Motion agreed to; second reading of the bill.

## VILLAGE OF BEACHVILLE

Hon. Mr. Spooner moves second reading of Bill 145, An Act respecting the village of Beachville.

Motion agreed to; second reading of the bill.

## THE CHARITABLE INSTITUTIONS ACT, 1962-1963

Hon. L. P. Cecile (Minister of Public Welfare) moves second reading of Bill 147, An Act to amend The Charitable Institutions Act, 1962-1963.

Motion agreed to; second reading of the bill.

## THE VOCATIONAL REHABILITATION SERVICES ACT, 1966

Hon. Mr. Cecile moves second reading of Bill 148, The Vocational Rehabilitation Services Act, 1966.

**Hon. L. P. Cecile** (Minister of Public Welfare): This will go to committee.

Motion agreed to; second reading of the bill.

## THE HOMES FOR THE AGED ACT

Hon. Mr. Cecile moves second reading of Bill 149, An Act to amend The Homes for the Aged Act.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, I wonder if I might ask if the hon. Minister intends this bill to go to the standing committee?

**Hon. Mr. Cecile:** Yes, it will go to the standing committee.

Motion agreed to; second reading of the bill.

## THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

Hon. W. G. Davis (Minister of Education) moves second reading of Bill 150, An Act to amend The Secondary Schools and Boards of Education Act.

**Mr. R. F. Nixon** (Brant): Mr. Speaker, very briefly, if I might be given an opportunity to make to few remarks. As you know, sir, the bills from The Department of Education are in every case, but for Bill 155, made up of a number of amendments dealing with various subjects. For this reason our discussion would much better take place in committee and that is where we intend to discuss them with the hon. Minister and his officials.

I would like, however, to make a couple of general comments to point out to you, sir, something with which you might already be familiar. In dealing with the legislation of the department there is growing confusion in the minds of the trustees and members of boards across the province in maintaining in their own minds the specific differences involving county school areas, township areas, separate areas, consultative committees, urban school areas, district school areas, and so on down the list.

I would suggest, sir, that it might be of sufficient usefulness, in a broad way, if the hon. Minister's assistants might prepare one of the information bulletins and brochures that would go along not only to hon. members of the Legislature, but to those who have to deal with this legislation as it is amended year after year.

Mr. Speaker, as I have already said, the bill which will be put before us in the next few minutes, I trust, will have to do with separate and distinct changes in the present legislation, in my view definite improvements. I would, however, like to point out to you, sir, that all of these bills together, at least the ones dealing with the administration of the school system in this province, should surely be aiming towards the further consolidation of the areas of administration.

In remarks previously made in this House

I have already brought to your attention, sir, and to the attention of the chairman of the committee of the whole, that I believe it is something that is requiring further leadership on the part of the department, rather than waiting entirely for the initiative to come from the local level. We have seen the small areas governed by the three-man school trustees amalgamated into the township areas, but there is a pressing need, I would submit to you, sir, in many areas of the province, whereby overall control and planning for the educational development that must take place in an ever-increasing rate, might have better planning, more efficient planning and planning that is going to give us good schools and good teachers with more economical use of the funds available.

I think particularly of the changes that have taken place in Grey county, where they have done away with the separation of primary and secondary boards—something that is to be desired, I think, in all areas of the province, and an improvement in the area concerned, so that the small villages or small parts of townships are co-ordinated in their development.

Without talking about the specific principle involved in these bills, I would urge the Minister to make use of these amendments to present even a stronger lead than he has done in the past in building these larger and more efficient areas that all of us feel to be definitely in the future and to the advantage of our system.

Motion agreed to; second reading of the bill.

## THE SCHOOLS ADMINISTRATION ACT

Hon. Mr. Davis moves second reading of Bill 151, An Act to amend The Schools Administration Act.

Motion agreed to; second reading of the bill.

## THE SEPARATE SCHOOLS ACT

Hon. Mr. Davis moves second reading of Bill 152, An Act to amend The Separate Schools Act.

Motion agreed to; second reading of the bill.

## THE DEPARTMENT OF EDUCATION ACT

Hon. Mr. Davis moves second reading of Bill 153, An Act to amend The Department of Education Act.

Motion agreed to; second reading of the bill.

## THE PUBLIC SCHOOLS ACT

Hon. Mr. Davis moves second reading of Bill 154, An Act to amend The Public Schools Act.

Motion agreed to; second reading of the bill.

## RAISING OF MONEY ON CREDIT OF CONSOLIDATED REVENUE FUND

Hon. J. N. Allan (Provincial Treasurer) moves second reading of Bill 163, An Act to authorize the raising of money on the credit of the consolidated revenue fund.

Motion agreed to; second reading of the bill.

## THE AGRICULTURAL DEVELOPMENT ACT

Hon. Mr. Allan moves second reading of Bill 164, An Act to amend The Agricultural Development Act.

Motion agreed to; second reading of the bill.

## THE PUBLIC SERVICE ACT, 1961-1962

Hon. Mr. Allan moves second reading of Bill 165, An Act to amend The Public Service Act, 1961-1962.

**Mr. Bryden:** Mr. Speaker, I would like to say first of all that it is by no means easy for a member to appreciate the full import of this bill. That is not because there is any deliberate effort to conceal anything, but we are dealing with procedures as between the government and the representatives of the civil servants. Some of these procedures are, shall we say informal, and the statutory provisions do not necessarily tell the whole story.

It would appear to me, from looking at the bill, that on the whole it represents a constructive step forward in the, shall we say very slow, evolution of employer-employee relationships within the government of Ontario. I think one could fairly say that up until two or three years ago the government's attitude, notwithstanding occasional protestations to the contrary, was an authoritarian, paternalistic one. It laid down the conditions

and the civil servants and their representatives could take it and like it. The best they could do, really, was to protest, but they were not in any meaningful sense recognized as properly having a voice in negotiating conditions affecting the civil servants of the province.

Now there has been, unquestionably, some change in attitude in the last few years. The government has shown a disposition to bargain with the civil service association, which represents all civil servants and some other Crown employees as well, in matters affecting the wages and working conditions, and other rights and privileges of civil servants. I am not saying that a mature collective bargaining relationship has yet been achieved, but there is no doubt some movement in that direction and the government shows less of the arbitrary attitude that it manifested consistently even two or three years ago.

I take it that this bill represents a further development in that direction. I feel, Mr. Speaker, that it would be useful to the House and to the public if we had from the hon. Provincial Treasurer, the Minister responsible in this area, a fairly comprehensive statement as to exactly how the government envisages the further development of employer-employee relationships in the province. We have an amending Act here from which one has to draw inferences, but government policy is not really set forth in this Act at all. I am not saying it should be, but I do think the government policy—

**Hon. J. N. Allan** (Provincial Treasurer): If the hon. member would like, I will make a statement.

**Mr. Bryden:** Well, fine! If the hon. Provincial Treasurer would like to make a statement, I would be very happy to hear it, Mr. Speaker.

**Hon. Mr. Allan:** Mr. Speaker, as indicated when this bill was introduced, section 1 of the bill provides that retirement may now be at the end of a month in which the person reaches the actual age of retirement. Previously retirement took place on the birth date.

The amendment to The Superannuation Act will parallel this amendment; normally, pensions will commence at the beginning of the following month, this is a matter of mechanics. There is no change in the age of retirement or the conditions under which a person may be retained up the age of 70. The Superannuation Act will be amended to permit pension contributions to the age of 70 if a person is retained. This is new.

Section 2 of the bill amends the present section of The Public Service Act concerned with negotiations under the joint council. It was decided to amend this section to simplify the bargaining procedures by reducing the size of the council, the formality for preparing agenda and the requirements for regular meetings.

Negotiations of matters respecting terms of employment of those in the bargaining unit in accordance with agreed upon procedures, now make formal meetings of the board largely unnecessary. Most important, the bargaining arrangements will now be expanded to cover employees of certain Crown agencies under conditions that I shall describe later; and another important change is to provide for mediation, when the negotiators are in deadlock, by the appointment of a mediator by the hon. Minister of Labour.

I am pleased to advise the members of the House that this bill has been discussed with representatives of the civil service association of Ontario and I wish to report that they are in agreement with the principles of the bill. In particular the references to the joint council being reconstituted, reduced in size to six and the requirements for formal meetings being reduced are supported by the association.

It is important for members to note that the agenda of the joint council under subsection 4(b) includes matters respecting Crown employees. Crown employees are at present defined under section 1 of the Act, with only the hydro-electric power commission of Ontario, the workmen's compensation board and the Ontario northland transportation commission excluded. Since the association has substantial membership and is the only association representing employees of the Ontario hospital services commission, the Ontario water resources commission and the Niagara parks commission, matters respecting terms of employment in these agencies may be placed on the agenda of the joint council in accordance with the rules. The management of these agencies will be consulted by the director of staff relations on the methods and procedures of negotiation they wish to adopt.

The remaining boards, the liquor control board of Ontario and the liquor licence board of Ontario will, at the present time, be excluded by a regulation under this section. Section 19(a) provides for representatives of

the civil service association only as the staff side bargaining agents, and since the conditions set out in regard to these other agencies I mentioned, that is, membership in the association, do not apply to the liquor control board of Ontario or the liquor licence board of Ontario, they shall be excluded by order-in-council. Since the civil service association of Ontario is not the only association with membership among these employees, their representatives agree that this action is reasonable and proper.

The only other amendments, which now define an agreement and a method of mediation, are fully concurred in by the association. While the bill requires that the Minister of Labour appoint a mediator in 15 days there is no similar requirement establishing a time limit for his report. Such time limits are very difficult to establish, as the dispute could be a minor one or a major one and the time involved will vary. The best procedure would seem to be to provide no requirement on time limits to report and to leave the matter with the parties and the mediator.

I would assure this House, however, Mr. Speaker, that if any difficulties are experienced in regard to undue delays the legislation will be reviewed and some appropriate amendments made next year. These amendments will establish improved procedures for bargaining in the Ontario public service and in regard to the Crown agencies I mentioned and should reduce delays to the minimum.

To be effective, bargaining requires reasonable attitudes and demands on both sides. The fact that there continues to be resort to arbitration under a board which is mutually acceptable underwrites the merit of these provisions. There will be no unilateral decisions by the government as long as these procedures are operative and the employees continue to participate in determining their conditions of employment. The fact that these procedures have been effective for three years demonstrates the wisdom of establishing the joint council system for the province. The success of this approach has caused widespread interest in the bargaining arrangements conducted in Ontario. I am pleased to report that this amendment will reinforce and strengthen these procedures, and in particular broaden them to apply to Crown employees. The hospital services commission, the water resources commission and the Niagara parks commission will, therefore, all come within the meaning of the collective negotiation section of The Public Service Act. Their employees will have all the protection granted to the public servants under this section.

**Mr. Bryden:** Before the hon. Minister sits down, Mr. Speaker, I wonder if I might ask him one question. I believe he said that the LCBO and the LLBO are to be excluded, by regulation, from the new clause (b) of subsection 4 of section 19(a).

**Hon. Mr. Allan:** The reason for that is, of course, that at present there is not a majority of those employees who wish the civil service association to bargain for them. If this situation should change it can be very easily corrected. This can be brought about by an order-in-council. It will not be necessary to have a change in the legislation.

**Mr. Bryden:** This really gives rise to my question, Mr. Speaker. Is there any procedure whereby an impartial determination could be made as to which organization represents a majority; and second, through which employees who might claim they have been discriminated against for supporting one organization rather than another would have some redress? Is it envisaged that the regulations will make any provisions of that kind?

**Hon. Mr. Allan:** I do not think it is envisaged that any regulations—perhaps I should not say exactly what the regulations will be as they have not been drafted. I do point out that the basis for determining who will represent them will rest with the employees themselves.

**Mr. Bryden:** Mr. Speaker—

**Mr. Speaker:** I would not like the member to pursue the question-and-answer method any more on second reading.

**Mr. Bryden:** Mr. Speaker, I do not plan to pursue question and answers. I would like, however, to complete my remarks on the principle of the second reading.

It was very helpful to have the hon. Provincial Treasurer's elaboration, but perhaps it could be considered an interruption of the remarks I had commenced before he volunteered the information.

I had just finished saying it was very helpful to have the Provincial Treasurer's remarks elaborating on the bill, on the other hand one could say that to an important extent they really do not elaborate on the bill, they do not do what I think would be desirable and that is to provide a statement of policy by the government as to exactly how collective bargaining relationships are going to develop in the future within the civil service of the province.

For one thing the Provincial Treasurer suggests the joint council arrangements, having been improved, are now going to be more effective, but that it will still be the key to the employer-employee relationship. Now that is the impression I got. If that is so I am disappointed, because my impression from reading the bill was that the joint council machinery is really being phased out.

**Hon. Mr. Allan:** That is right.

**Mr. Bryden:** The hon. Provincial Treasurer concurs in what I have said so we do not have to argue about my understanding of his earlier statement.

If it was his intention to convey that the joint council as an organ of collective bargaining is really being phased out, then I am happy to hear that. I think joint councils, for more than a generation, ever since World War I, became a symbol to civil servants in Canada; and when they got joint councils set up, they found they really were not what they wanted at all. That is the joint council was not either a substitute for, or an acceptable form of, collective bargaining. There may be a place for the joint council, but it is decidedly subsidiary.

If you are going to have a truly mature employer-employee relationship, or official staff relationship if we want to use the terminology of the civil service, it has to be on a straight bargaining basis as between the representatives of the employees on the one hand and the Treasury, which after all controls the purse-strings, on the other side. This, as I understand it, is essentially the procedure that we are working towards in the province of Ontario. I am certainly in favour and I support that principle which apparently is contained in the bill.

It is not entirely clear to me, but I will take the Provincial Treasurer's word for it that it is so, that the relationships with Crown agencies, other than those specified, will be of a similar type; in other words will be determined either by negotiations with the Treasury or directly with the agencies. I do not know; that might be the way in the Niagara parks commission, but at any rate I hope that here too the joint council will not be used as the central organ of negotiation.

I take it that will be the case. If so, then, not only is there an improvement in the situation as far as the civil service in the technical sense of the term is concerned, there is also a step forward as far as Crown employees in the broader sense of the term are concerned. I have only one criticism. It is rather vital, Mr. Speaker, and therefore I am going to make it as forcefully as I can. There are two groups of employees, or Crown employees, that is people employed by government agencies, who are not in the civil service properly so-called, who are simply left out of it in the cold as far as this legislation is concerned. Good as the legislation is, I see no reason why its benefits should not be extended to all Crown employees. But two groups are completely out in the cold.

I suppose one could say that is progress because up until now several groups have been out in the cold, including the Niagara parks commission. Both the hon. member for Niagara Falls and myself have had occasion more than once to object to what has been going on down there. I now take it that this problem about which we were concerned is in the process of being solved and this amendment will lead to its solution. So they are no longer out in the cold.

The hospital services commission employees are no longer out in the cold. One could also say that the HEPC and the Ontario northland transportation employees are not out in the cold. They have always been excluded from this legislation, but I have no objection to that because they have collective bargaining relationships of their own which are actually substantially more advanced than those in the government service, so one would not expect that they would be brought under this legislation.

But we still have two large groups of employees who are simply in limbo. There are first the employees of the workmen's compensation board and second the employees of the liquor control board and the liquor licence board of Ontario. Both of those are large groups of employees and, Mr. Speaker, I think it is quite unreasonable that those people should be in a position where they cannot obtain collective bargaining relationships through organizations of their own choosing under any law of this province. They cannot take advantage of The Labour Relations Act because of The Crown Agency Act that excludes them from that Act, as well as many others. As a matter of fact, I think the only way in which The Crown Agency Act is effective is in excluding employees of Crown agencies from the operation of The Labour Relations Act. It is not effective in any other way that I know of. It was brought in here under a totally different guise for a totally different purpose, to try to secure exemptions of Crown agencies from federal taxation. It failed in that purpose but it is retained by the government as a means of depriving employees of certain agencies of this government of the right that is rec-

ognized for every other employed person in the province, namely, the right to have an organization of one's own choosing to represent one in collective bargaining and to bargain collectively through that organization.

Here are two categories of people who are second-class citizens; they are denied the elementary rights that are now guaranteed by law and declared by law to be available to all other employees of the province of Ontario. It is beyond me, Mr. Speaker, how the government can countenance this continued discrimination. Admittedly, this discrimination now does not apply to as large a number of people as it previously did, but it still applies to the employees of two agencies.

Together, I suppose those employees constitute something like 3,000 or 4,000 people —3,000 to 4,000 second-class citizens employed in the public service of Ontario and denied the most elementary rights that are guaranteed to employees in every other form of employment. We used to have some second-class citizens in municipal employment but the hon. Minister of Labour—and I will give him credit for it—has rectified that discrimination. We used to have it, as I mentioned, for certain other Crown employees; this is being rectified by this bill. But why are we continuing to have the employees of the workmen's compensation board and the employees of the LCBO out in the cold—as second-class citizens without the most elementary democratic rights to citizenship, the right to be represented through an organization of their own choice?

The workmen's compensation board employees, as far as I know, have not even a semblance of organization. The workmen's compensation board, although it is an organization that exists for the benefit of working people and has been of tremendous benefit to working people, continues to live in the dark ages in its own staff relations. It has arbitrary dictatorial determination of working conditions, and a phony sort of grievance procedure that gives no protection to employees at all—in fact most employees long ago gave up using it because they found that anyone who filed a grievance, far from getting any satisfaction, usually had the finger put on him later. There is no form of protection for them—and in the workmen's compensation board, of all places. How this situation can be justified I do not know.

The situation is little, if any, better in the liquor control board and the liquor licence board. I will not keep repeating the names of both agencies because they are both in exactly the same position. I will use LCBO as applying to both of them. They have a so-called employees' association. I have previously in this House described it as a company union. Anything that any Minister has said to the House in response to representations I have made, furthers my impression that it is a company union. Its whole method of operation is that of a company union.

It does its organizing through managerial personnel. The store managers, who have disciplinary powers over the employees, are the people who sign employees up in the LCBO and LLBO employees' association, as they call it. Now surely this is the acid test of a company union. Employers' agents, subsidiary management personnel, do the organizing for the so-called union, for the association. They also dominate the executive positions on it.

It is an organization of straw bosses, of subsidiary management personnel. It found that there has been widespread defection from its ranks because it does nothing to speak of to protect the employees or to advance their interests. So what did it do earlier this year? It sent out a letter to all store managers urging them to sign up their employees in the association and urging them to get the employees to sign a checkoff authorization form.

One does not have to be very experienced in labour relations, Mr. Speaker, to appreciate exactly what that means. An employee in a liquor store is approached by his boss, the person who represents management and authority in his office. He is approached, saying that it would be a good idea for him to join this employees' association. It would be a good idea for him to sign a checkoff authorization for this employees' association. The employee, sir, is quite capable of putting two and two together and the way he will likely put two and two together is this: the boss, the representation of management, is suggesting to me that it is a good idea for me to renew my membership in this association, which I left because it did not do any job for me. Obviously, this is the will of management—if I want to keep my job around here, if I want to continue to be employed under tolerable conditions, it would probably be very wise for me to renew my membership in the association and authorize a checkoff for it whether or not I want it.

This is just the dictate of prudence. This is a form of intimidation. I do not think

the LCBO could get away with it before the labour relations board if The Labour Relations Act applied; I do not think that this employees' organization could get certification under The Labour Relations Act. But because it is excluded from that Act, it can carry on in this form apparently indefinitely.

The hon. Provincial Treasurer says that the LCBO and LLBO are to be excluded from the application of the new clause (b) of subsection 4 of section 19(a). He says "because there is some doubt." Well, perhaps there is not even doubt; it is quite definite that the civil service association does not represent the majority of the employees there. He implies that if at a later time it could be shown that the civil service association does represent a majority of the employees in those agencies, then the order-in-council excluding the two agencies from this section of the law would be repealed. Then the civil service association would become the general representative of these employees.

He is quite cavalier, however, with regard to what is the critical question and that is, what remedy does an employee have if he is pressured or intimidated by management, or if he is discriminated against for trying to promote the civil service association as against the company union, if he decides that is what he wants to do? Who is going to make the determination that the civil service association does in fact represent the majority of the employees? The hon. Provincial Treasurer with a naïvete that seems hardly possible, says the government's attitude is that it will leave it to the employees themselves to decide.

Well, all across this country, indeed across this continent, we have set up labour relations legislation because of the difficulty of determining what the decision of employees is in any given situation. It is all very well to say, "leave it to the employees to decide," but if two different organizations come in, both claiming to represent the majority, how do you determine that? Surely they cannot both be right.

Clearly there ought to be some procedure for determining what the employees have decided, if there is a dispute about that, and that is by no means self-evident. In fact, it is almost bound not to be self-evident if there are two organizations competing to represent the same group of employees. So the hon. Minister cannot get away with that sort of statement, Mr. Speaker. He evades the whole issue when he says that the government will let the employees decide. The question is, in case of dispute, how will it be determined what the employees do want?

But prior to all that, and I would like to emphasize the point again, Mr. Speaker, there cannot be any decision by the employees if they are subject to coercion and intimidation directly or indirectly. If they are subject to management pressure, or if they feel they are subject to management pressure, to take one course of action, or to support one association rather than another, it is simply hypocrisy for the hon. Provincial Treasurer to come before us and say that the government is prepared to let the employees decide. It has not set up the conditions under which a free decision may be made by the employees.

Surely as a very minimum, the employees should have the same sort of protection as they would have under The Labour Relations Act against any sort of overt or covert intimidation, or management pressure. In the situation that now exists it is impossible, Mr. Speaker, for these employees to feel that they can promote and support the civil service association without any risk to themselves.

There undoubtedly will be a few hardy souls, there always are, who will run whatever risks they may think exist, in order to promote what they really believe in, but usually the number of such hardy souls is limited. The average employee will accept what appears to him to be the management pressure. If he thinks that his job, or at any rate his conditions, may be adversely affected if he supports one organization rather than the other, then obviously he is going to take the line of least resistance. He is not going to indicate support for the organization that does not have the favour of management, even though it may be the organization that he wants to support.

So you cannot talk about employees deciding the issue when they are not free to decide. They cannot make free choices. This is the battle that we went through 25 years ago with regard to private employment, and we finally established laws all across the country which recognized the fact that such things as intimidation and discrimination exist and, as far as humanly possible, reduced the effect of those devices.

What is the government going to do here? It is going to make a declaration that the employees are perfectly free to join either organization? Is the top management of the LLBO and the LCBO going to notify every employee that, notwithstanding the fact that all the junior managers are for the company union, there will nevertheless be no dis-

crimination against the employee if he decides instead to support the civil service association? Furthermore, if such a declaration is made, or even if it is not made, are the government and the two boards prepared to provide a proper grievance procedure—let us say the grievance procedure existing under The Public Service Act—so that if an employee feels that he has been discriminated against because of supporting the civil service association, he will have some redress?

Unless the government is prepared to do those things, Mr. Speaker, it is outright hypocrisy to say that this matter is being left to the determination of the employees of the LLBO and LCBO. We have a state of industrial feudalism in existence in those two boards and it is regrettable that the government is going to permit it to continue indefinitely, apparently.

It says that if the civil service association can at some stage persuade it—I presume the government—that it now represents a majority of the employees, then this age of industrial feudalism will come to an end. But it refuses to provide any of the safeguards, guarantees and protections which might conceivably give the civil service association an opportunity to secure the support of the majority of the employees.

This particular group is in at least as bad a position under the legislation, as it now stands, as the workmen's compensation board employees. It is unconscionable that in this day and age, Mr. Speaker, we would still have two large groups of employees in this province, and in the employ of the province no less, who still are not accorded the most elementary democratic rights of working people in the 20th century.

**Mr. D. C. MacDonald** (York South): No answer to that. You just shrug it off.

**Hon. Mr. Allan:** The only answer, Mr. Speaker, if I may just say so, is that I am sure that the hypothetical situation as outlined by the hon. member for Woodbine does not exist or is not likely to exist. There are a great many of the employees of the liquor licence board who are already members of the civil service association and they are not discriminated against in any way.

**Mr. Bryden:** There is no hypothetical situation, Mr. Speaker. I would point out, Mr. Speaker—

**Mr. Speaker:** I have allowed quite a bit of discretion on second reading of this bill with questions and answers. I think perhaps the Minister had the right to reply at the end for a few moments on second reading of the bill, although he spoke first. If the member has any further remarks, he could make them in committee of the whole House.

Motion agreed to; second reading of the bill.

## THE TILE DRAINAGE ACT

Hon. Mr. Allan moves second reading of Bill 172, An Act to amend The Tile Drainage Act.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 34th order; House in committee of supply; Mr. W. E. Johnston in the chair.

## ESTIMATES, DEPARTMENT OF EDUCATION

*(continued)*

On vote 507:

**Mr. R. F. Nixon** (Brant): Mr. Chairman, although this matter is not specifically mentioned under the curriculum division, I would like to bring to the attention of the hon. Minister, the patchwork development of kindergarten, in the rural areas particularly, across Ontario. Would he be prepared to comment on that under this vote, or would he prefer that I raise it on another occasion?

**Hon. W. G. Davis** (Minister of Education): Mr. Chairman, I have no objection whether we raise it on this vote or on some other vote. This would be quite appropriate.

**Mr. Nixon:** I would like to point out to the hon. Minister, sir, that there are still many areas in the province that are not served by this introduction to the regular graded school. I believe that this, once, again, is because there has been insufficient enticement to the local boards to seriously consider the possibility of bringing this in at the township level.

Up until now, of course, the great distances concerned and the great difficulties in gathering the preschool children together so that they could avail themselves of the advantages of kindergarten have been obvious. But now that most of the townships are well organized with a number of buses that can be pressed into service for the purpose of inaugurating a kindergarten, I would feel that there are still too many of these rural townships that have not taken advantage of the opportunity.

In my own constituency and in some other areas where I have made rather amateur surveys, it appears that they are expanding at a reasonable rate. Yet, having seen some of the difficulties that citizens have had in persuading the local officials to even consider it seriously would lead me to the conclusion that the department might be more forceful in this regard.

Would the hon. Minister then report to the House on the rate at which kindergarten facilities are being made available in the rural areas and what his view is as far as giving some extra help to these rural areas as they begin considering it?

**Hon. Mr. Davis:** Mr. Chairman, very briefly, I think the hon. member has touched on the basic problem. With the consolidation of the school sections into township areas and the very definite trend in this past year and a half toward central schools, I think one can look forward to a substantial increase in the number of kindergartens, although it should be pointed out that in 1965—and I do not have the up-to-date figures in their entirety—but we are close to 127,000 in 1965 in the kindergarten area and I think this is out of the total, and I am just guessing now at the age group, of 150,000 to 160,000, I am not sure which. However, there is a very high percentage now enrolled in kindergarten.

Obviously, in the rural areas the problem has been with the one-, two- and three-room schools. I would think, Mr. Chairman, that with the consolidation and the movement toward central schools where there is a built-in incentive, with the province taking over their share of the debenture on the one- and two-room schools, the incentive and the desire to establish kindergarten classes is, in fact, there.

The department, of course, has always encouraged the establishment of kindergartens; but we also recognize that in some communities with one- and two-room schools it was very difficult, if not impossible, to provide the type of facility and the type of instruction necessary.

I would think, Mr. Chairman, that one could be optimistic and feel that over the next three- or four-year period the bulk of the students in the elementary grades will have had some kindergarten experience.

**Mr. Nixon:** Mr. Chairman, obviously in the rural areas the costs are greater, because not only must a qualified teacher be made available, and the classroom facilities, but the transportation itself is an added cost. Is there a programme that would encourage the boards to go ahead with this more rapidly than they otherwise would in view of the fact that it costs more in the rural areas than it would elsewhere?

**Hon. Mr. Davis:** Of course, Mr. Chairman, in the rural areas, once again on a provincial average, the rate of grant is higher, which is encouragement in itself. The kindergarten is really treated in the same fashion as grades 2 to 8 in the rural areas, so that the grant percentage would be the same and the cost to the board would not be any higher for the kindergarten level than it would be for the grades 2, 3 and so on; and the same applies for transportation grants as well.

**Mr. Nixon:** A few days ago I remember hearing the Minister say that there were few, if any, publicly sponsored pre-kindergartens in Ontario. Is that correct?

**Hon. Mr. Davis:** That is correct. Publicly sponsored nursery classes or nursery schools do not receive support from the department. I cannot give the hon. member the exact number of nursery schools. I could tell him that there are one or two in the community in which I reside, but I have no knowledge, Mr. Chairman, of the total number of so-called nursery schools in the province.

**Mr. Nixon:** Mr. Chairman, does Toronto not have a pre-kindergarten programme that is publicly sponsored?

**Hon. Mr. Davis:** Mr. Chairman, perhaps we had better make the distinction here between junior kindergarten, which the legislation provides, and nursery schools. The nursery school goes down, shall we say in some communtities to three years of age; in the junior kindergarten the average age would perhaps be four or five and a half. For junior kindergarten there is some departmental support and, of course, public support; but the nursery school, as I am using the term, does not receive departmental assistance. I believe that both Toronto and Ottawa are operating pre-kindergarten or junior kindergarten classes.

**Mr. Nixon:** The importance of this area of education, of course, is very great. The leader of the New Democratic Party emphasized this in his opening remarks to these estimates and I want to say something more about it at this time, because in the area where the school boards have not seen fit to foster the development of either kindergartens or pre-kindergartens, private enterprise—if that is

the correct term to use in this connection—has developed them in a number of villages and towns and rural areas; and, of course, in the cities, where they are very big business, indeed.

I would like to know what the logic is in having these under the jurisdiction of the hon. Minister of Public Welfare. It is true that the nursery schools, those that are operated for profit and privately, often deal with women who are employed and who drop off their children to these nursery schools as glorified baby-sitting services; but particularly over the last few years the ability of these special schools to provide an educational service and prepare for the graded system that would follow has increased in importance.

My own feeling is that they should be under the jurisdiction of the education authority. Is there any thought that this might be transferred; and if not, what is the logic of leaving it with The Department of Public Welfare?

**Hon. Mr. Davis:** Mr. Chairman, I would say that there is no thought at the moment of transferring whatever responsibility The Department of Public Welfare has for these nursery schools. I think the member for York South in his discussions pointed out the advantages of moving down further in the age level, shall we say to pre-kindergarten situations. He also did some mathematics, and I added my own, that if there were, say 168,000 in the age four group level, at $400 or $500 per student, the total cost that would be incurred to have another year of elementary school training. I do not think it is a question, Mr. Chairman, of determining whether some of the private nursery schools—or nursery schools—receive assistance from The Department of Public Welfare. I think it is a decision that would be made as to whether the province and the boards, collectively, determine that we should have, as a matter of general application, pre-kindergarten classes throughout the entire province. And here, Mr. Chairman, if this were the policy, or the decision, obviously the cost, not only for physical plant but for operating, and the availability of appropriate teachers, would make this a very difficult programme to implement.

I think the hon. member must appreciate the economic significance of a programme of this nature.

**Mr. Nixon:** Just one more question, Mr. Chairman.

I would not for a moment suggest to the hon. Minister, as he perhaps has understood, that we should inaugurate a pre-kindergarten system that would blanket the province, but I would say to him that the funds must be found so that kindergartens as such can be established in all but the most remote areas. I feel that much more can be done.

**Hon. Mr. Davis:** Mr. Chairman, there is no argument whatsoever, about kindergarten. We just did a rough calculation and the kindergarten enrolment is increasing on a rough figure of around 10 per cent per year. As I say, we are now at a figure of something in excess of 126,000, so we are at a very high percentage of that age group.

**Mr. Nixon:** The last 40,000 are going to be very difficult to cover.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, during these discussions last week, I brought up the topic of raising the school age to 18. I had mentioned, in the surveys that I had conducted, the students themselves requested that they be kept in school up until they either reach 18 or attain a certain level of academic achievement. They maintain that they either receive the education now or be enrolled in programme 5 and be subsidized financially to receive that same education.

May I have the Minister's views on the possibility of raising the compulsory age for attendance at schools to 18?

**Hon. Mr. Davis:** Mr. Chairman, as far as the question of attendance is concerned, the bulk the them, of course, are staying well beyond the 16 years of age level. I could perhaps go into the white paper that was presented here some two or three months ago which advocated that the leaving age be extended to include 18, which I found somewhat inconsistent with the thought that perhaps youngsters, or people of the same age, should be allowed to vote and yet it was felt that it was necessary to compel them to stay in school to this same age. I think the hon. member must appreciate there are certain students leaving grade 13 at age 17½, not many, but there are some—

**Mr. Newman:** May I interrupt the Minister? This was qualified by either 18 or up until they reach a certain academic level or technical level.

**Hon. Mr. Davis:** Mr. Chairman, I think all of us in this House are anxious to retain in the school system as many students or as high a percentage of the students as we can. At the same time, I think we really should be concentrating our efforts, as I believe

we have, on developing programmes that will actually interest the students. It is not a case of compulsion or compelling them to stay in until they are 17 or 18 years of age if they find nothing of any significance or value or if they are not making any progress whatsoever.

The number of people leaving on certificates or permisison has decreased very substantially over this last three- or four-year period and so has the number of students being retained. In any of the two, the four- or the five-year programme, it has now reached 76.4 or 76.5 per cent, which is really quite a high percentage. And while certainly, Mr. Chairman, if it was felt that by raising it, say, to 17 or 18, it would accomplish in fact a real purpose, I do not think there would be any hesitation. But we feel in the department—and I think it makes sense—that the emphasis should be on developing programmes that will keep the youngsters in the school system on a strictly voluntary basis rather than compelling students to remain in courses that are of no real interest to them, perhaps, when they might find something outside the school system that could be of real value to them.

I do not think, Mr. Chairman, there is any debate as to what we are attempting to do. I think I could express personally that I do not know that the raising of the compulsory school attendance age, say, to 18, is the real answer to the problem, particularly when you see there are some students who leave at 17½, having completed the five-year programme itself. These students then must make a choice of going to university—and I am sure the hon. member is not suggesting that we compel people to attend university, this I am sure is not what he has in mind—

**Mr. Newman:** Well, Mr. Chairman, I clearly explained that to the hon. Minister—

**Hon. Mr. Davis:** Yes, I understand.

**Mr. Newman:** —that they either be kept in school until they reach the age of 18 or until they reach a certain level of academic achievement. If they reach that level at grade 10 even, and be 17 or 16, they would have been allowed to quit, but at least they would have had to achieve a certain level.

On the other side of the coin, Mr. Chairman, is there any consideration being given to allowing a student to quit school at any age? If he finds himself disinterested, he is a burden to the school, he is a handicap to everyone concerned. Were he allowed to quit school at any age and then go out in the workaday world he would quickly realize that he needed more of an education and would then return to school later, seeing that the types of school that are available in the province keep varying and increasing in number as we progress.

**Hon. Mr. Davis:** Mr. Chairman, I would say there is no thought of allowing students at any earlier age to leave the school system. I say the concentration of effort now is on developing programmes that will keep these students within the school system. Really, there is, to a degree, some contradiction in the two questions that have been asked by the hon. member and I think he points out some of the difficulties in the fact that he has asked somewhat contradictory questions. I would say that from the department's standpoint, we are not considering the lowering of the compulsory school attendance situation.

**Mr. Newman:** May I ask the Minister if he is considering standardizing courses throughout the school system in Ontario? My own community has been hit with the fact that, because of the economic upsurge, we have had individuals come in from all parts of Ontario and we find that when they attend certain grades in the school they have already taken subjects in other municipalities which will not be taught for a year or two later in my own. Now, if all schools taught, say, British history at one grade level and chemistry at another certain grade level, then there would be no difficulty at all were a student to move his home location.

**Hon. Mr. Davis:** Mr. Chairman, I think really one could say that rather than moving towards a standardized so-called curriculum to have application right throughout the province, we are moving more in the direction of individual time-tabling, where it is at all possible to allow for this type of situation taking place. We think this is probably a more desirable—and I see the hon. member nods his head—way of treating this problem than perhaps a completely rigid or standardized curriculum.

The hon. member for Brant was indicating to a degree in his opening remarks the great authority of the department and the control that we have over the boards and so on. Really, Mr. Chairman, we are trying to move, as the board units increase in size and responsibility, towards allowing greater flexibility for innovation and experimentation by the boards that have the capabilities to do so.

**Mr. Newman:** Mr. Chairman, I think that is the better of the two solutions.

May I ask the Minister at the same time about a youngster who fails two subjects

during the school year and must repeat his school year. Is there any thought in the department of allowing a youngster to pass on a subject basis rather than on a year basis?

**Hon. Mr. Davis:** Mr. Chairman, this is something else that I think has some merit. I do not want to be misunderstood here because this has not been determined. We have been very actively considering it and once again you get into the rather complicated time-tabling of students. Obviously, if we can develop programmes that will enable a student who has, say, just missed one or two subjects to carry on and make up the subjects that he has missed, I think that as a matter of principle it is desirable, but it is not easy to bring about. But I would say, Mr. Chairman, this matter is under very active consideration at the present time.

**Mr. Newman:** Thank you, Mr. Chairman. It certainly would be an asset to the youngster because there would be no reason for him taking the same subject over a second time when he found it dull and uninteresting the first time, and to repeat it once again—

**Hon. Mr. Davis:** That is the reason he failed it, I guess.

**Mr. Newman:** —even though he may have passed it the first time.

May I ask the Minister if consideration is being given to making physical education compulsory in grade 13 as recommended by the fitness study back in 1960?

**Hon. Mr. Davis:** Mr. Chairman, I recall this question having been asked, I think at least last year and the year before. As sympathetic as many of us are to physical education, I would have to say that we are not contemplating at the moment making it a compulsory subject for grade 13.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, I would like to make a few comments with regard to an editorial in the Toronto *Telegram* this afternoon that I think comes as appropriately under curriculum as anywhere else.

I was interested that the *Telegram* has mounted a massive counter-offensive on behalf of the establishment, dismissing my whole basic criticism of Ontario education as smacking of "inordinate partisanship." It quotes one paragraph which is the nub of it and it takes us back to curriculum:

> Said Mr. MacDonald in the Legislature the other day, the whole system tends to direct children from working-class homes, whatever their brilliance, into the commercial an dtechnical streams, and reserves the academic stream for the children of middle- and upper-class homes.

Then the *Telegram* adds:

> Whatever their brilliance? That would mean there are no students in the lower-income families now taking arts and science courses at the universities.

Of course, Mr. Chairman, anyone who listened to what I said with some care, would acknowledge—as the Minister nods his head, I trust affirmatively—that I was not saying that no children from the lower-class homes get into university. The significant words in my comment surely were that the whole system "tends" to direct children from the working-class homes.

Mr. Chairman, if anybody, either in this House or in the editorial ivory towers of the *Telegram*, disputes this, I just want to reintroduce to the House and underline two or three quotations from carefully researched material which suggests that this is the case. One of them is a quotation that is in effect a paraphrase and comment on John Porter's book *The Vertical Mosaic*. It is a quotation from the article based on the series of lectures given to the summer schools last summer of the secondary school principals, both in London and in Kingston. Since these are such heretical statements, it is rather interesting to learn that these heretical statements have been uttered in such staunch centres of Conservatism as the city of London and its university there, under cover of being respectable material for schoolteachers.

Let me give this quotation, which is from Professor Reid's article based on the lectures. The article was reproduced in the October, 1965, issue of the *Labour Gazette*:

> What the new technology is doing is destroying at a very rapid pace what social mobility there is between those in poverty, particularly those born in poverty, and those in plenty, particularly those born in plenty. Increasingy those sons and daughters born of mothers in the lower- and poverty-income brackets are themselves locked into these incomes, a great many of which are made up of welfare payments. Increasingly those sons and daughters born of parents with incomes over $5,000 are themselves assured of being in the same income category, and of excellent opportunities of joining higher-income groups. In a nutshell this is the social fact that John Porter keeps returning to in his book, *The Vertical Mosaic*.

Mr. Chairman, that could not be a social fact if our school system were not tending to perpetuate this kind of thing, and there is just too much evidence for it to be casually dismissed.

Now a second quotation, and I do not think Professor Reid was borrowing from Dr. Porter here, I think this is a comment of his own. This is with regard to the reorganized programme in the secondary schools. He said:

> I am fearful that the so-called Robarts' plan, instituted in Ontario secondary schools a few years ago, is resulting, and will increasingly result, in an extraordinary perversion of intent. Although it was clearly not planned as such, it may in fact turn out to be class legislation in the sense that it encourages children from lower-income homes to stay out of the academic stream leading on to university and reserves places in that stream for the sons and daughters of the middle-income and wealthy parents.

Now, let me add a further piece of solid academic research on the issue. I referred to it in my introductory comments—that study done for the federal Department of Labour in 1962 by Professor Oswald Hall and Bruce McFarlane. This is where they went into a number of communities and did, in effect, a clinical study of what actually happened in the schools of that area. It was interesting to see the variation and the pattern of what happened, of children coming from homes whose breadwinner, whose father, was a manual worker or non-manual worker. Just let me quote two paragraphs:

> The raw materials of table 1 permit us to examine the relationship between a parent occupation and the choice of course in school. Earlier it was indicated that of the students reaching grade 13 there was a much higher representation from homes of non-manual workers. The fates of the two groups is indicated in table 5. In this table only students from schools offering both vocational and academic courses are included. The patterns for the two groups vary markedly.

And here is where I would invite all, and particularly the editorial writers in the *Telegram* to note:

> Families of non-manual workers direct their children largely into the academic courses. Only 27 per cent choose the vocational courses. Few of these children drop out of the first year; 38 per cent of them go on to senior matriculation.
>
> For the other group, the converse is true. Only one in five drops out in the first year, almost one-half are enrolled in the vocational course. A small proportion enter the academic course and relatively few manage to reach senior matriculation, in the case of this study 14 per cent.

In other words, having, as the *Telegram* writers do, documented many of the basic criticisms I made, they then come to the conclusion that my conclusions are all wrong and they dismiss them.

But I might just conclude my comment on this, Mr. Chairman, by one further paragraph from the *Telegram* editorial. They say:

> Inequalities exist. No fair-minded person would deny this. Equal access to students is a major aim of Education Minister Davis' administration.

Is this an apologist for the administration, may I ask the hon. Minister?

**Hon. Mr. Davis:** I would not think so, Mr. Chairman.

**Mr. MacDonald:** You would not think so?

> This is the purpose of the community college where tuition will be free and students will have a chance at purely academic study.

Now point one, Mr. Chairman, tuition is not free in the community colleges; and point two, it is not primarily for academic studies. I would, therefore, suggest that perhaps the conclusions of the Toronto *Telegram* are as shaky as their grasp of the facts.

**Hon. Mr. Davis:** Mr. Chairman, I will not rise to defend or otherwise the editorial writers of the Toronto *Telegram*. I would say that I am sure we will get into this discussion later on and I will have some thoughts to present to the hon. member about the academic programme at the community colleges. His assumption, or his statement, that there will be fees in some courses is correct.

The one point, though, that I would like to make is that, as I said the other day, and I do not want to rehash a lot of this, I think it is premature to determine at this point the success of the reorganized programme of study in the secondary grades. With great respect to those educational theorists I think it is not only premature, but I would suggest that on this issue I would take exception to some of the thoughts that have been expressed, not necessarily by the hon. member himself but quoting from these other theorists or experts in the field.

I do not think there is any debate, Mr. Chairman, about the statistical information or evidence as to the background of the youngsters who proceed, whether it be in the academic or the technical area; but, Mr. Chairman, as I said before, I think the reasons behind this really start before the school system. I think it is incorrect, if I could use this term, to say that the school system itself perpetuates or increases this difficulty.

I suggest, Mr. Chairman, that the difficulty, if we can describe it this way, originates prior to the school programme. For a gentleman to suggest that a young person from a working background is directed—which is not true—is directed into the technical-vocational area thus opening a seat, or a pupil place, in the academic stream for a person who comes from a background that perhaps has had greater exposure to this type of training, Mr. Chairman, is completely erroneous. They are not so directed.

It may be true that a higher percentage of youngster from the so-called families of working background, perhaps because of the exposure at home, perhaps because of the relationship that they enjoy with their parents —do select the technical or vocational areas. But, Mr. Chairman, they are not directed. This is a matter of choice. I would suggest that while there is certain statistical information available to us that gives us concern, and this is something the Hall committee is concerned about as well, the reasons are so complex, and I suggest so diversified, that we will not be able to adequately discuss it back and forth here in the House. But I do suggest that to place the full blame that the hon. member—I do not think he is placing blame—but if you place the entire responsibility on the school system, I think, Mr. Chairman, that this is incorrect. I think the reasons are too varied and relate, perhaps, to the ages prior to, or the environment prior to, the school programme itself, as even Professor Reid is prepared to acknowledge. Certainly the intention behind the reorganized programme was not to do what is being suggested. I think, with respect, Mr. Chairman, that there is no evidence to date showing that it is in fact doing this; but, as I say, it is too premature, and I say this quite sincerely, to really properly analyze the success of the reorganized programme of studies.

One obvious fact has come to light, and I think we must accept this as being a very positive one, and that is the retention rate has gone up very substantially since the introduction of the programme. Of this, I think there can be no doubt.

The other effects, and so on, Mr. Chairman, we can only assess after a period of time.

As I said in my earlier remarks, the thing we are finding interesting is the fact that so many other provinces and jurisdictions are today looking at our experience here, and the fact that we have rather definitely accepted the programme on suggestions by the federal government and have moved, probably more than any other province, into the provision, at the secondary level of technical, commercial and vocational education.

As I stated, there are several jurisdictions south of the border, where their whole tradition has been academic, almost 100 per cent, which are not looking at the concepts we have introduced here; because they are facing very major problems. I could spend all day and all night going into some of the reasons, and so on. I am not arguing with the hon. member on the statistics or the facts or that he is taking some issue with the editorial in the *Telegram*; but I do say, most sincerely, Mr. Chairman that in putting the complete onus on the school system, I think he is in error.

**Mr. MacDonald:** Mr. Chairman, I think this is extremely important, that the hon. Minister who, unlike many of his colleagues over there, is willing to engage in a bit of debate and come to grips with it, has really put his finger on the point in which there may be some dispute.

Let me reiterate this. It is interesting to hear the Minister confirm that there is no disputing the facts, the basic analysis of these conditions. I do not think anybody, including the editorial writers of the *Telegram*, can dismiss that. We come now as to how this came into being. Was it the product of preschool conditions, family environment and things of that nature; or was it the direction of the school?

Now, Mr. Chairman, here you get into subtleties; we could argue for a long time, and I am not going to argue, other than to attempt to make the point that sprang to my mind as I listened to the hon. Minister. It is pretty difficult to deny that in some instances the schools do not direct. Take a school down in a working-class area, and then take a school up in, say, Forest Hill, and the percentage of children who will be directed into vocational and other courses, who will end up in it. I submit if you go and take a look at the advice that comes home in the report to the parents, that half this time it is suggested that this child should take such and such a course.

We may argue as to whether or not this is direction, but in fact it is direction. Automatically, in the one school, in the one environment—for example, of the Duke of York—you will have a heavy direction in one direction; if you go to a Forest Hill school or an Etobicoke school you will have a heavy direction in another direction, so that the schools do play a part. However, even if we were to argue, the hon. Minister and I, as to what extent they do, the fact is that the schools are not correcting what may have been a basic condition prior to the child coming into the school.

They are not able, because of the inadequacies in the curriculum, poor teachers and thing of this nature, to compensate for those inadequacies. So you do not end up with equality of educational opportunities for every child, because if you did then those children who have a certain level of attainment, whatever background they may come from and whatever school they may be in, are going to get through to a university. Once again, I think the hon. Minister will agree that there is a very impressive range of statistics to suggest that this is not the case. Whether or not we blame it on this complex set of factors—and I would be the first to indicate that they are complex—I do not think we can relieve the school system of having played a role in perpetuating those conditions.

Surely the purpose of a school system whose objective is to provide equality of educational opportunity, is to counter those original conditions and to make it possible for the child to proceed in accordance with his native ability and not be forced back into the economic category in which his parents had been born and in which he happened to have been raised. Some of this is semantics, but some of the semantics hide a pretty real difference, and I do not think we should slur over it.

**Mr. W. B. Lewis** (Humber): Mr. Chairman, although not to be argumentative, I would like to make a few coments relative to those of the hon. member for York South that where you come from is what you are. In fact, that is what he says relative to the location of schools. I would like to direct and inform the member that many of our top-position lawyers today come from the so-called ward or cabbagetown areas, and that is just the area he is referring to.

**Mr. T. L. Wells** (Scarborough North): Mr. Chairman, just before I get on to my remarks, some of these same thoughts came back to me, too, while I listened to the member for York South. When I was on the school board we always used to look at the grade 13 results and it seemed to us that the tops in the city used to be Harbord collegiate and then Forest Hill, or perhaps Forest Hill and Harbord—there would be a kind of a back and forth contest each year. While you cannot prove or disprove anything from this, I think there have been a lot of people from those areas who have come through the same system that the people in Forest Hill or other places have come through and have risen through the system the same as in any other area.

Mr. Chairman, at this point I want to make a couple of remarks about, and ask the hon. Minister's comments on, this subject. Earlier I spoke about the emerging programme of the non-graded curriculum and of non-graded classes—the idea of doing away with this artificial boundary of grades; that is having a grade 1, a grade 2 and so forth where you had to pass or fail and then move on. There seems to be a general feeling coming about that this system is not the best one and there are certainly experiments and programmes going on to test whether it is or not. Certainly we saw in Flint, Michigan, that in the primary grades, ungraded classes were the thing that was being offered.

In the city of Toronto, of course, there is a pilot project going on, as there are in some of the other areas. I have no doubt in my own mind that this is the kind of thing that we are going to be coming to and that we will see it emerge all over our school systems, with the banishment of this artificial grade system. I think this means that the main thing is that a student enters a school either in a junior kindergarten or a kindergarten and works through a curriculum that ends when he leaves that building. Then he works into a new curriculum, whether it be in the junior high school or the secondary school; he works through a curriculum that takes him out. In other words, the important thing is not the grades that you pass but the curriculum that you have from the age of 4 or 5 on until you are 16 or 17, or on to post-secondary education.

In thinking about this, Mr. Chairman, it strikes me that one of the things that perpetuates grades more than anything else is the summer holidays, the way we close down on June 30 with some great fanfare and traditional closing ceremony, say goodbye to everybody and then drop it for two months. We close the buildings down, drop everything for two months, and then, again with fanfare and so forth the day after Labour Day, we open the school up again. It

seems to me that this kind of break every year sort of emphasizes that you have finished one grade and then you are going to start something new again.

I am not sure of the jurisdictions but I am sure that in some of the American states and in some other places, they have experimented with this idea of a 12-month school year. In other words, if you accept the idea of moving through the curriculum you never have a break in the summer. I am not suggesting that we do away with summer holidays, but I think that perhaps they could be cut down to four weeks. School could close for perhaps the last two weeks in July and the first two weeks in August, or some time like that—the same as we close for Christmas, or for Easter or spring vacation as it will now be known—and that it be closed merely as a sort of adjournment rather than this definite barrier that we have now.

I think that there are many types of programmes that the schools should move into that perhaps could be implemented in these summer weeks. Certainly many of us on the youth committee have felt that a camping experience for young people is a very necessary and a very desirable thing, and this kind of thing, I think, could be introduced into our school system in a much larger way. Certainly the nature study programme activities such as they have in Toronto where you go out and spend a week or two weeks at Albion Hills would be a very beneficial thing. I think that one of the arguments that a lot of people raise about any suggestion like this —and it is rather a radical one—is that of course the parents want their children at home for two months. But I suspect that if they were asked, we would probably get much more than 50 per cent who would feel that it would be very desirable that the schools stayed open and carried on a programme, except for a holiday period.

I find from my experience that most parents even now are considering and trying to find out in which vacation or summer school operated by a recreation and parks department they can enrol their child. In other words, they seem to want them to continue on in some type of school activity, some type of group activity with other children. I just introduce this suggestion now and ask the hon. Minister, Mr. Chairman, if any thought has been given or any committees are working on the suggestion of lengthening the school year into a 12-month operation, rather than as we now have it.

**Hon. Mr. Davis:** Mr. Chairman, I would say that there is some substantial study, not only as far as the department is concerned but by many boards, not only in this province, but elsewhere, on the question of so-called ungraded education. Actually, hon. members will be interested to know that the new mathematics curriculum for the years from kindergarten to grade 6 has been so developed that it would have ungraded application. At the same time, I think that one must state that while, in principle, most of us would encourage the philosophy of having each student treated in an individual fashion to achieve progress at the rate which perhaps makes sense for the individual youngster, I think there are also other considerations. I do not want to go into the complexities of administration and what this does to timetabling and so on.

There are also those who raise from time to time the fact that there is some merit in having youngsters actually in a group that is doing roughly the same amount of work at the same age level, and there is a certain social justification for this. If you were to take them all as individuals, they would lose the so-called group experience, if this is the correct terminology.

Therefore, you can get as many opinions on the matter of ungraded education as there are people who are prepared to venture them, and I can assure you that they number in the many hundreds.

I can only say, as far as the department is concerned we are quite prepared, and I think we have illustrated this rather definitely, to encourage and to assess the experience of these experimentations, not only within our own jurisdiction, but of course elsewhere. To attempt to define what one means by ungraded education, or the extent to which you would take ungraded education, is difficult in itself.

As far as the development of curriculum is concerned and the use of physical plant for, say 12 months of the year rather than for ten months, I think perhaps my remarks on curriculum covered that aspect. The physical problems involved—and I am sure the hon. member recalls his own experiences with the Scarborough board—the question of staff personnel, once again, would complicate the 12-month approach. Also, we are faced with certain economic facts here in this province that I think we cannot lose sight of entirely, and that is, a good portion of our economic interests relate to the summer season, the tourist industry, and the fact that people do go on vacations and that this does have some economic significance for the welfare of this province.

At the same time, if the hon. member is suggesting some ways of further utilizing the capital plant, this, of course, I think we would all encourage. In the department we are faced with the desire to use the summer months for upgrading or for teacher training courses. The numbers taking these courses are of real significance and are in the many thousands. This is really the prime opportunity for teachers to take this type of training.

The only observation I think I might usefully add, Mr. Chairman, is that we are more than prepared to evaluate any of these new suggestions or developments, but at the same time we must be prepared to put them in the total concept of the operation and recognize that while an experiment might be justifiable in an isolated situation, it is not always as easy to include this in a provincial or state system—there are 1,750,000 children in the programme. But I think that we would all accept, certainly as far as I am concerned, the principle of allowing or encouraging more individual participation, and of course progress, in the school system itself.

Mr. Chairman, I should point out that while this is desirable it is not that easy to bring it about from an administrative standpoint. This complicates it, but I think we can be encouraged by the thinking that is as the hon. member has pointed out, appearing now that would tend to support this approach if it, in fact, can be accomplished.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, I would like to revert to some of the remarks that my leader made about the class structure of the educational system. I know the hon. Minister will be quite impatient with anyone suggesting that now is the time or the place that we should discuss these matters.

I was interested when the Minister said that the problems, to a large extent, lay outside the school system entirely. A very few minutes after he had informed the hon. member for Brant that there was, indeed, scant need even to consider the suggestion that the day nurseries branch of the The Department of Public Welfare should be transferred into his department.

He then, in the course of replying to—

**Hon. Mr. Davis:** I did not suggest we transfer anything. I said that it was being considered; I did not say that there was "scant need."

**Mr. Renwick:** I was not suggesting that I was quoting the exact words of the hon. Minister at that time, but that was certainly the impression he left on me.

**Hon. Mr. Davis:** I apologize for that impression because that was not the impression I intended to leave, Mr. Chairman.

**Mr. Renwick:** As I understand the answer of the hon. Minister to the hon. member for Brant, it was this: did the hon. member for Brant recognize the tremendous economic cost that would be involved in establishing a day nursery school system across the province of Ontario, and yet at the same time—and I find great difficulty in reconciling those remarks, in that context, with his suggestion that the responsibility for the class structure of the educational system in the province was related to factors which were outside the educational system itself.

I must say that the hon. Minister has left me in an atmosphere in this Legislature, and I am certain together with many other members, that what he is in fact saying is that: We are not willing to discuss any topics at this time; because either they are too complex for us to understand; or there are studies going on which, when the results are in, will permit us to understand them; or the introduction of new systems in the schools have not yet produced the results that will mean there is any point in our understanding them.

Then I believe he said this, and I would like him to state so in the House, that statistics prove that, regardless of the causes, there is a class structure in the educational system in the province of Ontario.

It seems to me that this is one of the basic facts we would like to start to debate on this part of his estimates, because the programme branch as such is not only important in itself, but it has these tremendous ramifications into the colleges of applied science and technology and admissions to the universities, to his decision to abolish grade 13 exams and to the whole question of pre-kindergarten and kindergarten training, the headstart programmes and the whole curriculum of the secondary schools.

In one sense one can say that all the questions focus on this programme branch. The hon. Minister said that he accepted the statistics that there was a class structure in the educational system of the province.

**Hon. Mr. Davis:** I did not say that, Mr. Chairman.

**Mr. Renwick:** I do not think we can have a meaningful debate if we are going to go off on the tangents that the Minister has gone off on with my leader, by suggesting that my leader's remarks were directed to the

proposition that everything was the fault of the school system. My leader did not say that at all. He was simply asking if the government would recognize the proposition that there is a class structure in the educational system of the province, and on the basis of that recognition give us some indication as to what steps, in many fields, particularly on the items of this programme branch, he is taking to eliminate the class structure in this society, to make it an open educational system. In those areas where the motivations which are required for people to get the full advantage of the education system are weakest, what steps he is taking to provide the motivations and the environments so that this could take place?

Now I think the extreme examples, of course, were the hon. member for Humber and the member for Scarborough North, who immediately popped up and explained to us how, from the poorest of homes, certain persons could become very qualified and have the benefit of the educational system; which certainly shows that the hon. member for Humber and the hon. member for Scarborough North have no acceptance or desire to accept the proposition that there is a class structure in the educational system.

For their benefit, if not for the hon. Minister's—and the Minister I see does not agree with my statement about the class structure—I would like simply to put on the record the very short statistics which I have. I do not suggest for a moment that they are up to date, I do not suggest for one single moment that they are the final answer, but certainly, so far as the figures are available in the bureau of statistics and in records at the University of Toronto, they show that in 1959 some 60 per cent of the students then in attendance at the University of Toronto had fathers who were either professional men or persons who were employed in proprietory or managerial positions in the economy of the province of Ontario, although the professions and those having managerial and proprietory positions in the economy of the province of Ontario made up something less than 20 per cent of the male population employed in the province. If one looks at the contrary figures, one finds that including the skilled working men, the semiskilled and the unskilled in the society, you found that only 20 per cent of the students at the university had fathers who were either skilled, even to the highest skills, and graduated down to the low skills, while at the same time some 55 per cent of the male population of the province of Ontario were skilled or unskilled or semiskilled members of the labouring force.

Now this is equally true with service occupations and with clerical occupations. It would certainly seem to me to provide a useful point at which we could now get down to the debate which my leader is interested in pursuing in this House, that there is a class structure, that if you do have a parent who is a professional man or is a managerial person or is in the proprietory ranks, the likelihood of your getting to a university is much higher, extremely higher, than in any other branch of occupation in our society.

I think the Minister will probably also be aware that you can correlate the growth of the universities from 1919 until now—which are the only figures I have ever seen—with the growth of the white-collar class in the population of the province of Ontario. There is almost a direct parallel line showing the relationship between—

**Mr. J. H. White** (London South): That does not prove a thing; that proves nothing.

**Mr. Renwick:** I am not suggesting to the hon. member for London South that that proves anything; what we are interested in is asking whether or not the hon. Minister will engage in debate without suggesting that my leader has attempted to say that it is the entire educational system which is at fault. We are not really interested in the history of the educational system, we are interested in the future part of it.

I do not think the Minister should come here asking us to approve these estimates if he is going to say that we must await the results of all these studies, and we must await an assessment of all the things which he has instituted in the course of his time as Minister of Education. I just think it is much too serious for us not to have the opportunity of debating them in this Legislature.

I may say, Mr. Chairman—I say it not unkindly; I realize the tremendous burden the Minister has in carrying two portfolios—that I for one have regretted that he has not seen fit to spend very much time in this Chamber during the course of this session. I think he should seriously consider unburdening himself of one or other of the portfolios. I think that the indication of his ability to deal adequately in this educational field is measured to some degree by the extent to which he is able to come and engage in the activities of this Chamber.

I am not suggesting for one moment that

the Minister is required to spend every waking hour in this Chamber but certainly his attendance has been very low during this session. I think it is also true that the hon. Minister has chosen to make a wide number of speeches on the very complex topics which he tells us we cannot discuss or that it is premature for us to discuss in the Legislature at this time. I think it could be useful if here and now we could have the benefit of an exchange of many of the ideas which the Minister has put forward in the course of his public announcements, as distinct from the announcements which he has made in this Chamber.

I have refrained from taking part in these discussions because I do not pose as an expert in the field of education, but I was disappointed in his opening remarks because there did not seem to me to be any indication—and I think this is the nub of the basic criticism which we have of the Minister—that he has a basic appreciation of the principles which are required so he can relate what he is doing in his department and in his Department of University Affairs to what he wants the educational system to achieve.

It really is not very difficult to state; the problem, and what is of public concern, is: Will the public educational system of the province of Ontario permit the influx of a tremendous number of people in a way which will enable an assessment of their ability to take place as they progress through that system, and to achieve and to have the benefit of the quality of education which is available in our educational system?

As I say, until the hon. Minister is prepared to recognize the salient facts about our educational system—that to date it has favoured those who come from relatively well-to-do families, as against those who come from relatively poor families, with all the psychological and social implications of the family environment that that involves—until he is prepared to say that he is attempting to adapt an educational system to remove those barriers, to provide the compensations within the educational system, then I do not think that the Minister has shown, and he certainly has not shown so far in these estimates, that he grasps what is of fundamental and basic concern to us here on the Opposition benches.

**Hon. Mr. Davis:** Mr. Chairman, I do not want to prolong this discussion. I should point out to the hon. member I am pleased that he reads the speeches I make, although I question whether, in fact, he has read them all in their entirety. I should also point out that I did not suggest that the member's leader who makes, in my view, a very valuable contribution during the discussion of these estimates, was placing—in fact, he made a point of not placing—the entire problem on the doorstep of the educational programme. He said this in his preliminary remarks; and there was nothing in my remarks, I would suggest, Mr. Chairman, that indicated that such was the message I was gaining from the remarks of the member's leader.

**Mr. MacDonald:** The problem arises from the Minister's apologist.

**Hon. Mr. Davis:** I cannot take any responsibility for what is written in the newspapers. And I would suggest to the hon. member for Riverdale that he should perhaps interpret his own leader's remarks and mine in the way they are given here in the House.

I should also point out to the member that I recognize that as a Minister I have not spent the same length of time in the House that perhaps he feels I should. I should also point out to the hon. member that we are administering two departments with, I think, a rather definite relationship. I have listened with some interest to some of the debates and I have also, of course, read everything that the hon. members have said on education. I am not sure just how much the hon. member for Riverdale really has said on education during this session and I believe he has had ample opportunity to do so.

I also should point out that one reads—and sometimes the hon. members opposite quote—from the good book Schindler. I have read that particular document and I recall the references that are made to the practices in other Houses. As I understand it, the practice in some jurisdictions, particularly in the British House of Commons, is that Ministers who have major departments are in the House when they are prepared to answer questions or deal with the estimates, or problems relating to their department. Mr. Chairman, I can assure the hon. member for Riverdale that I thoroughly enjoy sitting in the House, and if I had my choice, this is where I would spend my time.

I also would point out to the hon. member that there are so many significant things taking place in education today, that it is very difficult to really devote the time to the House that I would like to, as a matter of personal interest, and at the same time try to do an effective job in administering the affairs of The Department of Education.

So while I regret, Mr. Chairman, the fact

that I have not, I can assure the hon. member I make no apologies for it, because I can assure you that my time has been, in my view at least, devoted to the betterment of the educational programme here in this province.

I also should point out, Mr. Chairman, that we are not debating just the statistics. The hon. member for York South has used the term "class structure". So has the hon. member for Riverdale. I am not debating that the statistics show over a period of years that a higher percentage of youngsters from families of say, middle- or higher-income levels, reach higher levels in education. I also ask him to look at the figures, and although the figures are not as up to date as any of us would like, you will find that this trend is in reverse.

When I say it is in reverse, the percentage of youngsters from lower-income families entering post-secondary education, or going into higher levels of the secondary field, is definitely on the increase. I would say, Mr. Chairman, that the entire policy of The Department of Education and this government—we do not say it is quite right, we do not say that we have all the answers, but I think I can say most sincerely, Mr. Chairman—the purpose and the policies of The Department of Education in this province is to endeavour to ensure that every youngster does have the same opportunity. I will be delighted, Mr. Chairman, if we can debate—the hon. member's leader and I—how effective some of these programmes have been. But I would say, Mr. Chairman, there is no doubt that the reorganized programme of study at the secondary level was introduced for this prime purpose. If one can use the fact that the retention rate has gone up substantially over these past four years as some criterion—and I think, Mr. Chairman, in fairness you can—to this extent it has in fact been successful.

It is difficult, and I am not making any apologies for this: How can we assess? The first graduates are leaving the four-year programme this year. How can you assess how effective this has been until we have had two or three years' further experience?

Mr. Chairman, I am delighted at; in fact I encourage, the free participation and discussion. If the hon. member for Riverdale has some specific points or suggestions that he would like to make as to how we can better the educational programme in this province I assure him that I shall be the first one to listen to him.

But I think, Mr. Chairman, that to indulge in discussions back and forth, about how often one visits the Legislature and so on, really serves little constructive purpose. I can only tell the hon. member that any information I have is available to him. I make a number of speeches. I express personal views. Sometimes the personal views are not necessarily a reflection of departmental or government policy, because the practical aspects make it very difficult to implement some of these views from time to time.

Surely, Mr. Chairman, the Minister in charge of a department such as education should be entitled to express personal views from time to time in order to create public discussion.

I want to say this further to the hon. member, that if we have accomplished nothing else, I would suggest that we have accomplished the fact that we have in this province today wider interest in the problems, and you can trace back over a number of years, you can see the amount of space that has been given to education in newspapers, television, and the other communications media. I would suggest that you will find a very marked change in this past four- or five-year period. There is a great deal of public discussion about education, and so there should be. Mr. Chairman, I think that in some small measure, at least we have given some encouragement to this. I shall be delighted to give any answers or any views. I can only tell you that the policy of The Department of Education in this province is geared and dedicated to providing this quality of educational opportunity that we all want for the citizens of this province.

Obviously we have not achieved this. There are many problems yet to be overcome; but, Mr. Chairman, I can very sincerely state that this is the basic principle underlying the programmes and policies of the government of this province.

**Mr. MacDonald:** Mr. Chairman, there is one fallacy in the hon. Minister's argument that I want to isolate and deal with, without pursuing this debate much longer.

That is, he says there has been a marked improvement in retention rate. Nobody denies this, but that is no comment at all on the basic point that we are advancing. Sure every country in the world has a marked retention rate. If the evidence from the various sources that I have presented to the House is valid, that there is a tendency for the child in the lower-income groups to get channeled into the vocational and commercial rather than the academic, whatever may be their ability; sure, they stay longer in high school, they may be in the four-year course rather than the five, whatever may be their ability, because they

were channeled in the first instance, or because of the inadequacies of the system in coping with some of the problems that originally grew out of their environment but were never corrected.

But now we are reaching the next stage. They go to a community college. A community college which, at least in the various pronouncements of this government up until now, is going to be a dead-end college, with very limited opportunities for transfer.

Now the hon. Minister cannot have it both ways! He says there are going to be opportunities, and yet he reiterates periodically that it is going to be, basically, a technically oriented institution.

So what you end up with is that the child that started out in the lower-income group, with some of the deficiencies of the environment which are not corrected, is directed towards the vocational and commercial, whatever may be his academic capacities. He goes to the four, then from there into the community college, where he comes to the end in terms of educational opportunities.

So as I said in my introductory remarks, a combination of all these factors, now climaxed by the community college, is tending to freeze people in the economic status in which their family happened to be when they started their schooling experience.

The fact that they are staying longer in school is no comment at all on this basic fact. The point I am trying to make is the longer they stay in school the more this freezing tendency is projected throughout the school system, for reasons I have already elaborated at considerable length.

**Hon. Mr. Davis:** Mr. Chairman, I do not want to prolong this further myself, but I am a little disappointed in the hon. member's remarks, because perhaps what he is saying is this, that a person who pursues a career as a technician or as an engineering technologist, if this happens to be the limit of his either motivation or ability, does not have as valid a place in our society today as the person who graduates from the professional school.

**Mr. MacDonald:** I am not saying that, and do not invert the snobbery and throw it across here.

**Hon. Mr. Davis:** Well, I am suggesting, Mr. Chairman, and I have said this in many speeches and on many occasions, a person who does pursue this type of experience has just as valid a place in our community as the person who goes on to some professional status.

**Mr. MacDonald:** Agreed, agreed! And I said it for six years in this House and the government would not do a single thing about it.

**Hon. Mr. Davis:** And I further suggest that perhaps the key words in the hon. member's remarks were academic capacity. I would suggest that if a youngster has demonstrated that he has the academic capacity, he is then not directed into the vocational or technical streams. The key is the academic capacity and, Mr. Chairman, you do run the risk, and this has been the problem in other jurisdictions and was the problem here in our own province until the programme was introduced, and that is youngsters who did not have the academic capacity were directed into the academic programme because it was the only one.

This accounted, Mr. Chairman, for a goodly percentage of the dropouts that occurred at the grade 9, 10 and 11 level. This no longer pertains, because they have these opportunities where in the so-called technical or vocational areas 50 to 60 per cent of the curriculum is devoted to academic subjects.

**Mr. Nixon:** Mr. Chairman, the hon. Minister—

**Mr. Renwick:** I was just going to follow along very briefly, Mr. Chairman.

The Minister has now stated that the retention rate is much higher. Now I am speaking about the likelihood of a person who starts in grade 9 in the high school system in the province of going through to the university. I realize that there are other avenues by which he may be retained within the system and the latest figures, indeed the only figures which I have—and I would appreciate it if the hon. Minister would update them for me—would indicate that of 100 students entering the high school system, that is grade 9, in the province 11 of them are likely to complete and go on to university.

The figures which I have for the years 1958 to 1962 would indicate that of the 100 who commenced the high school system in grade 9, between grades 9 and 10 some 19 per cent of them retire, leaving 81; between grades 10 and 11, 23 per cent retire, leaving 58; between grades 11 and 12, seven per cent retire, leaving 51; between grades 12 and 13, 22 per cent retire, leaving 29; and

between grade 13 and the university, 18 per cent retire, leaving 11.

One of my concerns about the educational system is that I believe a much higher percentage of the children in the province in that age group who go to high school could, and would, be able to participate in a university education of the kind that is now proferred at the universities throughout the province of Ontario. I cannot understand, if those figures are relatively correct at the present time, why there is this backward pressure throughout the educational system which seems to preclude a tremendous number of people ever getting to the universities.

Without trying to draw black and white distinctions in the educational system, it may well be that there is a substantially higher retention because of these other courses, but I am wondering whether the hon. Minister is not now going to have to put his mind and thought to righting the mistake of the "streaming" system; and whether or not he is not now going to have to provide a decentralized but integrated educational system throughout the province so that more and more of the adolescent group are going to have the opportunity of getting and reaching the environment in which their motivations may be stimulated to take advantage of the highest quality education that we have in the province.

It seems to me that in technological, scientific societies such as ours we cannot afford the luxury of recognizing that in the high school system, for what it is worth, about 11 or 12 out of 100 are going to reach the universities. Surely, if we are going to have an open educational system, the hon. Minister has got to direct his mind to methods that will do more than just retain people in school for a longer period of time because of the provision of other courses, because this is just the natural result of increasing the standards in almost any technical or professional field throughout the province.

This does not prove that a person could not have benefited from the kind of quality education which is available at the universities. It would seem to me that if the Minister can give us some more up to date figures and give us some indication that he wants to facilitate the mobility through the educational system of a much higher percentage, there must be a target that the Minister will set, such as that he thinks that at least 25 per cent of those going through the high school system would well benefit from, and society would benefit from, those children having the opportunity of having a university education.

**Mr. Nixon:** Mr. Chairman, if I may be permitted to make a few remarks before the Minister replies to the hon. member for Riverdale, two comments have been made as being the key reasons for any class stratification that has crept into our educational system. The first has to do with academic capacity which is something that is very difficult to change, and the other is the preschool influences that were mentioned by the hon. Minister himself.

It seems to me – and we all agree that this would be so—that if preschool influences tend to direct certain of our students into school programmes that do not lead to the highest academic goals, does the Minister have some sort of a programme that will enable the school system to go out into the community at the pre-kindergarten level so that the people who come from these disadvantaged areas and disadvantaged homes particularly, will have an opportunity to have another influence beside the home influence in their early setting of school standards in their own minds? I believe that this is one of the programmes that the Americans have carried out, with mixed success as the Minister himself has said, but still it is a programme and it is something that can be done.

The Minister was, I think, too quick to say that these influences take place before the school system can have any effect. I believe that the school system can be expanded, particularly in the disadvantaged areas, so that the effect can be felt and so that it can be a very useful one.

I would be very interested to know what co-operation we have with any federal programmes for earmarking the areas where these disadvantaged people are found—and believe me they are not all in the city of Toronto, as you well know, Mr. Chairman—where we can move in with a programme of kindergartens to begin with and pre-kindergartens, certainly, when this becomes possible at all, so that these young people can be rescued from what seems to become a foreordained goal of something less than the best.

As far as the academic capacity itself is concerned, I am sure, Mr. Chairman, that teachers have become aware over the years that the Robarts' programme has been in effect, that those who at the grades 8 or 9 level make the decision to enter something other than the best academic stream, have been able to show themselves capable of considerably better work in the four-year and, I

suppose in some cases, the two-year programme.

I have always felt that transfer from these programmes of lesser demand to the main academic stream requiring a full year loss is something that has kept a good many people with some proved ability in the stream that is not recognized as the most demanding.

There are more than these two concrete proposals, then. We could do much more than we are doing and than the hon. Minister is doing when he says that these preconceived ideas in the minds of young people are arrived at before he gets them or, as he would say, "we get them"—he does not like first person pronouns in any way. Even when they do get in the system, a certain inflexibility was built into it to begin with. Surely this has been under constant review and there may be some way to encourage those who have made the decision to enter something less than the most demanding stream to enter a programme that would be of more value to them.

I wonder if the hon. Minister would tell us what is being done to reach the young people before they come into the school system; what he does think of the Operation headstart and how it might be applied in Ontario, and what is being done to take the inflexibilities out of the Robarts streaming programme, now that we have had some experience with it.

**Hon. Mr. Davis:** Mr. Chairman, I will try to deal with both hon. members' observations at the same time.

With respect to the so-called inflexibility of the reorganized programme of study, I would suggest—

**Mr. Nixon:** On a point of order, Mr. Chairman. It always seems to me that the reorganized programme—how long can you call it the reorganized programme? How long can you call a party the new party? Why do you not call it the Robarts' programme?

**Hon. Mr. Davis:** Why do we not, Mr. Chairman? I think the same reasons would have validity. Why, with great respect to the hon. Prime Minister of this province, not let us call it the existing or present programme in the secondary schools of this province, then we will all understand, perhaps, what we are talking about. So, Mr. Chairman, we will now refer to it as the existing programme of study in the secondary schools of this province.

Perhaps, Mr. Chairman, I might go to the remarks of the hon. member for Riverdale first, referring to his remarks on the percentages going on to university education. Once again I am sure he is not suggesting that 100 per cent of those who enter grade 9 are university-bound. I cannot give the figures that specifically relate to the ones the member quoted, but I can give him some.

I would tell the hon. member that this year—and I am going by age groups because perhaps this is the easiest way to compare it —roughly 12.6 per cent of the age group 19 to 23 or 18 to 22, I am not sure of this, are enrolled in Ontario universities. This is 12.6 per cent. Roughly, another 6 or 7 per cent of the same age group are enrolled at other post-secondary institutions, so I think one could fairly state we are roughly at the point where 20 per cent of our youngsters beyond grade 13 are in some form of post-secondary experience.

I should point out that the comparable figure in the United Kingdom could be in the neighbourhood—and this is hard and I do not want to be held down to this—of 9 per cent. I would say that in most continental jurisdictions the percentage may be a shade less than 9. I think in the United States, if one is looking on a national basis, that the percentage is substantially higher than our own, perhaps as high as 28 to 30 per cent.

But, Mr. Chairman, when one calculates these percentages, he should keep in mind that the American figures include their junior colleges, community colleges and all types of post-secondary institutions from the grade 12 level on. If one could—and I think one could—legitimately include the numbers of students in grade 13, which from an academic experience and certainly from the number of years in the school programme could be compared to the first year in many American universities, let alone their junior colleges, you could add a very high percentage of our own. There are some 30,000 students in grade 13 in the province this year, close to 30,000. So this would add perhaps an additional 7 or 8 per cent to this 20 per cent figure. So that we are coming rather close to the figures that they quote to us south of the border.

I think one can fairly state, Mr. Chairman, that the avenues are in fact open. If you look at the numbers of students in the arts and sciences branch this year, the academic area, there are 237,000. Last year, roughly 45 per cent of the graduates from grade 13—it may be closer to 50 per cent, I have not the exact figure here—went on to university. There were a number who were able to go on but who did not, they decided not to; they went into some other form of post-

secondary experience or they went into the field of work.

But I am saying, Mr. Chairman, if you can use these figures, if they are any help, that compared with many other jurisdictions the picture here is really not only fairly favourable but, I think, it is showing signs of improving.

The plans of the universities are to include, by 1971 or 1972, close to 20 per cent of this age group in university accommodation. This would then, I suggest, Mr. Chairman—because these are all undergraduate students after 13, or perhaps 12 years of elementary and secondary experience—be not too far behind some of our American neighbours.

But, Mr. Chairman, these are the figures that I think might be of some interest to the hon. member for Riverdale and would indicate that there is not this so-called closed door; that the students are being encouraged in the academic streams; and that actually there are more who graduate from grade 13 who have qualifications to go on to university; and we are hoping to pick up a higher percentage of the grade 13 graduates as the years go by. I do not have the statistical information available, but I would suggest that the member will find from the figures he quotes from 1959—I think he perhaps went up to 1962—of the numbers or the percentage of students who go on to university from the higher- or middle-income groups that this percentage, in a relative way, is declining as the total number of students going on to university increases. I think, Mr. Chairman, this is the encouraging aspect of it. As I say, I do not suggest that we have all the problems solved at all, but I do say in my view we are very definitely moving in the right direction.

Now, the hon. member for Brant mentioned the question of any federal programmes. To my knowledge, Mr. Chairman, there is no programme comparable to Operation headstart under the auspices of the federal government. There is no comparable type of programme. I would perhaps go so far as to say that some involvement of a financial nature by the federal government in areas other than post-secondary education might be desirable as long as the provinces have the opportunity to develop and implement their own general programmes. But there are no funds, Mr. Chairman, for this type of situation. I would think that the problem the hon. member raises with respect to pre-kindergarten obviously has some validity, although you will have many people who will argue that already the youngsters are going to school at too early an age; and this does happen, believe it or not.

I would also point out that the programme being adopted by the Toronto board—and I am sure this will spread to other centres—for classes for students with language problems, this is one of the areas that you can, in fact, isolate where there are difficulties. Of course, this applies not only at pre-kindergarten levels, it applies to students who come in, say, when they are at the grade 2 or 3 level, from some continental jurisdictions. So I would think programmes or special classes for students with language difficulties are something in fact being done by the board and will be supported in a financial way by the department itself.

**Mr. Nixon:** What about transfers in the programme?

**Mr. Renwick:** Mr. Chairman, on the figures which the hon. Minister gave us, does he have any indication why such a high percentage of graduates from the high school system do not choose to go to the universities? Is it that they are not interested in going? What is the basic barrier or are there several barriers; or is there any study that the Minister undertakes to make certain that he finds out what their attitude towards the whole educational system is, which appears to make a number of them, in any event, choose not to go to university?

**Hon. Mr. Davis:** Mr. Chairman, quite obviously a certain percentage of them choose to go to work. I do not think that this is unusual or unnatural, a good percentage of them choose to go to work. A number of them choose to go to places like Ryerson polytechnical institute, which I suggest to you is a very valid choice. A number choose to go to the teachers' colleges, which once again I think is a very valid choice. A number choose to go to the schools of nursing and other forms of post-secondary education.

It is difficult to determine why a youngster who has the ability does not have the interest to go on to university but decides to go to work, Mr. Chairman. I am sure there are many reasons. But this is true in every jurisdiction. You will not find a complete, 100 per cent total of the graduating class in any jurisdiction going on to university or post-secondary experience. A number of them do go to work.

**Mr. H. S. Racine** (Ottawa East): Mr. Chairman, the Minister mentioned, a little while ago, the language difficulties that some of the students have in going from one course

to the other. I think I brought to his attention last year, and I think possibly the year before, the fact that in many areas, particularly in my area, the Ottawa area, the students attending elementary school have French as the basic language.

Now they leave the elementary school and go to a trade school, for instance. In the past they had to come to Toronto, today they attend the trade school in Ottawa, but there they have a tremendous language difficulty. I am told, Mr. Chairman, and I do not know whether the Minister has any way of checking those facts, but I am told that there are possibly two or three times as many of those students who fail in their exams or do not continue their course when they leave a course mostly in French and have to go to a course which is almost totally in the English language. Now, I wonder: Has the Minister considered making some changes in some of the trade schools, particularly in areas like Ottawa and possibly some of the areas in northern Ontario, in order to assure the best possible education for those children?

In making these remarks, I am told that students who leave even at grade 12 and who have to decide what course to take, that there are considerably more of those children going to the trade school than the average throughout the province. I have no figures, but I think some of the members here might tell you that in some areas where they have made a survey, that possibly 75 or 80 per cent of those children would go to a trade school rather than continue the regular course.

If that is the case, possibly we are missing a bet in developing maybe the best brains from the schools in those areas. I wonder whether the hon. Minister would have a comment on that?

**Hon. Mr. Davis:** Mr. Chairman, I guess we are getting into another vote in the estimates when we are dealing with the vocational centre, but I would very briefly reply to it here.

Actually there are two problems involved. One is the programme at the vocational centres themselves, the other is the alteration which we are presently undertaking of the secondary school curriculum in the bilingual schools. We are embarking on a programme here, as perhaps the hon. member knows, of having courses, generally speaking in the area of the humanities, given in French. The courses in the areas of maths and the sciences will be given in English. We are also altering, or setting up, a course in English, for the French-speaking students in the bilingual schools which will be more readily adaptable to their own learning situations.

We feel, and I think with some justification, that it is difficult for many of these French-speaking youngsters to take the traditional grade 13 English course, for instance.

So we are moving in these general directions, and we think in this way we will enable the students not only to go on to grade 13, but we hope to university, and at the same time we will give them, we hope, once again greater fluency in both languages so that they can go on to other forms of post-secondary experience.

The vocational centre in Ottawa and the one in Sault Ste. Marie are the two, shall we say, vocational centres. There is not a vocational centre in Sudbury. We are adapting our programmes and making a very genuine effort to accommodate the French-speaking student.

We do not have any figures available that I can give to the hon. member as to the percentages leaving the bilingual secondary schools who go to vocational centres compared with the percentage of English-speaking students. The only thing I can tell the hon. member is that we are adapting the curriculum in the bilingual secondary schools to assist them. At the same time we are endeavouring at our vocational centres—and this will apply, as they become incorporated into the colleges of applied arts and technology, to the students whose native language, shall we say, is French.

**Mr. Chairman:** Is vote 507 carried?

**Mr. Newman:** When will grade 13 results be made known to the student? It has always been late in other years. Will it be quite early this year, Mr. Minister?

**Hon. Mr. Davis:** Mr. Chairman, if I thought this was the only question on grade 13, I would be delighted to answer it but I see another item down in the estimates and I just assumed that the hon. member for Brant might have some further remarks. Perhaps I should not encourage the hon. member for York South on grade 13. I thought perhaps we would deal with it when we got to that point.

**Mr. MacDonald:** Are we finished with grade 13?

**Mr. Chairman:** We are just calling it now; is it carried?

**Mr. Newman:** Mr. Chairman, at what point may I ask that question of the Minister?

**Hon. Mr. Davis:** I was going to suggest under the registrar's division.

**Mr. Newman:** Right.

**Mr. Chairman:** May I ask the member that we take them in order? Is there any further consideration of curriculum?

**Mr. Newman:** Yes, I have a question under curriculum. Mr. Chairman, may I ask the hon. Minister how detailed a programme of testing they have at the elementary level, so that the youngster decides then as to whether he is going to attend a high school or a vocational school—or a commercial high school?

**Hon. Mr. Davis:** Mr. Chairman, there is a programme being instituted now with guidance counsellors moving down into the grade 7 and grade 8 levels. I think the hon. member is probably personally aware of the programmes that they have been attempting to institute in the city of Windsor. These would be comparable to other jurisdictions so that they have guidance, or were introducing guidance, at grades 7 and 8, as well as, of course, in the secondary programme itself.

**Mr. Renwick:** Mr. Chairman, I would like to ask the hon. Minister, apart altogether from all the social and psychological problems involved outside the school system, is it possible that his department could become interested in providing guidance to the parents in their homes with respect to preschool aged children? It has certainly been my own personal experience, and I am sure the experience of many other people, that one of the basic problems is that the parents with all the will in the world do not know quite how to go about providing the kind of interesting information that might excite the curiosity of young children.

This, I think, relates somewhat to the question raised by the hon. member for Brant about the day nurseries. But it seems to me that there is a wide field here where children could be prepared for entrance into the school system if the parents themselves had some guidance from The Department of Education, as to the kind of things, and the kind of interesting things, which can be done for preschool children.

I am sure the hon. Minister is well aware that anyone who can afford it, by and large, turns around and sends his children to one of the nursery schools which are outside the school system entirely, for the very reason it is difficult to keep up with the curiosity of children around the household. I would think that this is one area that perhaps the Minister could give some consideration to providing guidance for parents. I would appreciate any comment he might like to make about it.

**Hon. Mr. Davis:** Mr. Chairman, I was going to be a shade facetious and say that a lot of parents suggest to me the reason for sending children to nursery school is really not altogether of an educational nature, but I will not make such a remark. I do say this, that we are studying now the possibility of having such a programme. I want to make it very clear that this is just in the study stage with perhaps, some concrete results available for next year by using television.

We feel that we can perhaps prepare a type of course that would be of interest to parents with youngsters, say, at the age 4 level, and that will be able to help them. This is very definitely in the study stage but we think this is perhaps one way we could reach them and do something fairly effective. I would be delighted to give the hon. member some further indication as to how the thinking is coming as the plans are developed. This is something that is being studied at the present time, and we think TV might be one way of approaching it.

**Mr. V. M. Singer** (Downsview): Mr. Chairman, the other—

**Mr. Renwick:** One further remark in that field. I am thinking not strictly in terms of learning, I am thinking in terms of music, nursery rhymes, reading or whatever it is a parent could do in the short time that one has available for a small child, to contribute to that child's development so that he could be eased into the educational system with perhaps much more capability and much more readiness than is now the case.

**Hon. Mr. Davis:** This is the type they are studying.

**Mr. Singer:** Mr. Chairman, when this debate adjourned the other evening I had started to address a few remarks to the hon. Minister about history courses.

**Hon. Mr. Davis:** I guess we had finished television, had we?

**Mr. Singer:** Oh, yes, we had finished television and all I got from the Minister was a little pique over the fact that previously I had only spoken about libraries. I do not recall we got any answers on television; I

hope we will get some answers on history courses.

As I look at the history books—both texts and exercise books—that my youngsters bring home, I do not think the history courses have changed very much from the days—more days than I want to care to remember—when I took the history course. They are still charting the visits of Cabot and Cartier and drawing out in painful lines the relief outline of the St. Lawrence river to show the villages of Hochelaga and Donnacona. They are very fascinated by the trips of Thompson and Mackenzie and Henry Hudson and Père Marquette and Brother André and all the others.

But I wonder, Mr. Chairman, when we are going to get in Ontario some Ontario and Canadian history? There is a sort of course in grade 10 which is highly unsatisfactory, and there is an optional course in grade 13 that only catches, of course, those who are in grade 13 and only catches those who elect the option. Surely, it is of some importance that our youngsters, when they are going through school, hear about and learn about the life and times of Sir Wilfrid Laurier, Robert Borden, Arthur Meighen and Mackenzie King, Louis St. Laurent and John Diefenbaker and Lester Pearson. Surely these are things that are important that our youngsters can talk about in the schools.

The hon. Minister did make a snide remark about the affectation perhaps that the Americans have with history and how steeped they are in it. I have forgotten the Minister's exact phraseology but it was not flattering.

**Hon. Mr. Davis:** Mr. Chairman, it was not a "snide" remark.

**Mr. Singer:** It certainly was not flattering the way the hon. Minister put it forward, and I think in denegrating the American efforts along these lines, the hon. Minister should look to his own laurels. I think he should begin to wonder why, in our schools here in Ontario, our children are not taught about Mr. Drury, and Howard Ferguson, and George Henry, and Mitchell Hepburn, and Gordon Conant, and Harry Nixon, and George Drew, and Tom Kennedy, and Leslie Frost, and even John Robarts. I think these things are part and parcel of our way in this province and in this country, and the hon. Minister just—well apparently passes it off, it is unimportant—and he sneers at the Americans because they overemphasize it.

I think the time is long overdue when our youngsters stop tracing in coloured lines the visits of Jacques Cartier as he travelled up the St. Lawrence river, and the original location of the village of Hochelaga. In the broad sphere of things, I do not think this is too important. I think it might be important to study how governments change, when they change, the different points of view that have brought forward from time to time, the different leaders that we have had in Ottawa and in Queen's Park, even the origin and the functions of the CCF and perhaps the NDP.

These things are part of the current scene and I think—perhaps I have gone too far in my last suggestion that it is time that the youngsters who are going through our schools were taught some awareness of the Canadian scene. Under the history course that is now being taught in the schools, there is nothing of that sort at all, and I think it is a grave lack and I think the hon. Minister should look to his laurels in this regard. In his sneering remark addressed to the Americans, I think that he passes this thing over far too lightly.

**Hon. Mr. Davis:** Mr. Chairman, the hon. member for Downsview has had a penchant these last few days for misinterpreting, or perhaps not understanding what the Minister has said.

My remarks were not being critical of our American neighbours. I have some, shall we say, personal interest in school programmes in that jurisdiction—perhaps a slightly greater knowledge of it than the hon. member for Downsview.

All I said, if I can recall correctly, Mr. Chairman, is that perhaps in the American school system they go a shade further than we should, or we do. What I suggested, as I recall, is that the curriculum from kindergarten to grade 6 was being altered to place greater emphasis on Canadian history, and that this was where our American neighbours did, in fact, start with much of their own historical instruction, and this is where we were starting here, within our own province. It was at this point, Mr. Chairman, that I made some general observation that perhaps we need not go quite as far as our neighbours to the south, but at the same time I think I have said sufficient in this House and elsewhere about the desirability of young people, in this jurisdiction and in Canada as a whole, knowing about their history, to make it clear that we have a very genuine interest in this particular subject.

While the hon. member is quite right in saying that there had not been any great changes in the material, perhaps, I should also point out that history has not really

changed. The same explorers, the same facts are with us today as were with us when he attended school. I can recall myself that when I attended school, I obviously did not learn too much about Mr. Diefenbaker or Mr. Pearson, but we had a rather extensive exposure to Sir Wilfrid Laurier, Mackenzie King, Mr. Borden and others. And I can recall this very vividly in my own limited scholastic experience—and I said then, and I say it again now—that Canadian history is not entirely based upon the interest that is taken in the school system. There is much more to it than that, Mr. Chairman, and this is, I would like to think, a greater interest on the part of the adult population in Canadian history as well.

But I want to make it very clear—in case the hon. member for Downsview has misunderstood me, or anything I said on Thursday evening last with respect to Canadian history—what we are attempting to do here, that this was no reflection at all as to what was happening in the American school system to the south.

**Mr. Singer:** Well, Mr. Chairman, I do not know whether the explanation is better or worse than the original presentation. But it still sounds like an old Leslie Frost speech, that in the fullness of time we are going to get around to something or other. Had it not been for someone like Professor Careless, having spent so much time in effective research, I doubt whether very few Canadians would have been aware of Brown's very substantial contribution to the growth of Canada.

I wonder how many scholars, like Professor Careless, or like Professor Morton, the government is encouraging in their work; or are these just individual efforts with the government sitting back, on the way by?

My friend from Brant already made the point that the Macdonald books get presented on prize night. I presented, I think, six sets at the last prize night, all of *The Life and Times of John A. Macdonald*, the two-volume bit and I share the views of my friend from Brant, that the Brown series could well be presented and there should be a series encouraged about all of these other people.

**Hon. Mr. Davis:** Mr. Chairman, it was said in the House—

**Mr. Singer:** Now, this to my mind should be the function of the Ontario Department of Education. This to my mind is the place where the Minister should take a lead. He should not have to fall back on his general remarks, both inside this House and outside the House, to assure the people of Ontario that really he is interested in Ontario and Canadian history, because his deeds speak far louder than his words, and his deeds, in the time that he has been in The Department of Education, insofar as creating an alive and up-to-date history course, really do not speak in the same way that he would have his words speak.

True, John Cabot did sail from wherever he sailed from in the year 1512.

**Hon. Mr. Davis:** Obviously your exposure to history was not what it should have been.

**Mr. Singer:** Well, I really do not think, Mr. Chairman, and this is the whole point of my remarks, I do not think the fact that John Cabot sailed from Bristol in 1512—

**Hon. J. W. Spooner** (Minister of Municipal Affairs): I never went to school and I knew that.

**Mr. Singer:** —really has affected or given any real understanding to our youngsters of what has happened or how Canada has grown. And I would think that the hon. Minister would be much further ahead if he was able to say, not in any of these general speeches, or in his remarks to the House, yes I am interested and we are working on it and in the fullness of time we are going to do something. I would say he has been there long enough, in that portfolio, and his leader before him, that we should have an up-to-date history course in the province of Ontario, and we do not have one.

**Hon. Mr. Davis:** Mr. Chairman, I do not want to add to this, but I should just point out one fact, having some knowledge of the American approach to history. You will find that one of the very significant dates, and one that is recognized in a lot of their history teaching, is the day that Columbus discovered America. They have never taken the position that that is no longer significant to their history.

Now, if the hon. member is suggesting that all the early discoverers and explorers are no longer relevant to our own history, I would suggest, Mr. Chairman, that perhaps he is somewhat in error.

**Mr. Singer:** Well, my friend is either nit-picking or picking nits, whichever phrase he likes best.

**Hon. Mr. Davis:** I do not like either.

**Mr. Singer:** I said, and I repeat again, because obviously I am having difficulty communing with the hon. Minister, I said that there are far more up-to-date current and important things than those various voyages of exploration. I did not suggest, nor do I suggest now, that you ignore those. But put them in proper context and presume after a few lessons of drawing lines up the St. Lawrence river that that story has been told. Then, for goodness sake, get into the story of Confederation, get into our Prime Ministers federally.

Get into the history of the province of Ontario, put things in proper context, but do not pick out just one little phrase. The Minister has a habit of doing that, he has been doing it fairly successfully, and I suggest, Mr. Chairman, probably we have let him get away with it, but the time for reckoning has come. He has been there long enough that he should stand up, like the big boy that he is, and take what is coming, because he has not got a good history course, he knows it, and idle words do not produce it.

**Mr. Wells:** Mr. Chairman, I would like to say something on this very point.

The speech that the hon. member for Downsview has made sounds something like one I made two years ago in this Legislature. Since that time I have seen quite a progression in what our young people know of history. I think the hon. member probably has his eyes shut.

Anyone who comes in here and sits down and watches when schoolchildren come in—and I think it is interesting to note that you can hardly get a free time to bring a school down to these buildings now. From nine o'clock in the morning right through the day the girl guides do a marvellous job of giving the children a lesson in history, and the history of this building and of Ontario. They ask questions of the children and if you sit in here, as many of us have done, and listen to the answers that these children give, you will find out that they know a lot more about Ontario and Canadian history than a lot of us give them credit for.

Now I think that this is a very significant thing, and I think that more and more young people, and more and more schools, are using this type of approach to make history alive. They are coming down here and actually seeing the place where history happens and hearing about it, this is one of the good signs, I think.

Another thing is that I am continually amazed by the young people in my riding who phone me up for information and for pamphlets for essays that they are writing. And these are being done at the initiative of the local teachers, all these new young teachers that we have in public schools; we do not give them credit for the local initiative that they have in fostering this feeling toward our own history.

I had a young girl phone me up the other day who wanted to know what were the advantages of the House of Commons and the legislative assembly and did I have any books on this; this was a grade 8 student. I have them week in and week out phoning up for information on our own history. And I think great progress is being made both from the department's standpoint and from the individual teachers who on their own initiative have caught this spirit of the importance of history and are now making it real to our students.

**Mr. Nixon:** Mr. Chairman, my views on this are well known to the hon. Minister but he has said that history does not change. Certainly the facts do not, but the interpretation must and I speak particularly on behalf of not only the Indians who are my constituents but the ones across Ontario who have been maligned by our approach to the part they have played in the development of our country from the very start.

If our history books, when they are revised, do not stop referring to them as illiterate savages and start referring to the fact that their culture and their abilities as warriors saved our country in 1812, then surely a grave misjustice has been perpetrated. I would urge the Minister as strongly as I can, to see to it that those who have jurisdiction over a changing curriculum take this into account and soon.

**Mr. Singer:** Mr. Chairman, just a very brief reply to my friend, the hon. member for Scarborough North. I have sat here when these youngsters have come in and despite the coaching from the very pleasant red-coated young ladies who escort them around, very frequently they have difficulty in identifying the present Prime Minister of the province of Ontario.

**Mr. K. Bryden** (Woodbine): Mr. Chairman, now that this subject has been opened up, I think one further observation might be appropriate. The Minister made a statement a few minutes ago to the effect that historical facts do not change. I am sure he did not mean to imply that there is a certain static body of knowledge about history that is final

and conclusive and that interpretations of fact do not vary greatly.

I am sure that he is as aware as anyone of the possibility not only of changing interpretations, partly in the light of new knowledge, and also of conflict of interpretations. I think it might be appropriate in this country if we started to consider the effect of the teaching of history in relation to what is I suppose our major concern, and that is the relations between the two founding groups of this country.

Now, Professor Morton and Professor Creighton and many other distinguished authorities can argue all they like and demonstrate to my total satisfaction, as far as I am concerned, that there is nothing at all in the compact theory of Confederation. The fact of the matter is, however, that in the province of Quebec the people believe that it is well founded. In fact, if you take the interpretation that we have in our school books, and in more advanced books than that, of the history of Canada, from The Constitutional Act of 1791 forward, you will get totally different interpretations in the books written in French Canada and those written in English Canada. I am not so sure that the books written in English Canada have the final revealed truth. I think they have overlooked a great many problems involving discrimination against the French Canadians. And even if technically the compact theory of Confederation is not well founded historically, the fact still remains that I would say that the French-Canadians through most of Canadian history have got a raw deal. Bargains that they understood to have been made were not kept, they were kept only where it was to the advantage of the English majority to keep them. I will not pursue that line, this admittedly is a highly controversial area. We could go on forever arguing the merits of the case.

The point I want to make, however, is that two almost totally different interpretations of Canadian history are taught to students in French Canada and students in English Canada. I would almost think that it might be a good idea if the French-Canadian students were required to learn Canadian history out of the English-Canadian textbooks and the English-Canadian students were required to learn it out of the French-Canadian textbooks. I think this would contribute more to understanding among the two founding races of Canada and to development of a consensus that is essential to the emergence of a true sense of national identity than almost anything I can think of.

I am not so optimistic as to think that ideal solution will ever be adopted, but I do think it is time we started, in our schools in all levels, indeed in our universities, to pay more attention to the fact that the French-Canadian has a quite different interpretation of Canadian history than we have and that his interpretation is not necessarily wrong. I think this is a point that we particularly should bear in mind.

This comes to mind particularly in view of a couple of articles that appeared just within the last few days in the new journal put out by Trent University. I think those articles are flailing an old horse, a dead horse, and not facing up to the real problem that exists in Canada in regard to a proper understanding between French and English. I think our schools could do a great deal more than they are doing to try to communicate to people, young people who will ultimately become the leaders of the country, that really there are two quite different interpretations, both of which probably have a substantial degree of validity in them.

**Mr. Newman:** Mr. Chairman, may I ask the Minister to what extent he encourages the co-operative programme between industry and the schools, primarily in grades 11 and 12, in the technical and commercial schools in the province?

**Hon. Mr. Davis:** Mr. Chairman, I am not sure what the hon. member has in mind specifically. As far as the department is concerned with respect to the grade 11 and 12 areas, in any sort of work experience programmes they have with industries within the community we encourage this. There is no question about that.

**Mr. Newman:** Is there a set policy laid down by the government?

**Hon. Mr. Davis:** The policy is that we support it and endorse whatever the board is doing, within reason, of course.

**Mr. Newman:** They can take, then, training in the subject in an industry rather than actually in the school?

Thank you, Mr. Chairman.

**Mr. Nixon:** Mr. Chairman, we discussed earlier the way the mental set of parents towards certain academic or educational procedures is passed on to the young people. Coming from a rural area I am much struck by the change in attitude whereby farmers are no longer encouraging their offspring to

follow them in this very important economic endeavour.

This, of course, does rub off into the schools to some extent, because the children go to school being urged to take up something that will in fact lead them out of the rural community in many cases, and as soon as the young people have an opportunity to compare a profit and loss statement such as may be prepared around the kitchen table at home, they realize that their future must be somewhere else than in the agricultural community.

Personally, I have serious regrets that this is taking place and I have great confidence that in the years that lie immediately ahead this will change so that a good many of our good young people will be kept in the agricultural communities.

But I am very much struck by the fact that agriculture as a subject in the secondary system has degenerated considerably in the last 15 years. It is very difficult to find a school that has anywhere near an adequate programme of agriculture, and this is to be seriously regretted.

I believe that the community colleges, when they are established in the real communities and not just in the big cities across the province, will be set up with some means whereby young people can get some good technical training in agriculture. But until that time arrives, and even when it does, I feel that we should have a completely revamped system of teaching agriculture in a practical way in the vocational schools of the province.

We spent millions of dollars building these edifices and equipping them with the last word in lathe and woodworking equipment and electronic equipment, and so on. All this material is put to good use, I believe, and the money is well spent; but we have ignored the agricultural industry. I believe that much more can and should be done to prepare the people in the rural communities for a skilled life in this industry.

It is very difficult, as the hon. Minister of Agriculture knows, to get people to work on the farms. The farmers, I am sure, would be very glad to pay competitive rates with city industries if they had a pool of young men who had some adequate specialized background at the vocational level in agriculture.

I would urge the Minister to consider such a programme, and perhaps he would tell me his views on it at this time.

**Hon. Mr. Davis:** Mr. Chairman, the hon. member will be interested to know—though I do not know that we can get into specifics yet—that a group of some 12 individuals, including representatives of the professional agronomists, are beginning a consideration of this matter this coming summer and on into September, with the purpose of revising the agricultural curriculum in grades 10, 11 and 12, probably to relate it more closely to the scientific changes taking place in agriculture as well as the business problems, if it can be put this way, that are facing the farming community.

This study will be starting this summer. I cannot, at this stage, give any specific date as to when the programme itself will be finalized. I think we can look forward to an altered curriculum in agriculture in the very near future.

**Mr. Nixon:** Do the statistics show, as I would imagine they would, that the teaching of agriculture has degenerated across the province in the last ten years?

**Hon. Mr. Davis:** Mr. Chairman, I do not think that the teaching of agriculture has degenerated. I would say that the numbers interested in taking it have very substantially diminished, and I think this is part of the problem. Maybe part of the problem is the course itself and this is something we are looking at, but the numbers have some relationship to the point that the hon. member made previously. That is, as he said, when you start comparing the opportunities available in the rural portions with what might be available in the urban centres, it makes it somewhat difficult.

**Mr. MacDonald:** Mr. Chairman, may I pursue that point for a moment? I am aware of the fact that a group of agrologists presented a brief to the Hall committee and presumably out of this kind of study there might be some attempt to upgrade the teaching of agriculture in our secondary schools. But I recall very vividly two or three years ago a debate on the resolution presented by one of the northern members on the need for agricultural training in northern Ontario, to be able to develop those pockets of agriculture.

**Mr. Singer:** The Liberal member for Algoma-Manitoulin.

**Mr. MacDonald:** The Liberal member for Algoma-Manitoulin. I recall this rather vividly because after the case had been made—and I shared in attempting to make the case—I thought we were rather devastatingly demolished by one bit of evidence that the hon. Minister provided us with, namely, that there

was not a single vocational school in northern Ontario that had found in any area a large enough group of people to be able to introduce a vocational course in agriculture. In other words, as far as northern Ontario was concerned, presumably the problem is that agriculture is sufficiently marginal that if they are going to take a vocational course, they will take something else that may be in reserve, if the marginal nature of agriculture does not sustain them.

But I am wondering to what extent that is true in southern Ontario. The hon. Minister has suggested that it is generally true. For example, how many of the vocational schools in southern Ontario—is the Minister in a position to inform us—can actually provide agricultural courses?

**Hon. Mr. Davis:** I can give approximate figures. I think there are roughly 99 to 100 district secondary schools offering a course in agriculture and as I said to the hon. member for Brant, I think one can fairly state that there is a lack of interest. I am just expressing here a personal view in agriculture by many of the youngsters who come from the agricultural portions of the province and are taking agriculture at the school itself.

Perhaps part of the fault may lie in the course, but I think the reasons go beyond this, too. There are roughly 99 to 100 district and secondary schools that are offering courses in agriculture. We are planning—it will not be an extensive programme—some agricultural courses on television this coming year. We are going to relate the experience at the Orangeville district high school, where they had a pretty good programme in agriculture, and we are going to use this as part of the ETV situation.

**Mr. Singer:** Mr. Chairman, it has been about a year since the hon. Minister announced the Mackay committee inquiring into religious education in the schools. I wonder if he can give us any idea when he anticipates receiving a report from that committee. I suppose it is premature to ask if any legislation is going to result from the report he has not seen, but perhaps he can give us some idea as to when we might see a report.

**Hon. Mr. Davis:** Mr. Chairman, I cannot give any specific dates on which the Mackay committee has been sitting. They have had a number of briefs and I understand that there are a number yet to come. There have been indications that a large number of groups are interested in presenting material to the committee, so that I am not in a position to indicate exactly when the report can be expected. Quite frankly, and this is difficult to determine, I think the committee may wish to study situations in other jurisdictions, too.

They have introduced or developed a course in New South Wales in Australia relating to morals and ethics in the school system. The chairman of the committee has actually had some experience with this already during last August or September, I believe. He made some preliminary investigation of the situation in that jurisdiction and it may be that they will wish to assess other situations, but at this time, Mr. Chairman, I cannot tell the hon. member just when the report can be expected.

**Mr. Chairman:** Curriculum division, vote 507, agreed to. On supervision division, vote 507:

**Mr. Newman:** Mr. Chairman, may I ask the hon. Minister his plans for creating a supervisor of separate schools?

**Hon. Mr. Davis:** Mr. Chairman, I am not sure that I quite understand what the hon. member—

**Mr. Newman:** May I read a paragraph here:

> The Ontario separate schools trustees association has asked the provincial government to create a distinct Department of Education post for a supervisor of separate schools.

Is this being given consideration, Mr. Chairman?

**Hon. Mr. Davis:** No, Mr. Chairman, we are not contemplating this. I am not sure that I really understand the question. This was from the separate schools trustees association?

In the department itself we have the Roman Catholic separate schools' affairs under a superintendent. There is no intention at this time to create a separate situation for the separate schools.

**Mr. Singer:** Mr. Chairman, I do not know if this is the proper segment under which we should deal with salaries of supervisors. I suppose you could call any senior person in the department a supervisor and probably directors of education could be called supervisors, too, but I am very disturbed. If the hon. Minister would rather this discussion go on under a separate head, I do not care; if he wants it here, we will go ahead with it here.

I am rather disturbed by what I read in

the papers about recent salary increases, particularly to the director of education in the city of Toronto. He was given a $5,000 raise in his salary. He had been the assistant to the present Deputy Minister, and the Deputy Minister, I understand, is getting about $25,000 a year and the gentleman who succeeded him is going to get $30,000 a year.

I understand that there has been considerable difficulty in the department in attracting the best educators in the province to work for the government. They would far rather go out—and after all, who can blame them—and work for these boards that are paying 20 per cent, 30 per cent, 40 per cent of 50 per cent more than they can get from the department.

It also seems to me to be a bit unusual, to say the least, that we have in the province of Ontario one gentleman—granted, he has a very responsible position; he is the director of education for the city of Toronto, the largest municipality—whose duties were to some extent cut down by the recent amendments to the Metropolitan Toronto bill, so that I would suggest that his responsibilities are a little less than they were, but his salary has gone up by some $5,000. He is now in receipt of a salary higher than that of the Deputy Minister of Education. I think my figures are correct—it is about as high as or higher than that of the Prime Minister of the province.

It seems to me that somewhere along the line, since education takes 40 per cent of our provincial Budget, we should be beginning to exercise some real concern about the use to which some of these moneys are put, and in so saying I recognize I am opening up a door that could cause a lot of trouble. There is going to be immediately the suggestion about the independence of teachers, the right to bargain, the independence of administrators and so on.

But surely in the broad scheme of things, Mr. Chairman, when a gentleman who is a director in a particular municipality gets into the salary bracket where he is getting 25 per cent more than the Deputy Minister of Education, and he is getting as much as or more than the Prime Minister of the province, when The Department of Education is having difficulty because of the salaries it pays in competing with the local boards for persons to occupy its senior positions, some warning signals must be raised in front of the eyes of the Minister of Education. Surely, at that time, we should have some authoritative pronouncement from the Minister as to what he is going to do about it.

**Hon. Mr. Davis:** Mr. Chairman, the salary that is paid the director of the Toronto board of education is determined by the Toronto board itself. It is not under the jurisdiction of the department. We have no control over his salary.

I should point out further that in the last, perhaps two years, the department has experienced very little difficulty in getting competent personnel to serve in The Department of Education. We think that we can now be competitive with the municipal boards as far as staff requirements are concerned, and we have been very encouraged in this past two years by the ability to recruit competent people into the department. We have been able to get some very capable people and salary has not been the major hurdle.

I am not in a position to say to the Toronto board what they should pay their director, Mr. Chairman. This is a decision that is made by the board itself.

**Mr. Singer:** The answer the hon. Minister gives is a trite one. I recognize what he says is in fact correct in law, but I also recognize that in allowing that door to remain open the way it is, we are just asking for trouble insofar as educational salaries are concerned all around the province. In most of the municipalities in the Metro area the situation is exactly the same and you are getting persons, granted important persons and granted able persons in the educational field, who are getting double the salaries of chief engineers, chief administrative personnel, solicitors, accountants and that sort of thing. I suggest that something in the broad scheme of things is a bit wrong when just one branch of our public service goes off in this direction! There could not be a better illustration of the fact that there is something wrong than when a director of one municipality is getting $5,000 more than the Deputy Minister of Education.

**Mr. Chairman:** Supervision, carried; on the registrar's division.

**Mr. Nixon:** Mr. Chairman, this is the division in which the funds are voted for grade 13 departmental examinations and this, of course, is an issue of great importance. At the present time our young people in grade 13 are writing this year's series of examinations, which is the second to last of the type that we have grown so familiar with over the years. This series of examinations has been well known across Canada as

being a very high academic hurdle, and those students who have been successful in accomplishing any standing, let alone high standing, have been recognized as having attained some academic achievement of considerable note.

I have kept very close watch on the examinations this year. I do not consider myself an authority on very many of them, however. I do remember being involved in a professional capacity in biology and physics, and some years ago being struck down by the difficulty of the physics itself and standing out in the hall when the students came out saying: Why did you not tell us about this, about that, and feeling very badly about it indeed. However, when the results came out the students had achieved fairly good results, I suppose, and in inquiring about it later I determined that the passing mark that year for physics was something under 30–28 marks according to the adjustment that had been made.

According to a return made by the hon. Minister to a question put by the hon. member for York South, I understand that something similar happened during the series of exams written a year ago, the results of which were made known last August. In fact it was necessary to adjust the results so that the normal proportion would achieve success by accepting a mark, at least in one instance, down to 21 as a passing grade.

Being a teacher myself I am familiar with the reasons for having some flexibility in this regard. Sometimes the examination is not well set and certain other matters require some flexibility. But the Minister has a very heavy responsibility indeed. Not only is it his responsibility to maintain confidence in the grade 13 examinations as the only external examinations in our public system, but it is necessary that he treat the individual students across the province with great fairness, absolute fairness, in this way maintaining not only the confidence of the university community, the community that employs these graduates, but the parents and the students themselves—and probably this last group more than all.

I have already put on the record, Mr. Chairman, my views as to what I consider to be a fiasco in the administration of the examinations last year. There were many heartbreaks associated with it, particularly among the large group who were not the type to appeal their marks, but would be from their own family background and their own thoughts on the thing, ready to return another year to recoup what they would consider their inability to keep up with their peers.

These people, more than any other, who did not appeal for reconsideration of their marks whether it was a failure or something else, are the ones who suffered more than any other from what happened last year in the marking of the grade 13 set of examinations. There were many who were not able to enter university, who if they did enter university did not get into the course of their choice: There were others who missed the coveted Ontario scholarship, even though their average had been well above 80 during the rest of their school career. It is these people we were thinking of in the weeks last year when this was under some considerable public scrutiny.

But now another group is before us, before the examiners, and the great seals have been broken in their presence and the papers have been distributed and they have gone through that shocking experience of looking at the paper for the first time. The reports from the teachers and the students so far are that the examinations have been eminently fair and of the type on which a student who had been reasonably competent in his preparation can look forward to achieving a good standard of success.

Associated with the difficulties that may yet come, is the realization that on at least two levels there are entirely new courses, in physics and biology. We have already discussed this briefly during these estimates, but the difficulties which have been experienced by teachers, who either did not have the opportunity to take courses leading up to this new presentation or did not avail themselves of this opportunity, have been great. Students have come to me, as they have come to other members I am sure, complaining about the new courses, the way they have been put to them over this past year, and in great fear that this will lead them to something less than their expected success when the results become known some weeks or months from this date.

Mr. Chairman, the confidence of the university community in the grade 13 examination was shattered by the results last year. Many of them, on a unilateral basis, decided to forego the results when they made their admission decisions and they took the lead away from the Minister in deciding that teachers' recommendations and the results of other tests, much more objective tests, would be the criteria upon which admission to university would be based. But still we have at least one more year of these external examinations to go through.

I want to specifically ask the hon. Minister to give us a report on his administration of the examination last year, what he is going to do this year to see that the people who have been exposed to the same system are going to be treated fairly and particularly under the circumstances of the new courses, that they are going to have an opportunity to have their success fairly measured.

This is a very important subject, a matter that I do not believe we are approaching in any unfair way whatsoever. The hon. Minister is solely responsible. Among some of my memories are those of my father, the previous member for Brant, having had the responsibility of Minister of Education for a short period of time, many years ago—30 years ago now. I can remember the telephone ringing, as it must have rung for this hon. Minister after the results came out, and how adamant the administration was in those days, as I am sure it still is, in keeping the hon. Minister, in his overriding responsibility, out of it entirely. This, of course, is an extremely important aspect of the confidence that must be maintained.

But last year's situation, no matter how it developed, was obviously the hon. Minister's responsibility. This is surely the occasion when we would have a full report from him of his preparations for these exams and the marking of them.

**Mr. MacDonald:** Do you want all the volleys from this side at once?

**Hon. Mr. Davis:** We might as well have all of it at once, Mr. Chairman.

**Mr. MacDonald:** Mr. Chairman, the hon. member for Brant described last year's experience with grade 13 as a fiasco, and I do not think it is an inaccurate or exaggerated description. It was so much of a fiasco, as he has indicated, that it has destroyed the confidence of the universities, so that many of them have gone off on their own. The hon. Minister has made a virtue of necessity, and said this is a good thing in any case, which it may be conceivably—but I will come back to that in a moment.

Unfortunately it was not only at the university end, it was at the student end, and the family end. I doubt whether there has ever been a year in which there was as much worry and mental anguish that went on for weeks, and indeed in many instances has not yet concluded, with regard to what happened.

I hope the hon. member for Brant is correct that the reports of this year's examinations have tended to quieten the apprehension. But certainly in approaching this year's grade 13 examinations, I have talked to people who are involved at the school level, and they report that in some instances the degree of apprehension because of last year's experience was such that it was even raising problems of mental health, in classrooms, as reported by doctors.

However, I want to go back for a moment, perhaps by probing in specific ways, to the general question that the hon. member for Brant has put to the hon. Minister, when he reports on exactly what happened on his stewardship, if he cares to describe what happened in this instance as his stewardship.

There are four or five of the questions I put on the order paper, which I think merit some consideration by this House for a moment.

Question 2, for example, was: What was the number of appeals for re-examination of papers in English, chemistry and history for each of the years 1963, 1964 and 1965?

As is known, there was a composite paper in English in 1965. The number of appeals was 5,253, and that compared with 1,600—I will give round figures here—in English composition in 1964, and 901 in 1963, and English literature with 1,500 in 1964 and 1,100 in 1963.

In other words, even if you combined them, you had nearly a doubling of the number of appeals last year. The same is true when you take a look at chemistry and history. In 1965, it was 1,500; it had been 778 the year before. In history, it was 1,100 in 1965; it had been 600 the year before. So across the board generally you had double the number of appeals.

Now we move to question 3. Where a passing mark was granted following an appeal (a) was this always done on the basis of rereading of the examination paper, and if not on what basis was it done?

The answer to question (a) was no, it was not done with the rereading. Then on what basis was it done? The answer is, the special revising board undertook to grant standing under its rules in certain subjects—if the marks assigned were slightly below the pass mark—without rereading the examination paper.

That raises the question on which I think the hon. Minister is going to have to give some sort of answer if he wants to still some of the apprehension, and that is: What are the rules? In the reply to the question it was said that there was some marking up

when the mark assigned was slightly below the class mark.

But the next question I asked, if I may go to question 5, was: What were the lowest marks appealed and granted a pass in (a) English, (b) chemistry and (c) history? In English the lowest mark was 31. I do not know how you could describe 31 as being slightly under a pass. For chemistry, it was 28 and for history it was 20, though there is an asterisk saying that the 28 and 20 were originally clerical errors. I suppose this was when the computer balked.

In any case, you are down in the 20s and 30s, something more than "slightly below passing mark," and these are raised to passing. That raises some questions, but let us proceed.

Question 6 was: Were pass marks granted on any papers originally designated as a failure, and not specifically appealed by the student? And the answer is "yes." The raising of a mark in one subject made it possible in some cases for the special revising board, working under definite rules, to grant standings in other subjects.

In other words, without any appeal, the revising board takes it upon itself to take a look, presumably, at the marks of the student across the board, and if it thought it was unfair, up went some others.

Now let us go to question 7: Was any effort made to adjust marks over 50, when experience indicated that in that particular subject an exceptional number of failures were appealed and granted passes? And the answer is no.

Now I come to the point my hon. friend made. It is quite possible under these circumstances—indeed there were one or two specific instances that got publicity—that if there was no effort to grade those above 50, when you discovered there had been some serious undermarking, by checking a few of the appeals below 50, obviously those students over 50 who did not bother, or rather did not have the right to appeal, as a matter of fact, were not done justice.

On question 8 we get in even further into the potential unfairness in this whole setup. Question 8 was: (a) Were any appeals rejected and later granted? And the answer is yes. (b) If so, on what basis? And the answer is, when additional information was received.

Mr. Chairman, if a person appeals an examination, and it is reviewed, and it is rejected, what is the additional information that the revising board, or whoever it is that comes into the picture, is willing to take a second look at?

You get to question (c): If so, was any attempt made to give justice to other rejected appeals where the student had not made a second effort at appeal? And the answer was: "Yes, in some cases but not all." Obviously, the scope here for unfairness becomes almost monstrous in its proportions.

Finally, in question 9: Were confidential marks submitted by the teacher used as expected in determining final results? And the answer was yes.

The only point I want to make, Mr. Chairman, is that, having gotten into the original peck of trouble in trying to get yourself out of it, these elements of unfairness would undoubtedly creep up, but surely this is about as chaotic a situation, as unfair a situation, as you could conceivably get. And what is worrying many of the people who wondered whether there is going to be a repeat in some degree of this kind of experience this year, is the government's reaction to it.

Quite frankly, there are now some people, rightly or wrongly, who think that the government has thrown the baby out with the wash water. True, you have had rather a sad experience. True, there was need for some improvement in the whole setting of examinations and the marking of examinations, but there have been studies, as the hon. Minister knows, in the last two or three months, which have countered the proposal of the Minister for phasing it out and have argued that it is the best indication of achievement in grade 13. Certainly we are moving towards the proposition of—

**Hon. Mr. Davis:** What studies?

**Mr. MacDonald:** Well, I have noticed studies in the papers; frankly, at the moment I cannot identify them.

**Mr. Wells:** Personal comments.

**Mr. MacDonald:** I think you will find that there is something more than personal comments, indeed the Ontario teachers federation has presented a brief.

There is a move towards the establishment of a college entrance board examination, but this is not going to be available for two years. Therefore, if we run into difficulties with that kind of an approach we will have thrown out this which, with all of its defects, at least provided some sort of a yardstick. Instead of attempting to correct the defects there has been a tendency to throw the whole thing

out. At least you have one objective standard. I do not know whether the Minister, after making his announcement, feels it is the intention of the government to move on this phasing out, as he indicated earlier, or whether there have been any second thoughts. But with the hon. member for Brant I would certainly invite some comment to see if we cannot still the apprehension that continues.

**Hon. Mr. Davis:** Mr. Chairman, I am not sure that I can specifically remember all the points that were raised. I am sure I will be reminded.

The first point I would make is that there is no alteration, or consideration of altering, the decision that has been made to eliminate the grade 13 external departmental examinations in 1968. This decision has been made and it is being maintained. I should point out that the examinations are being continued in 1967 because this will be the first year of the college entrance boards. At this stage, we are maintaining the two, shall we say, sets of examinations, in parallel, to get some assessment.

I think this is wise. The college entrance boards are in their first year, so that the two tests will be available in 1967; but in 1968, Mr. Chairman, the external examinations set by the department and marked centrally will no longer be part of the educational scene.

**Mr. Nixon:** Mr. Chairman, just before the Minister goes on. Would he tell me: Will the department have any supervision whatsoever of the examinations after 1968?

**Hon. Mr. Davis:** Mr. Chairman, we could get into a discussion as to what the hon. member might mean by supervision. We are anxious to retain, shall we say, the quality or some quality control or interest in the overall programme in the province; there is no question about this. How this is done, whether through a series of perhaps suggested papers, and so on, as we do in grade 12, quite frankly we have not determined. But we are interested, quite obviously.

There is some thought expressed by some that we might move to systems of accreditation. In my own view it is not desirable to get into the system of accrediting high schools as they do in some jurisdictions to the south.

But the decision to eliminate the grade 13 examinations stands. I do not know of any studies to which the hon. member might be referring that would give us second thoughts. I do not like interpreting other people's views, but our understanding from the brief that was submitted by the Ontario teachers federation on the subject was not that they were opposed to the elimination of the examinations but that they wished to have some form of quality control, if we can use this word, in lieu of the grade 13 external exams.

I should make this point very clear, very clear, because to a degree it relates back to the issue that was raised—at least it is not unrelated—by the hon. member for York South and the hon. member for Riverdale. This is not being done for purely administrative reasons. We feel very sincerely that the elimination of the traditional external examination will do much, over a period of years, to completely free the secondary programme. It will remove from the programme the concern that is present at the end of the fifth year; it will give room for far greater flexibility, for innovation and, just as importantly, for adaptability of new curriculum as it is introduced.

I think one can fairly state that we would not have the problems that the hon. member has referred to in physics this year if it were not for the external examination. If the course had been introduced and the teachers were able to develop and assess the potentials of the individual students, I do not think there would be quite the same concern as they presently feel.

**Mr. Nixon:** A teacher's main concern is that his students are successful.

**Hon. Mr. Davis:** Of course, Mr. Chairman, I think we must assume that the teaching profession is anxious to maintain some quality too. I would say—

**Mr. Nixon:** What was your experience in grade 12? You could not maintain quality.

**Hon. Mr. Davis:** I think, Mr. Chairman, that we have succeeded in retaining a high degree of quality in grade 12.

I would think, and this is a point that I have made before, that when students are recommended to progress from grade 12 to grade 13 that the very advancement itself surely must be some indication. If that student is capable of doing in most cases grade 13 work and should have some reasonable anticipation of passing his grade 13 examinations, surely this is an indication by the teacher and by the staff at this stage that he is capable in, I would say, the majority of cases of doing the grade 13 work. So I want to make it very clear that the basis for this

decision is as much, if not more, educational than purely administrative.

If the hon. members will hark back or refer back to the grade 13 committee report—and I think perhaps you have all read it very carefully—I am sure you will find that this was suggested or contained in the report itself. So that while the hon. members perhaps to a degree are relating the difficulties experienced last August to the decision to eliminate the grade 13 external examinations, this is not factual. The decision to eliminate the examinations is predicated on the educational desirability as well as the obvious administrative problems, that would only increase if they were to continue over the years that lie ahead.

I should also point out that to the best of my knowledge the universities did not reject the grade 13 results. I believe there was one institution that admitted students without their marks in English—I believe it was Waterloo Lutheran but I am just going from memory—and I should point out, because the hon. member for Brant raised this, that I believe there were two universities that did accept on the basis of the grade 12 record and the recommendations of the principals at the Christmas and Easter period. This was Windsor, and this was done after consultation with The Department of Education and we supported what they were doing.

I should also point out that we applied this principle as well to the University of Guelph because they were starting the semester system and we agreed there that they should make innovation and admit students without writing external examinations.

**Mr. Nixon:** If I might just get one point clear: the Universities of Windsor and Waterloo, did they consult with the Minister before they decided to accept?

**Hon. Mr. Davis:** No, Windsor University decided a year ago, before this ever took place, that they were going to grant conditional—well they were unconditional really—admissions based on the grade 12 results plus a principal's recommendation and their student record from the Christmas and Easter examinations. They still wrote grade 13 but they were given unconditional admittance by these universities.

**Mr. Nixon:** What about the Lakehead University? Was that not a unilateral decision?

**Hon. Mr. Davis:** The Lakehead University is not a related problem, Mr. Chairman. They were and are on an experimental basis, accepting some 15, 20 maybe 25 students from grade 12. Not early registrations from grade 13, they are coming in from grade 12 on an experimental basis this coming year.

**Mr. Nixon:** Did they consult on that?

**Hon. Mr. Davis:** No, they did not; and I have made it rather clear that this is the type of experimentation that perhaps we do not need to pursue at the present time. But the other two universities did and The Department of Education agreed to what they were pursuing.

I should point out that the total number of papers written this year amounted to some 223,000 – close to a quarter of a million papers. It is true that we had some 22,000 appeals, this is something less than 10 per cent of the total, 10 per cent of the total number of papers written.

The hon. member for York South raised certain specific questions, the answers to which have been tabled. I will try and remember the ones that he raised in particular. He did observe that in English the combined papers in 1964, the numbers of appeals were 3,100 to 3,200; in 1965 they were 5,200 to 5,300; but there was also a 12.5 increase in the number of candidates who were writing.

I am not suggesting for a moment that the 12.5 per cent relates to the increase. There was very definitely an increase in the number of appeals.

As I said earlier in the estimates, the portion or the area that was difficult for the department to understand, was that there was no provincial trend or pattern that could be established with respect to English. In most instances, you can see some pattern with the other subject areas, but in English, as I say, in certain board areas, North York as I recall, I think even the city of Toronto, the marks in English were more or less on all fours with the predicted marks or recommended marks by the teachers.

In some areas, unquestionably, there was a substantial departure. If one could say that generally speaking the marks were lower across the province, that all areas did not relate to the recommended marks, then this would be understandable. I am not here, Mr. Chairman, to defend the English paper of last year because I am not competent to do so. I do not know whether it was a hard paper, an easy paper or an average paper, I am not competent in this area. The only thing I can say to you is that the papers were marked the same. They were marked under a scheme that had application to all papers that were written. The scheme itself was fair and the students were

treated in a like manner. I think this is the basic situation.

The hon. member for Brant made one other observation. My telephone was ringing, there were a lot of people who perhaps thought if they could see the Minister, and so on, that perhaps he could assist.

I think it is very important that these examinations be treated as impartially as possible, and this is the part that I guess upsets the officials from time to time—the Minister too, when you read a little editorial comment or comments from others that there are no feelings in The Department of Education. Mr. Chairman, I can assure you that the officials and the Minister are just as concerned as anyone else about people who miss their examinations. But at the same time, to try and treat it in any sort of ad hoc manner I think would be highly undesirable.

To treat the situation that was referred to specifically by the hon. member for York South, the special revising board, which does have powers, is made up of officials from outside the department as well as those from within. The revising board has some discretion and it is possible to grant standing under the rules it adopts in certain subjects, if the passing mark was below, without rereading the paper. In other words, if they could say in subject "A" there is a higher percentage of failures than is appropriate for this particular subject, they could say that all papers between, say, 48 and 50 or 46 and 50 will be granted standing, so that it is not necessary then to reread the paper.

**Mr. MacDonald:** But you do not do it above the 50?

**Hon. Mr. Davis:** No, we do not do it above the 50, Mr. Chairman, because if you were to do this—add, say, four marks on every paper, or six marks, depending on what it would be, all throughout the piece —you would have some students who had, say, 96, who would then on this basis have 102 and, Mr. Chairman, you cannot get 102 on a paper—

**Mr. MacDonald:** Well, four on to 96 will not go to 102.

**Hon. Mr. Davis:** I am sorry—or 100, and there are not many papers of 100. But let us say 44 to 50; this is why it is not graduated above the 50 per cent level.

**Mr. MacDonald:** Well, there are a lot between the 50 and 90 where it might be granted—

**Hon. Mr. Davis:** Of course, but at the same time, Mr. Chairman, I should point out—and this was the interesting feature, too, of the English marks—that on a percentage basis, and this was shown in the answer to the hon. member, the percentage of first-class standing, before any appeals, in English in 1965 was a shade higher than in 1964. It was two per cent higher in first-class honours. So that really the adjustments, this grey area that is the most difficult, is from the 45 to 50 or the 44 to 50 per cent area.

Also, Mr. Chairman, being very frank—and it is hard to explain all the details—under certain conditions the revising board can, if a student has done quite well in eight out of the nine subjects and he is marginal in the ninth, they can recommend granting a credit standing in that particular paper, and I think this is eminently fair. So if a person had, say, two appeals, and on the basis of one appeal he was granted standing on a rereading of the paper, this might give him pass marks in eight with a failure only in the one and it might have a fairly high average, so that the revising board, if this is its policy for that year, can then grant standing in the paper that perhaps was not appealed.

**Mr. MacDonald:** Is this the further information?

**Hon. Mr. Davis:** Yes. Also, Mr. Chairman, we have run into certain isolated situations where medical certificates or information from the principal about the medical condition of a student have been made available after even the appeals have been filed. So that, quite frankly, in spite of the problems we have, we try to be as fair as possible to the students concerned.

I think one can state that while we have had some difficulties, when you assess the total number of papers and the total number of candidates, obviously there were some who were hurt and dissatisfied. At the same time, to suggest that this has completely destroyed the confidence in grade 13 marks or papers is not really factual in my view. I think the grade 13 examinations over the years have played a very important part in our educational pattern.

But I want to re-emphasize what I said at the beginning, to make it abundantly clear, that the decision to eliminate the grade 13 external examinations is not predicated on administrative situations alone. We feel very strongly that this will do much to free the whole secondary programme in our school

system; give us far greater flexibility, and we think give the students in grade 13, grade 12, and right down the piece, better educational experience.

I have said on many occasions—and this is one time I would remind the member for Riverdale of certain personal views I expressed a year or so ago about the examination results not being the sole criteria for university admission—I think the fact that we now have eliminated these external examinations would indicate rather clearly that not only do we believe this but we in fact have done something about it. Examinations, Mr. Chairman, will not be with us in 1968.

**Mr. MacDonald:** Well, Mr. Chairman—

**Mr. Nixon:** Mr. Chairman, I know there is a rigid group of regulations that controls the handling of the papers, how they are set, how they are delivered to the schools, how the students work with them and how they get back to the department step by step. Over the years these have been refined to the point where most people have the confidence that once the process was set in motion, with the appeals that were built into the regulations, the whole thing was completely out of the hands of any executive positions whatsoever. Well, last year some changes were made in the regulations. I believe up until last year it was not possible to appeal after a cut-off date and was that date September 1?

**Hon. Mr. Davis:** No, the date was still September 1.

**Mr. Nixon:** Were any appeals accepted after that date? They were, surely.

**Hon. Mr. Davis:** No, I do not believe so, unless it could be, Mr. Chairman, that some student indicated he was going to appeal and it was held up through postage or something of this nature. We are a little bit flexible but September 1 was the date.

**Mr. Nixon:** I had the impression that there was some flexibility, if I may be frank in this, and if the Minister assures me that no appeals were accepted after September 1 that is sufficient as far as I am concerned.

**Hon. Mr. Davis:** We will make very specifically sure of this—

**Mr. Nixon:** But further to that I would ask him then, definitely what changes were made in the normal regulation of the examination to accommodate the inordinately large number of appeals?

**Hon. Mr. Davis:** Mr. Chairman, there is no alteration in regulation. I am not being critical of this at all, I am just stating facts, but I think part of the reason for the inordinate number of appeals was a great deal of public discussion that was generated, particularly by the English paper. I think there were a number of appeals that were launched or registered where really the students or the principals did not anticipate too much success.

I can only say that this year—and it is the first year we have been able to do so—we have a full complement of examiners for the English paper. This we feel will certainly help to a substantial degree, and of course we have also increased the per diem allowance for all examiners at the grade 13 level so that we have been successful—

**Mr. Nixon:** What is the fee?

**Hon. Mr. Davis:** Thirty-two dollars a day for the examiners. I can see the hon. member is thinking. Our lists are filled, and we feel this too will help in improving the quality of those who will be marking papers. It is not easy to get markers, Mr. Chairman. I should point out this has been one of the difficulties over the years, because the number of qualified teachers does not increase at the same ratio as the number of students who are writing the papers. So this is a step that has been taken and I think will assist, certainly in the English area. This is where we had the most difficulty last year.

**Mr. Nixon:** One thing that gave some credence to the objections that were raised in the press, and that the Minister has referred to, was the resolution passed by the headmasters association last year in August, calling for an investigation into the disparity between the marks received by a good many of the students and the confidential marks that had been assigned by the teacher. Some teachers are very skilful at predicting just what an individual student will finally accomplish and others are not so good at this. According to the headmasters, there was such a disparity that the relationship between the two sets of figures had almost disappeared and they called for an investigation on that basis.

I did read a comment that the hon. Minister had made after that, but I wonder what the result of that investigation was and to what extent the Minister has put reliance on the confidential mark and what the future of that programme might be.

**Hon. Mr. Davis:** Mr. Chairman, I think I have already indicated the future of the confidential mark.

**Mr. Nixon:** You have this year's exams to deal with.

**Hon. Mr. Davis:** This year it is one third or 35 per cent, and the resolution from the headmasters is related primarily to the English area. As I say, the investigations do not establish any form of provincial pattern at all. We are not able to find any specific reasons why the marks in community "A" related to the recommended marks of the staff and principal, but in community "B" they were not in conformity with what we suggested. There is not pattern that has been established.

**Mr. Nixon:** Do your inspectors use the confidence mark and the actual mark from the previous year in discussing with their teachers their skill in assessing their students?

**Hon. Mr. Davis:** Yes, Mr. Chairman. We send out reports to the district inspectors for the schools in which they are interested, indicating the grade 13 results and those areas where perhaps the teachers need some further assistance. This information is made available to the inspectors and we anticipate that they then will work with those teachers who require additional assistance.

**Mr. Nixon:** Mr. Chairman, this is the last I will say about this particular item then. There was no reason for the headmasters to be unduly exercised about what they called the "disparity."

**Hon. Mr. Davis:** Mr. Chairman, as I say, I am sure there was a reason, because there was this disparity. All I am saying is that there has been no specific reason found as to why the marks in community "A," which were on all fours with the recommended marks, were not the same in communties "B" or "C."

**Mr. Nixon:** I have been prompted by a friend to ask the hon. Minister specifically when he expects the results will be available this year.

**Hon. Mr. Davis:** Mr. Chairman, they will be available just as soon as humanly possible.

**An hon. member:** Hear, hear!

**Hon. Mr. Davis:** The only thing—I should not interject this—the one consolation that sometimes accrues to a Minister of Education is when he looks at one or two other jurisdictions and finds that it was not only some weeks but some months before—

**Mr. Singer:** They threw the government out down there!

**Hon. Mr. Davis:** —the results were available.

**Mr. Singer:** Mr. Chairman, back in the prehistoric days before the war when I was personally concerned about grade 13 results, and so on, there was a system where there could be recommendations and those students having above 66 per cent did not have to write the grade 13 examinations, they only had to write those for which they were recommended on a mark less than 66 per cent. Somewhere, I gather, this system was done away with immediately after the end of the war, and has not been reintroduced since.

Now, I recognize the hon. Minister has said that it is not solely an administrative difficulty, but certainly the administrative difficulties have been very substantial from 1946 to 1966, the 20-year period. I would guess—I do not know—that those persons who could get a recommended mark from 66 per cent on up would be what, half? Well, it is certainly a large percentage. It would seem to me that a system that appeared to work reasonably well before the war could well work again and remove a great deal of stress and strain from the administrative system.

Why did the system change and why was the new system introduced whereby all papers, all grade 13 papers, had to be written? Is there not some substantial advantage in allowing recommendations above 66 per cent? Could that not be tried and be of some value at the present time?

**Hon. Mr. Davis:** Mr. Chairman, this, I am sure, was discussed by the various committees which have been studying this problem over the past number of years, but the recommendations did not include this suggestion. I can only tell the hon. member for Downsview that from at least 1948 onward we all had to write our grade 13 and, of course, even with the recommended 66 per cent some of us still would have had to write them anyway.

This has been the policy, at least in my memory. I cannot give the reasons why it was changed or what it was prior to the war, but I want to make it abundantly clear that while administration is a problem, we do not think the teachers should be teaching specifically for examinations five or six months of the year and that their full efforts be directed toward that end.

I have communicated these views to the OTF on more than one occasion.

**Mr. MacDonald:** Mr. Chairman, I thought I detected on the hon. Minister's part an expression of belief—or perhaps it was just hope—that the same number of appeals would not come this time. I thought maybe I should warn him that I have been told of a few instances where a principal became so exasperated with what he thought were fairly far-ranging unfairnesses in last year's procedures that every failure is going to be appealed, without exception.

**Hon. Mr. Davis:** Mr. Chairman, this principal will have the great pleasure in 1968 of making some of these determinations himself.

**Mr. MacDonald:** However, in his reply to the rules whereby the special revising board operated and related problems, the Minister gave me a number of explanations which had varying degrees of plausibility, but I would still like to put one to him: How, conceivably, would you get from a mark down in the 20s up to a passing mark?

**Hon. Mr. Davis:** Mr. Chairman, actually there was one, in English, which was 31. The other two were history 20, and chemistry 28. These were both clerical errors.

One of them, as I recall, was related to a correspondence course student. I cannot tell you which subject, but there was no calculation made for the teacher's recommended mark. I cannot tell you the history of the other.

In English, the 31 arose because the special revising board increased—and I cannot give you the number of marks—but all those under 50, a certain number of marks and this put the paper in a position where it was the only failure. They had a fairly high average apart from this, so that the revising board, under its rules, said that the student would not be held up because of this one paper.

**Mr. Renwick:** Mr. Chairman, I have some remarks to make, and as it is 6 o'clock, I prefer to make them later on tonight.

It being 6 o'clock, p.m., the House took recess.

No. 139

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

## Monday, June 13, 1966

**Evening Session**

**Speaker: Honourable Donald H. Morrow**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, JUNE 13, 1966

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF EDUCATION
*(continued)*

**Mr. Chairman:** Order.

On vote 507:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, when we rose at 6 o'clock, I indicated that I had some brief remarks to make on the question of the grade 13 examinations and their proposed elimination.

The remarks of the hon. member for Downsview provide an adequate opening for the comments I have to make. It was interesting to note that in one period in the last 25 years when the grade 13 examinations were either abolished or suspended, the period from 1934 to 1940, the result of a substitution of a different system at that time was to establish quite clearly that the least successful students were those who earned their university entrance without taking grade 13, and that the group receiving recommendations generally came from private preparatory schools and had dismal grade 13 records.

There are other recommendations involved in this, but it illustrates two matters which are of concern to me. One is: it would appear that in the private preparatory schools during the period 1934 to 1940, the general motivation of the atmosphere to continue on to the universities was much higher than in the high schools. The result was that the recommendation system was much more widely used throughout that type of school than it was in the high school system generally.

This leads me to the point of very great importance, and I would hope that the hon. Minister would pay the concern to the point which it deserves, that regardless of all the failings of the grade 13 system—and I for one am delighted at the thought that it will be abolished—regardless of all its faults, it did provide a system by which people could be admitted, at least to the arts courses in the universities, without any indication of discrimination of any nature whatsover, with the qualification based entirely on the standard of their academic accomplishment, bearing in mind that we may all disagree that a set of examinations is not the best method of determining academic accomplishment.

But it did have this very significant fact, that for practical purposes, during the time that the grade 13 exam has been the entrance requirement to universities in the province, there is no indication whatsoever, at least in the arts faculties, that there was discrimination of any kind, and that the entrance requirement was based solely on the accomplishment of the student, to the extent that those examinations reflected that accomplishment.

The third matter that I would like to draw to the hon. Minister's attention, and on which I would like to have his comment, is that it is my understanding that it was at the point of the grade 13 examinations that the university system came into direct contact with the high school system, and through the university matriculation committee this is the basis, and this was the place, at which the integration of the two systems took place.

Now, so far as I could gather from the hon. Minister's remarks, he indicated that the Lakehead University's experiment was one which had not been evolved in consultation with the department; that the University of Windsor and the other university which was involved—its name escapes me—were as a result of consultation with his department, and that he was prepared to accept the experiment which was involved in those two universities.

But I do not think, Mr. Chairman, that it is sufficient to leave the connecting point between the two systems of university and high school graduation, the integration of those two systems, to whether or not the hon. Minister is or is not consulted on any experiment which may be made as to the entrance requirements to the universities. I am concerned that in displacing the grade 13 system—I agree that it should be displaced—that we have not had as yet any indication from the hon. Minister that there is going to be a comparable system —a better system—but a system that would retain and make certain that at no point will an element of discrimination based on any

other grounds than personal merit and academic accomplishment enter into the decision as to whether or not a particular student is or is not entitled to go to the university.

It would seem to me that the hon. Minister must indicate clearly to the assembly that he intends to exert his authority as Minister of Education, and where necessary, his authority as Minister of University Affairs; to make certain that whatever the new system is and whatever the criteria are which are going to be used for admission to the university, no element whatsoever of discrimination creeps into the admission system from the high school level into the universities.

The other aspect that is of concern to me is that so long as you did have a grade 13 entrance certificate, and regardless of the fact that there may or may not be any discrimination, you could go to university in the province of Ontario. In that way, at least, the universities were required to keep pace with the number of students, who, on experience, were going to graduate from grade 13 and continue on into the universities. The university system had to accommodate itself to those demands.

If there are going to be different gradations of tests for admission to the university we run the additional risk that over a period of time people will be graduating from the high school system, but will now not have any assurance that the university system, as distinct from the colleges of applied science and technology, are going to keep pace with the demands for the expansion of their student enrolment to accommodate all those persons who meet those tests.

The Minister will recognize that this reverts back to the problem which is of concern to me, about which I spoke this afternoon—the absolute necessity of keeping an open educational system. I would hope that the emphasis that I would like to place on my remarks to the hon. Minister would merit a reply from him, because I am not dwelling upon the fiasco, or otherwise, of the grade 13 system a year ago. I am referring to his position that he believes that the grade 13 system should be abolished for other and sufficient reasons.

I simply say, Mr. Chairman, that I agree with those other and sufficient reasons, but I would like to be assured by the hon. Minister that no element of exclusion by way of differential standards throughout the university system in the province of Ontario will creep into the admission arrangement now that grade 13 is going to be eliminated. I would like to be assured that the other facet of the same aspects of my remarks, namely, that no element of discrimination on any ground, other than academic accomplishment, will have any place in the transition that a student goes through from the high school system into the university system.

**Hon. W. G. Davis** (Minister of Education): Mr. Chairman, I think I can reply to this in rather brief fashion. Obviously no one wants it and I am sure there will not be any discrimination in the sense the hon. member is using it, as far as admission to university is concerned. The admission requirements to universities are established by those institutions.

At the present moment, generally speaking, for the general arts courses it is 60 per cent. This is a decision they themselves have made with some variations, and the same principle will apply when the college entrance boards are available in 1967 and come into full use in 1968. This, once again, will be in a sense comparable to the present system as far as admission is concerned so there could be no greater discrimination—and I suggest there really is not at this stage, on the basis of marks—as far as university admission is concerned. I cannot see this becoming a problem.

I think the concern that some people have expressed, and the one that we share in the department, is that we are able to maintain the quality of the programme. I think this is the one area that we have to work on to see that this is maintained during this transition period. But as far as discrimination against any student entering university, Mr. Chairman, I do not anticipate that this will be a problem in any sense of the word because of the use of the college entrance boards.

I should also point out the fact to the hon. member who refers to the three situations at the three universities. They are quite different. The experience at Lakehead University is not related to the other two; they are taking students who have had no experience in grade 13. They are taking grade 12 graduates on an experimental basis. Perhaps we will get into this in the debates on The Department of University Affairs.

The reason we have not encouraged this is that we are not sure just what the validity of such an experiment would be. I think you could pick any selected group of students who have finished grade 12 and anticipate probably that they will do well at the university level, so the validity of the experiment we would perhaps question.

In the other two situations at Windsor and at Guelph, the students were in grade 13. At Windsor they completed grade 13 and were

admitted on the basis of the grade 12 marks and the recommendation of the principal plus the Easter and Christmas examination results in grade 13.

At Guelph, the students were admitted for the semester system, that is in the spring semester, once again, based on the principal's recommendations, grade 12 marks, plus the experience they had had to date in grade 13, which included roughly two-thirds of the year. So the situations are separate from one another. I think, Mr. Chairman, that I can assure the hon. member that we do not anticipate, and we sincerely would endorse, the point of view that there should not be, and I am sure that there will not be, any discrimination as far as university admissions are concerned. This will not alter the responsibility of the universities and the people generally to provide a sufficient number of pupil places for university enrolment.

**Mr. Renwick:** Mr. Chairman, I would like the hon. Minister to tell us specifically what function the equivalent of, say, the university matriculation board will perform in this new change on admission to the universities throughout the province. Will there be some degree of uniformity? I am not suggesting uniformity in the admission requirements to the universities, but some board throughout the province which will be responsible, or have a sense of responsibility, to co-ordinate the various admission requirements that may be developed for very good reasons by different universities throughout the province.

It seems to me to be essential that there be some such co-ordinating body which will have, as has been the case in the past, university presidents represented on it and members from The Department of Education represented on it.

I think it is incumbent on the hon. Minister to tell us how he now expects to accomplish this transition from anonymous, relatively non-discriminatory grade 13 admission requirements to the university regardless of their faults, to a different system which is going to be based on the recommendation and assessment by the teachers and finally by the principal of the collegiate institute from which the student comes. I do not think that these questions would be so much in my mind if it had not been the case from 1934 to 1940 that the recommendation system shows that an element of discrimination—I am not talking of discrimination in the racial or creed sense of the term—crept into the system which favoured those persons who were students at private schools throughout the province, and worked to the disadvantage of those who were within the public school system itself in the province.

I think on those two aspects of the proposed substitution, the hon. Minister should inform the assembly what he has in mind. Certainly, unless I have missed the Minister's remarks on other occasions, the emphasis has all been on the proposition for abolishing grade 13, and I would like to have some clear indication rather than the Minister's specific assurance which I, of course, accept, but some clear indication of what the procedure and the mechanism will be which will be substituted for the elimination of the grade 13 system.

**Hon. Mr. Davis:** Mr. Chairman, I thought I made this point when we were discussing grade 13 earlier. I certainly touched on it when the statement was made about the elimination of the grade 13 examinations. The college entrance boards which are examinations on a broader basis, are being adapted and altered, of course, for use in our own jurisdictions, from the college entrance boards that are used by the bulk of the universities in the United States. These are anonymous tests. They fulfil the same relative role as the external grade 13 examinations, except that they are not, shall we say, as specifically based, or related as directly to some of the curriculum content.

They are objective type tests, as I am sure the hon. member appreciates, and they are more general in nature. These tests will be administered, and a student entering or wishing to enter a university will have to write and pass these college entrance boards. I think the control of the situation the hon. member refers to will be well looked after when these examinations are developed, and they will be ready for their first use in 1967. We are taking one year to run two sets of examinations so that we can assess the college boards to see if there are any flaws or alterations that need be made before they are the main examinations in 1968.

I should also point out that the matriculation board does not itself set admission standards to the universities. These are set by the universities. The matriculation board only administers the grade 13 examinations, so that the liaison between the universities and the secondary system really will develop, and is developing, in a very encouraging fashion through the curriculum.

We have university personnel on curriculum committees and so on and this is where the liaison between these two levels of education will, and should, in future occur.

I should also point out that the bulk of the universities have established the office of liaison officer with the secondary schools. Many universities have personnel in this field to establish their own rapport with the secondary system. I think if nothing else, one of many good things that came out of the grade 13 committee report has brought The Department of Education and the officials there, and the university officials, much closer together. The joint study of the general and advanced levels, and the material that was prepared, which in the final analysis was not adopted, nonetheless the interchange of thinking and so on between the secondary people and the university people, has had in my view, a very beneficial effect.

So I think, Mr. Chairman, the control is there, and as I say, the main liaison between universities and the secondary system quite obviously will lie in the field of curriculum development, because we want to co-operate with the universities in this area, and we have university personnel serving on the bulk of our curriculum committees at the advanced level.

**Mr. Renwick:** Mr. Chairman, I have one further comment on what the hon. Minister has said.

I understand he is speaking about the anonymous multiple question type of examination which students under the admission system would be required to take. What additional requirements will a student have to fulfil in order to be entitled to attend the university? If there are very many more requirements added in addition to that, you are likely to find that there is, consciously or unconsciously, a discrimination in the sense that the numbers that will be admitted to the university system will be restricted. I would point out to the hon. Minister, if my memory is correct, that during the period 1949 to 1959, the growth of the University of Toronto was tremendous, and the actual percentage growth was very, very high in that ten-year period. But the actual number of admissions to the University system at the first year, was very, very low.

Now, it would seem to me that in line with the discussion which we had earlier this afternoon, I think it is incumbent upon this hon. Minister, in his capacity as Minister of Education, to make absolutely certain that the system is open and to go overboard to make certain that more and more students are admitted to the university system.

The attrition at the university, if the quality of the teaching is maintained and the quality of the intellectual achievement is maintained, will provide its own limitation of those students who find themselves unable to cope with the university system. But on the other hand, I think that is a much better method than providing a restriction based on some requirement of the formal school system up to and including the grade 13. I think the Minister must indicate to us if he wants to keep it open, if he wants to increase the number of people who can possibly attend the university, and that his mind is directed towards the dangers of the introduction of this system.

**Mr. Chairman:** Shall this section of vote 507 carry?

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, one of the places where I find people advocating the retention of grade 13 is in northwestern Ontario.

**Hon. Mr. Davis:** I wonder, Mr. Chairman, if we could clarify one thing, because the hon. member for Riverdale has used the statement on two or three occasions. So that we are all sure we are talking about the same thing: We are discussing now just the examination, not the abolition of grade 13 as a year. We are just talking about the departmental external examinations.

**Mr. Thompson:** I am really talking about number 3, which I was moving into, number 3 under the scholarships to residents of Ontario for study outside Ontario. I will wait, if you like.

**Mr. Chairman:** I think we are dealing with the entire section of that registrar's division. You may carry on with that if you will.

**Mr. Thompson:** I appreciate the point the hon. Minister is making, Mr Chairman, but as I say a group of people in northwestern Ontario are quite concerned that they keep their children in the local school as long as possible, for this simple basis: When they are ready to go to university, if they can get there sooner than 13 years, every year they go to university it costs them something like $1,000. I am thinking of such places as Red Lake. The thing I find unfortunate is that many of them are not going to Ontario universities but are going outside to universities in Saskatchewan and to others.

These are working people, in that whole area. I am sure the hon. Minister is aware of this. They can only send two or three of their children at the most to university.

Really, I am trying to turn these scholarships to residents of Ontario for study outside

Ontario into another area. I am just wondering if the Minister has considered the idea of some kind of residence subsidy for those who live long distances from the Ontario universities, on a basis somewhat similar to that available to members of Parliament. The further they live away from Queen's Park, the more they get a travel subsidy.

**Hon. Mr. Davis:** Mr. Chairman, I wonder if we could touch on this in The Department of University Affairs estimates where we consider student aid?

These scholarships are for teachers. There are a limited number for teachers in the school system. These are special awards made every year. I think there are four this year for study outside our own province. They do not relate to the problem that the hon. leader of the Opposition has raised

**Mr. Chairman:** Would the leader of the Opposition withhold it until the university estimates?

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, the hon. Minister has answered the question.

**Mr. R. F. Nixon** (Brant): Mr. Chairman, the hon. Minister in his comments about the abolition of the departmental examinations said there were several alternatives he was considering whereby quality control, and that is his phrase, might be maintained.

One possibility would be that the examination would be set centrally and the teachers at the local level, who would have the responsibility for the marking, might have a short period of indoctrination as to the value emphasis that might be given to the examination before it was actually conducted.

There have been some other suggestions; one that I would like to make myself is that part of the dispersed grade 13 examination might be of the short answer type brought into use at the grade 12 level, that could be marked centrally, and rather cheaply and rapidly by machine, that would form simply a part of the departmental certificate that would be granted under the local jurisdiction.

I wonder if the hon. Minister would comment more fully as to what plans he has for the maintenance of standards for the school leaving certificate?

**Hon. Mr. Davis:** Mr. Chairman, as I am sure the hon. member knows, the college entrance boards are the type of examination that you are really describing. These will be developed in various subject fields, plus the general objective test. These will be available to the students at the grade 13 level.

When I suggested there were several alternatives I am not sure I used that exact phrase, what I suggested was that the department, and I am sure all of us are concerned that the quality level be maintained in the grade 13 area.

I want to make it very clear that, while we recognize this is quite a change for the senior people in the school system, we do have confidence that they are capable of discharging this responsibility. A competent teacher, with the principal to assist, certainly after the youngster has been, in many instances, in the school for four or five years, should be in a position to assess whether that youngster should receive his school leaving certificate and as a result prepare the way for entrance to post-secondary experience.

I think, Mr. Chairman, that while we shall endeavour to be of any assistance we can during this period of time, in the final analysis we want the schools themselves, the principals, the heads of departments, and the grade 13 – or whatever happens, some day maybe grade 12–teachers to assume a good portion of the responsibility for determining whether the youngster is ready to move on to post-secondary experience.

At the same time, the universities will have the college entrance board tests available to them. As the hon. member knows these are given some time in February or March as a rule, so that marking does not interfere with the entrance or admission situation during the late August or early September weeks.

**Mr Nixon:** The Minister then intends that the results of the college entrance board tests would be a part of the requirement for the school leaving certificate, is that so?

**Hon. Mr. Davis:** Well, Mr. Chairman, this is something that is being discussed at the present time, whether or not we will ask every grade 13 student, or suggest they all, participate in the college entrance boards, this is something we will have to determine as the information about the examinations themselves becomes more specific. But certainly the examinations will be used for all university bound students–and perhaps this will apply, say to teachers' colleges and so on, but we are not sure that we will also use the college entrance board examinations for them. This has not been determined.

**Mr. Nixon:** You are considering a requirement that all students in grade 13 would have to take this test?

**Hon. Mr. Davis:** This is a possibility.

Vote 507 agreed to.

On vote 508:

**Mr. Chairman:** Under this vote I suggest to the members of the House that we should follow it in the sequence of the numbers. Item 1 under vote 508?

Items 1 to 3, inclusive, agreed to.

On item 4:

**Mr. Nixon:** Mr. Chairman, under recruitment we have had the case recently brought to our attention in the press of at least one high school board in Ontario having to go outside the confines of the province in order to get qualified applicants for apparently well paid positions. This is the high school board in Bracebridge which I understand has been successful in attracting applicants from Scotland and England so that their requirements have been filled.

I wonder if the Minister would care to comment on the availability of teachers at the secondary level and whether or not he favours the expenditure of public funds for the recruitment of teachers outside the country. My own feeling is that these people, who are obviously adequately qualified, will form a very valuable addition to the teaching staff in this province and that some grants might be made for the assistance of this programme.

**Hon. Mr. Davis:** Mr. Chairman, I make it very clear that we certainly do not discourage boards from going outside the jurisdiction to obtain teaching personnel. As I said in my general remarks—and really this item perhaps would be more appropriate under the OCE vote—we are dealing here with elementary teacher training or teacher colleges and we have not quite the same problem. The Bracebridge board, as I recall, was recruiting secondary staff. We still have a shortage of qualified personnel at the secondary level, there is no question about this. We certainly do not discourage the boards from going outside the province to do recruiting for qualified personnel. Whether we would be prepared to assist I think would depend to a degree on the severity of the situation. While we acknowledge there is a shortage, many of the boards have been able to fill their quotas this year at the secondary level, I would say a very high percentage of them. As to whether we would get into any general policy of assisting the boards in recruitment, I would be hesitant to venture an opinion at this point. Certainly we do not discourage them from doing so. I said earlier in my remarks, the metropolitan separate school board has been doing this for some years at the elementary level because we still have a shortage of separate school teaching personnel.

**Mr. Nixon:** I have a question associated with that, Mr. Chairman. The report of the Minister's committee on the training of elementary school teachers would indicate in table E that for the year 1966-67, 5,590 graduates would be required to fill the vacancies that would be necessary to adequately man the elementary classrooms in that year. Can the Minister assure us that the numbers will be met by the present facilities that are available for teacher training?

**Hon. Mr. Davis:** I should not say there will not be a problem but we do not anticipate any difficulty in meeting the requirements for elementary personnel. Obviously, as the programmes are altered and we move towards degree situations, I cannot predict just what the supply will be during a period of transition. That we will have to experience as we move towards degree situations for the elementary people. Certainly on the basis of table E and the projections for 1967-68, on the present basis, I feel we can supply sufficient teachers for the system.

**Mr. Nixon:** This would include the separate school system?

**Hon. Mr. Davis:** Yes, Mr. Chairman, I think we can even be optimistic in that regard.

**Mr. Nixon:** According to the statistics available to us, there is $100 differential per student per year when we compare the public system with the separate system. We will be talking about this under grants, but I feel this reflects more dramatically in teacher supply for the separate system than anywhere else. I wonder if the Minister could tell us why the shortage of teachers at the elementary level is more persistent for the separate system. Is it because of the availability of funds for teachers' salaries?

**Hon. Mr. Davis:** Well, perhaps there are two or three reasons, Mr. Chairman. One of the reasons would be there are not the same percentage of separate school students in the teachers' colleges as there are students in the separate school system. It is very difficult to give any reasons why there are fewer being attracted, perhaps over the years

salary has been one of the problems. But I would say that we have come very close at least to reaching the point, I think quite recently in Sarnia, here in Metro and many other communities where the separate school salaries are either on a par with or very close now to public school salaries. So perhaps this will encourage a higher percentage of separate school teachers. But it is hard, Mr. Chairman, to pin down any specific reason why there is a shortage in the separate school field, although as the hon. member knows, I think, over the last four or five years it is probable —and I do not have the statistics in front of me at the moment, but I shall get them—that the separate school system on a percentage basis probably has grown more rapidly than the public system, but I am not sure of this. I will check this out, but I think that is the case.

**Mr. Newman:** Mr. Chairman, while we are on this topic, I would like to bring to the Minister's attention the difference in the percentage of government assistance being given to the separate schools for the past three years. In reading from the June 12, 1966 issue of the—

**Hon. Mr. Davis:** Mr. Chairman, I do not want to discourage the hon. member from making these remarks, but I would think it would be more appropriate to raise this in the item on legislative grants.

**Mr. Chairman:** Under vote 515?

**Hon. Mr. Davis:** I would think this would be the logical place.

**Mr. Chairman:** Yes, I think so.

Items 5 to 9, inclusive, agreed to.

On item 10:

**Mr. Nixon:** Item 10 deals with integrated course for teachers with degrees, $4,000. I wonder if the Minister would give us a fuller explanation of the use of that money?

**Hon. Mr. Davis:** I am sorry, Mr. Chairman, would the hon. member—

**Mr. Nixon:** What is the $4,000 for in item 10?

**Hon. Mr. Davis:** This is a payment, really from one pocket almost to another, from the London teachers' college to the London OCE for the instruction of the students who are in the integrated instructional course.

**Mr. Nixon:** It has never been clear in my mind how this differs from what has gone before and what is in effect a new programme. Teachers with degrees have always had the opportunity to go to a college of education and take a public school option. I do not know in the past whether it has been necessary to supply special funds to finance that, I have not been aware of it. I would say as far back as 1950 this was available.

**Hon. Mr. Davis:** Mr. Chairman, this is quite different really from the concept the hon. member refers to. This is the case of students at the teachers' college, going to OCE, so they have a certificate that will allow them to teach both in the elementary grades and at the secondary level. This is a programme that is endeavouring to integrate the personnel, or at least the late elementary grades and the secondary grades, as far as the teacher is concerned. This is quite a different programme introduced this year for the first time.

**Mr. Nixon:** Mr. Chairman, I do not see how it can be quite different because under the old system, the candidate had to have a degree as is required now. He was not registered primarily in the teachers' college, he was registered primarily in the college of education, but he then took a public school teacher's option which permitted him to be certificated at both levels in exactly the same way that this does.

**Hon. Mr. Davis:** Well, Mr. Chairman, there is a difference. They get an option in the secondary level and they are not required, as they were under the previous arrangement, to take the summer course at OCE. There is quite a difference, not only in concept but in actual practice.

**Mr. Chairman:** The member for York South.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, I do not know which of the particular points that you have rambled through—

**Mr. Chairman:** We are on item 10, of vote 508. Does the question you have in mind relate to this vote?

**Mr. MacDonald:** It has to do with vote 508, sir. For years one of the most perplexing problems we have had to face in education has been the dropout problem with regard to students. Rather ironically, I think, today an equally important problem that we have to face is the dropout problem among teachers. I would like just for a moment to present to the House some of the variety of

evidence that has been made available by committees of the Ontario teachers federation and other organizations with regard to the reasons for this situation. Because, I submit, this is an extremely important and serious problem that we have to face.

For example, the Ontario teachers federation set up a committee a year or so ago—secondary school teachers federation—to look into this problem and they made available to the public the information at the time of the OCE convention somewhat earlier this year—indeed, it was earlier than that, it was back last December—the fact that while there were 5,000 new teachers came into their ranks during the past year there were 3,000 teachers who departed. They had done an accurate survey across the board as to the reasons for this departure and some of the information they came up with was rather intriguing.

The major reason, the most important reason, for people dropping out of the profession were people who were really unqualified to teach at all. I suppose one should greet this kind of information with mixed reactions. For instance, that it is depleting the ranks of teachers. But, on the other hand, I think it is evidence that there is a natural weeding out process of people who came into the teaching profession during the last 10 or 15 years when we lowered the standards for teacher qualifications to such a point that there is no doubt in the world some who came in were really not qualified, either professionally or by temperament or anything else.

So, as far as they are concerned, there will not be too much regret. However, 40 per cent of those who left, which is in itself a rather significant proportion, left because the work load was too heavy. There is a very significant body of evidence pointing to the fact that you cannot continue to have teachers in the secondary and, indeed, in the public school level operating on what amounts to a 70-hour, 80-hour or even greater working week, with a great deal of preparation, with almost continuing teaching from 9 till 4, and expect that they are going to stay in the profession. Now that there is some competition and other opportunities in a fairly booming economy, they are simply leaving and going elsewhere.

For example, one of the comments of Mr. G. D. Gibson of Kingston, who was chairman of the committee to which I have referred, was, and I quote:

> Teachers have to convince the public you do not crank out nine hours of class work, run three hours of extracurricular activities, go home to two hours of correcting papers and then get up the next day ready to do it again.

He is also quoted in another of the newspaper reports to the effect that:

> He attributed the situation to heavy lesson preparation, large classes and too few spare periods.

In other words, whether one likes it or not, whether one thinks that the teachers' profession is becoming somewhat pampered in terms of the good old days when they were willing to work, teaching seven grades and going at it as many days in the week as was necessary for a much less salary, teachers are now beginning to recognize that they are a profession. If they are going to do the kind of job that is demanded of them they are going to require something of the kind of schedule that teachers, for example, in universities are regularly accorded. Which is an infinitely lighter kind of schedule than you would experience in the secondary school.

The *Globe and Mail* on February 26, for example, reported a number of teachers who had met in North York and discussed the problems that were resulting in such an exodus from their profession. They quoted one, Ward McAdam, a music and mathematics teacher, who was moderator of the panel, who pointed out that 1,200 of those 3,000 teachers had left because of the work load.

They cited the comments of one teacher and I quote:

> "I take it for granted that I cannot teach properly if I have eight periods a day. Nor can I do a proper job if I have five periods in a row," Douglas Sheldrake, a history teacher at Downsview secondary school, said. "I do not need to prove it, I know it."

And so on the evidence goes. The *Globe and Mail* commenting at approximately the same time, February 28, after this particular meeting, noted—and this is their conclusion—that the burdens of the teachers do seem inordinately onerous. They quoted one particular case which, in its own way, is a good example. I am quoting from their editorial:

> One of those who contributed to the discussion, Mr. Norbert Thomas, a 33-year-old English teacher at Downsview secondary school, spoke as a man who had worked in several occupations but found teaching to be by far the most demanding of them. Outlining the first six months of his career as a teacher, he reported that up to Christmas he worked between 95 and

105 hours a week—he has now got it down to 85.

He teaches 34 periods of English a week and the demands on his time are such that he has not read a book or seen a movie since last summer. "I have no axe to grind and I am not a shirker," said Mr. Thomas, "but the general public has no idea what the high school teacher goes through. The thin edge of the wedge of disillusionment is beginning. I do not know what the answers are. I like my school; I like my administration; I love my students but something will have to be done about our work load."

The *Globe's* comment later was:

There is some evidence that breaking point has been reached in an alarming number of cases. Mr. Ward McAdam, a music and mathematics teacher who was moderator for Friday's discussion, said that 1,200 teachers left the profession last year because of excessive work loads, too many classes and classes that were too large.

I throw in for our consideration another bit of evidence from an authoritative voice. This is one I think I referred to briefly in my Throne speech earlier this year: namely, Gertrude Fath, who is assistant superintendent of secondary schools for the board of education in the city of Toronto. She noted that 25 per cent of Toronto secondary school teachers were new to the profession in September of last year. And her further comment was that 25 per cent of that number were graduates of the crash summer training course. This means, she told the East Toronto district of the Toronto planning council, that one-sixteenth of our teachers of our secondary school teachers have no experience and are virtually untrained. That is, professionally untrained. Admittedly they all had university degrees.

Mr. Tom McCuskar, the public relations officer of the Toronto district of the Ontario school teachers association, also pointed out with regard to the exodus from the profession, that large numbers of highly experienced teachers have been leaving the profession.

In 1950—here is the consequence of it in the Toronto area, which is a sort of prize area where teachers tend to concentrate because of the greater opportunities and somewhat higher salaries in some instances—in 1950 the median experience of Toronto teachers was 25 years, in 1965 the median experience was three years.

So clearly, and for whatever reason, teachers are vacating the profession in the Toronto area in such numbers that your median period has dropped from 1950 to 1965 from 25 years to some three years.

On May 12 there was a meeting in Ottawa in which, to switch from the secondary level to the elementary level, Mrs. Russel T. Irvine, who is president of the Ontario school teachers federation pointed out, and I quote her:

In the present teacher market a person would be crazy to go into elementary teaching. They either decide to take summer school to prepare themselves for higher paying jobs in secondary schools or gave up altogether the idea of teaching.

Her sort of concluding comment in this connection, from the board point of view, was that "boards can get three non-graduates for the price of two graduates" and therefore there is a tendency for people in the elementary school teacher level to move out and go into the secondary school level so that there is a great dearth.

I was interested in the observations—to move to another sector of our problem of representations—that were made by a teacher who, this past year, has been on a sabbatical at Victoria University and presented a rather interesting brief to the Hall committee in which he laments the rather stringent regulations that this government has with regard to teachers who come from other jurisdictions, and because their particular experience and training does not happen to dovetail with the particular experience that we have, these inflexibilities result in their being excluded from an automatic entry into the profession.

He provided me with some information, for example, with regard to the representations on many levels in a meeting that was held here in Toronto of people who complained of the generally unsympathetic reaction of the various professions—quite apart from teaching—to newcomers who came from other lands. There is one rather illuminating letter that was written to the *Globe and Mail* on November 12, 1965 by a woman, Valerie Westcott, GGSM, from London who reported that:

I came to Canada in April, 1964, the possessor of a degree in the teaching of school music, a degree granted after three years of intensive study on all aspects of music teaching in schools, including the psychology and pedagogy of teaching music to all age groups from four years old to university entrance and possessing, too, the knowledge accumulated from five years'

practical experience of teaching in a London secondary grammar school as head of the music department.

Upon arrival, I too presented myself at the Ontario college of education to apply for a letter of standing, only to be told that they were not issued for music, physical education or home economics and that I must attend a summer course—not just one, mark you, but a series involving three five-week summer courses, then I would have the status of a music specialist.

However, apparently my credentials were not good enough for admittance to the OCE course; I must do the Toronto board of education course, and I was referred to the head of the music department.

And she goes on to relate her unhappy experiences and she concludes with what I thought was a rather punchy conclusion to this kind of experience. She said:

I begin to think that if St. Paul arrived in Ontario, he would have to attend a summer school course teaching the basic tenets of Christian belief.

If we are in urgent need of teachers of standing, it seems to me that some of the qualifications that we have laid down and that we pursue with such inflexibility, are a bit nonsensical. I like the comment of David Stager and others with regard to community colleges. When we get our community colleges, when we have an open door policy completely so that people come in whatever may be their background, the important thing is not what their background is and the paper achievements they may have to present, but rather the evidence of their capacity to do a job; the evidence of their capacity to learn and to teach or whatever other field they are going into.

All of these aspects represent various problems in the whole question of maintaining an adequate supply of teachers, both those who are leaving for the reasons that I have touched upon and those who have difficulty in getting into the profession. I would certainly like to invite the hon. Minister's comments as to whether we cannot cope with the problems that are forcing people to leave, and of relaxing some of the inflexibilities that are keeping people out of the profession when they are seeking a possibility to play a role in it.

**Mr. Nixon:** Mr. Chairman, if you will permit me, the hon. member for York South has touched on the qualifications for teachers at the secondary level. If I may put this on the record, it would be answered I would think, in the same way.

This letter I received is from a professional engineer, a competent one, who practised in this province for some time and then went into teaching. He feels they form a group which has been largely overlooked in the certification procedures that have developed over the years and, Mr. Chairman, if you will permit me, I think it is valuable enough to put on the record because I understand that there are 500 such people in the province of Ontario who have left jobs as professional engineers and entered teaching. I quote from this letter:

I graduated from the University of Toronto in mechanical engineering and practised my profession successfully for five years. During that time I became interested in working with the development of young people through organizing and coaching amateur sports. Two years ago, an article written by the Deputy Minister of Education appeared in the journal of the association of professional engineering. The Deputy Minister cited the great need for qualified teachers in maths and science and expounded on the eminent suitability of professional engineers in this field. He closed with an appeal which I answered in the spring of 1964. Taking a $2,000 cut in salary and losing another $1,200 salary while I attended summer school, I entered the teaching profession.

During that first summer our lecturer in school management and law told us that if we had a four-year degree—

which, of course, this chap had:

—with second-class honours, we would be eligible to enrol in a summer course leading to a type "A" high school assistant certificate on completion of our type "B" requirements.

Dr. Fowler's office at OCE told us that a ruling on our standing would be deferred until we had completed our first summer course. In short, it was not until I had committed myself with considerable financial sacrifice that I was made aware that barriers to my advancement existed.

Last year in my first year of teaching, I was given an excellent rating by the department's inspector and was encouraged to qualify for headship as quickly as possible. This spring an assistant headship was available at my school and I was told by my principal that it would have been mine for the asking had I

qualified for my type "A", and yet after four years in a science course in a university maintaining second-class standing at least, Dr. Fowler is demanding that I take five honour courses and two pass courses in physics and chemistry before I am permitted to enter the summer course leading to my type "A" in physics.

As I have stated, my case is not unique and the effect that this is having is that many capable science teachers are turning to guidance, drafting or shops because it is easier to advance to type "A" in these subjects and their places in our science rooms are being taken by progressively poorer qualified people.

He goes on to comment about the procrastination of the department in making a ruling in this regard but I, myself, am aware of teachers with this background teaching science and I would say to the hon. Minister that particularly for maths and physics, they are eminently qualified. The requirements for a science specialist certificate have, in the past, been second class in botany and zoology as well as chemistry and physics. This has made the science specialist a rare bird indeed in the past. Surely there is some way whereby people with the standing that has been described in the letter that I have brought to your attention, Mr. Chairman, might be encouraged rather than discouraged, entering this field of community service.

**Hon. Mr. Davis:** Mr. Chairman, endeavouring to deal with both observations—and we are really into the vote on the OCE's, but I think we might as well deal with it now—dealing with the general observations of the hon. member for York South, I do not think that there is anyone who would disagree on the desirability of maintaining people in the teaching profession who have the qualifications and who are, in fact, demonstrating that they have the capacity to offer this service. I think there is no doubt that in some areas, the secondary people—and I think it also applies to the elementary people—are being called upon to spend more time. There are the difficulties they experience with the change of curriculum and teaching is obviously becoming a more demanding profession. I should also point out that this does apply in many other fields of human endeavour, as well, but I think we should be making every effort—there are no easy answers—to see that the administrative chores of the profession are relieved to as great an extent as possible. I think that over a period of time we shall be able to assist with this.

I would think also that the public should encourage by the greater acceptance, although I do not think this is the problem it was five or ten years ago, of the professional nature of the teaching profession itself. I also of course realize that at the secondary level, one way to do this is to have more secondary teachers. I think, Mr. Chairman, there is no point in being less than frank, we have a shortage and we will continue to have a shortage of qualified personnel at the secondary level for a period of time.

The teachers federation, and we endorse this in principle too, would like to see a discontinuance of a summer course. They would like to see everyone move through the regular winter course stream and, as a matter of principle, we also support this point of view. But, Mr. Chairman, we are faced with a demand for teachers, so we must continue the summer programme for a period of time.

I would point something out, and this is not taking issue with any of the statistics or the figures, but I thought the hon. members might be interested. This material comes from the elementary and secondary principals' September report. At the secondary level, from September 30, 1964, to September 30, 1965, there was a total of 2,050 withdrawals at the secondary level; 320 withdrew to go on to further university or other educational institutions; 424 to teach in secondary schools or elementary schools or colleges or schools outside the province; 256 in non-teaching occupations. So there are 256 who left to enter some other field of endeavour. Some left for the resumption of household duties. This applies primarily to married women. I do not think any of the married men resumed any household duties. There were some 389 of these. In addition, 106 were married; 240 retired; illness 38; death 32 For a multitude of other reasons, some 245 left. The total in the period of time, from September 30, 1964 to 1965, some 2,050. But they were not all lost, I am just pointing this out, to the school programme.

**Mr. MacDonald:** How does one equate the 3,000 figure quoted earlier, with the one you have just given?

**Hon. Mr. Davis:** This is what I am pointing out. This is the information we have from the elementary and secondary principals' September statistical reports. I guess you can interpret statistics in different ways, but this is the information we receive from the principals' reports that are filed with us.

I should also point out, I think this has

some validity, that perhaps the city of Toronto is experiencing a greater problem in this area than the suburban communities. A lot of teachers have left the city of Toronto board because they wish to move out, rightly or wrongly, into the suburban communities, and are teaching there as a result.

We still have a shortage of qualified secondary personnel and every effort will have to be made to see if we cannot attract more people into the profession.

The hon. member for Brant raised the problem of a number of engineers, who are in fact granted the type B certificate. It is always a problem, when you get down and establish type A, B and C certificates, to have certain rules and regulations that will pertain. I have met with this group of representatives from the engineering profession and I do not dispute for a moment they are good math or science teachers.

But there will be those who will argue that while they are good, they are not as competent as the specialist, who is entitled to his type A certificate. And there is nothing to prevent, as the hon. member indicated in his letter, nothing to prevent the individual with the type B from moving on to the type A certificate. Obviously it does involve some further preparation There is no question about it. But difficulty arises, Mr. Chairman. Do you just automatically give everyone a type A certificate? I think there are standards and you always have to draw a line at some point.

As far as teachers from outside the jurisdiction are concerned I think in fairness, certainly at the elementary level, the department makes a very genuine effort to equate their qualifications. The fact that the Metro separate school board has brought in such a substantial number from outside the jurisdiction is clear evidence that we are quite prepared to grant these letters of standing. Actually, in that same period of time we granted 628 letters of standing at the elementary level and some 94 at the secondary. But at the same time, once again you cannot always equate the situation.

If memory serves me correctly, the one specific example the hon. member for York South referred to, I think it was in the field of music this teacher had some qualification. The fact is, at least I believe this to be the case and I am subject to correction, the individual did not in fact hold a degree and the degree is the requirement for teaching, if at all possible, in the secondary area. I am subject to correction, but I think the member will find this to be the case.

**Mr. MacDonald:** Nevertheless it was a degree.

**Hon. Mr. Davis:** Not the same as our degree.

**Mr. Chairman:** The Minister has reminded the House that we are actually overlapping from vote 507 into vote 517.

**Mr. Nixon:** Mr. Chairman, the hon. Minister said a moment ago that surely we cannot expect the certificating authority to award a type A certificate to just anybody.

**Hon. Mr. Davis:** When I say just anybody, I mean that if you are awarding a type A certificate to a person who has gone through certain steps or procedures to achieve that certificate and is well qualified, I think it is difficult to state that someone else can then come in, because they are to a degree competent but do not have the same qualifications, if I am explaining this properly, as the standards that have been set for the type A. The point then in establishing standards of certificates, I would think, Mr. Chairman, tends to disappear

We are not disputing the competence of these people with their type B certificates. All we are saying is that they should go through and obtain the same qualifications as those who have their type A.

**Mr. Nixon:** Looking at it from the other direction, I am sure the Minister would sympathize with a graduate of an engineering course who was awarded a type B certificate by the Minister, along with his colleagues who had received a three year degree without the necessity of maintaining a 66 per cent standing. Somewhere between these two extremes, surely, lies justice.

According to the letter I read, the hon. Minister and his deputy particularly have gone out of their way to attract these competent scientists out of a lucrative profession and into teaching. One of the attractions surely would be that they would be better satisfied dealing with young people in an academic situation than they had been in their previous work, and this is a decision they would have to take. But the fact remains that their qualifications in mathematics and science, I would say physics, chemistry and mathematics at least, would probably put them in a position superior to the holders of most type A science certificates.

A special certificate in science, as the Minister knows, requires biology as well as chemistry and physics; at least it did for many years, and I would say that most of the

science specialists teaching in the province at the present time do have this background. It seems strange that a graduate of an honour course, such as an engineering course, maintaining the 66 per cent standing could not receive more consideration from the department than he has.

**Mr. Newman:** Mr. Chairman, I would still like to bring up another point concerning teacher shortages, and that is the matter of money. In my own community just recently there was the threat of a teachers' strike. It was based primarily around the desire of the teachers for an increase in salary. It is quite unfair for teachers there to be expected to work in a school system when they read the newspaper and find advertised by their own community that the police department wants constables and police officers, with a grade 10 certificate for which they would pay $3,800.

Mind you, these policemen are worth the $3,800 for the type of work they do, but by the same token you are having the starting wage in the separate school system below $3,800. A grade 11 certificate brought you $4,500. A grade 12, $5,000 and a grade 13, $5,300.

The elementary school teacher would have had the equivalent of one year beyond grade 13 and you are asking that individual at that time to start at approximately $1,500 less than the average police constable.

Were grants sufficient to the separate school board to enable them to increase their salaries to the same level as they are paid in Metro Toronto, I do not think you would have had the trouble. These people have to be awfully dedicated to be expected to work for $3,800 a year, when the average wage in the community is $110 a week, which is almost $6,000 a year.

**Mr. Chairman:** Mr. Minister, would this not come under the grants?

**Mr. R. M. Whicher** (Bruce): Mr. Chairman, I was rather disappointed that the Minister did not say anything about the letter that I think the hon. member for York South quoted, where one of the teachers was working for 105 hours a week. I think he quoted a letter from one of the local papers.

My feeling about it was that the teacher was very conscientious or very stupid. Because 105 hours a week is exactly 15 hours a day, including Sundays, and he would not have too much time, if he was an ordinary sleeper, if I may put it that way. Sometimes I think we have a tendency to—I must be awfully careful here, I am on very dangerous ground. I appreciate the fact that teachers are very, very important in this society of ours. Surely there is no one more important than the men or women who are teaching our sons or daughters.

On the other hand, there are two sides to this story. While I appreciate the fact very much that teachers are in short supply, may I point out that doctors are in short supply and good lawyers are in short supply in many areas of the province. I was looking right at the Minister of Education; he is a man who was a lawyer and left the job to become Minister of Education, and no doubt the law society is missing his valuable services.

But the point is that bricklayers are in short supply and so are plumbers in this society of ours in Canada and particularly in the province of Ontario. We have many professions in which we need good trained personnel. On the other hand I do not want to go back to days when, I remember, in the little public school that I attended I think the teacher was getting about $800 per annum. I know to even mention this, that is probably high for the Minister of Municipal Affairs—

**Hon. A. Grossman** (Minister of Reform Institutions): He did a good job on the hon. member.

**Mr. Whicher:** I would not say that actually. I know these figures are silly to mention, but on the other hand somewhere along the line we have to come down to brass tacks. we have to appreciate the fact that while teachers, of course, in the summer time are trying to improve their position in life, on the other hand they get eight weeks holidays to do that.

They get things such as Easter holidays and Christmas and I know all these things are needed. I almost cried when I heard the hon. member for York South telling me about the teacher who had five periods to teach in English, I think it was, and who could not do a justifiable job if he had to teach five periods in a row, which I presume amounted to two and a half hours. May I ask, Mr. Chairman, what about the dentist who has to pull teeth for six or seven hours of the day, can he not do a justifiable job?

**Mr. K. Bryden** (Woodbine): There is a slight difference.

**Mr. Whicher:** There may be a slight difference, I agree. It hurts to have your tooth pulled and it does not hurt to accept knowledge.

**Mr. MacDonald:** That is all the hon. member knows about it.

**Mr. Whicher:** I just want to get down to the fact, Mr. Chairman, that somewhere along the line we have to have a levelling off. While appreciating the fact once more and recognizing that I am on very treacherous ground, and knowing full well that teachers are very important, let me say that in this society of ours I think it is generally accepted across the province of Ontario that compared to the rest of society as far as salaries are concerned, they are not too badly off.

**Mr. Chairman:** I should remind members of the House that we are now dealing with vote 508, with teacher education, and if we want to go into the grants and so on we will come to them under vote 515.

**Mr. Nixon:** With that in mind, Mr. Chairman, I would ask the Minister if he has considered transferring some of his authority to certificate teachers to teachers' professional organizations? I ask this particularly in view of the recommendation by the Minister's committee on the training of primary or elementary school teachers, that this be put in the hands of the university community, although their recommendation was that the Minister retain his responsibility for certification. I feel it is inevitable as the professional conduct of the teachers goes on over the years they will be asked to assume more and more responsibility for the governance of their profession. We should look forward to the transferring of some responsibility for certification to the professional organizations in conjunction with the universities which in the years that lie ahead will accept the responsibility for the training.

**Hon. Mr. Davis:** Mr. Chairman, the report very specifically recommends—and I read it to the hon. member, and it is the first recommendation—"We recommend that responsibility for the certification of teachers continue to rest with the Minister of Education." This is the first recommendation in the report. The report, of course, goes on to recommend that the universities become responsible for the training.

There are the two aspects. I do not think there is much debate about the training aspect. If it is desirable we shall move towards degree situations as far as the qualification of teaching personnel is concerned. But the committee did recommend and, Mr. Chairman, I have to be frank at this stage, I believe their recommendation has validity, that certification remain with the Minister of Education because obviously the Minister of Education or the department is going to be held responsible for the numbers of teachers that are available to the school system. While in some jurisdictions certification has moved over to the profession itself, I think one can fairly state that in a majority of jurisdictions even where they do have a degree situation, certification still remains with either the state agency or with The Department of Education, if it happens to be one of our provinces. Although it has been transferred in some areas

It is not a case, Mr. Chairman, of the department or the Minister not realizing the full potential of the teaching profession as a profession. But it is unique in this respect, that the government has some responsibility for seeing that there are adequate numbers of teachers in the schools in this province. I think really it was with this thought in mind that the committee in their first recommendation suggested certification remain with the Minister and the department.

**Mr. Nixon:** I read the recommendation previously that the Minister has read to us and I was quite struck with the fact that there was little or no information to back it up other than that it was the considered view of the committee and of course in this connection it is a very important recommendation indeed. Many of the recommendations there call for some long-range planning, as the Minister appreciates. As far as I know, Mr. Chairman, he has made no announcement other than that he is accepting their general view that the training of elementary teachers should be given over to a university situation and we have yet to hear from him as to the timetable for this particular change.

I would say it would be ten years before we are in a position to require that all of our teachers have a degree. And it is in this space of time surely that the transference of responsibility for the certification might be considered in the same way. I would say to the Minister that there are many of his colleagues, such as the Minister of Health, who have, I suppose, the root responsibility for the provision of professional staff—in his colleague's case, it is the provision of doctors—that could be transferred over a period of years by a gradual enlightenment of the legislation so that the professional organizations, along with the universities, can share and accept the responsibility.

Vote 508 agreed to.

On vote 509:

**Mr. Chairman:** In connection with our next vote, I notice there are 15 items listed and there are seven or eight divisions. Would it be helpful to the members of the committee if we were to deal with this vote by divisions?

Office of the director.

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, under office of the director, I have several general questions that I want to ask the Minister, and some perhaps rather more specific as his specific personnel gather around him.

Basically, Mr. Chairman, I would like to evoke from the Minister, if I could, some fairly concrete and, I hope, substantial remarks about what he is going to do with regard to the general category specified under office of the director as "educational services for the handicapped for whom no other provision can be made." Now, throughout the last couple of years in this House, on all sides of the House, this particular problem has been raised time and again. We have inevitably focused on health, welfare and reform institutions because of the extremities of cases with which we have dealt. But, I think, Mr. Chairman, the Minister himself would be inclined to agree that his department, and particularly this branch of his department, bear ultimate and final responsibility.

Mr. Chairman, I do not want the debate to degenerate into semantics; an argument of definition. I will assume that we are discussing the broad field of disturbed children—at least from this party's point of view—whether that disturbance be characterized as perceptual handicap or cultural deprivation is not really the area of contention. The area of contention is: what is the Minister now prepared to do; what concrete plans is he prepared to offer the House at this point in time for such children? I think it has been well established that there are thousands of them in the province of Ontario.

Now, I would point out, Mr. Chairman, just before the hon. Minister rises to his feet, that the problem is equally acute whether the board of education with which we are dealing is the largest in the province, or whether it is very small indeed, commanding much less in the way of resource.

I had occasion this week to speak to the Toronto board of education and was interested to note that 1,000 children or more each year never even reach the child adjustment service because of the pressures on that service, 30 to 40 drop out of the school system regularly per year, that there are six classes for the perceptually handicapped and seven classes for the emotionally disturbed. In other words, a system of the magnitude of the board of education of Toronto, can handle 100 children of this kind in a special intensive way.

Mr. Chairman, that is criminal. It is not particularly an adverse reflection on the city of Toronto, let it be said. It is rather an adverse reflection on the kind of educational system which will allow children to fall through the gaps in the fabric, and allow them to do so with very little exercise of ministerial conscience.

I was interested to note that in a very recent brief submitted to the municipal council of the township of Atikokan, I assume this is a relatively small township—my familiarity with the province is not complete—it was submitted by David Pratt, a teacher in the area, and it was a proposal for the establishment of psychological services in Atikokan. I just want to read one paragraph from Mr. Pratt's brief to the board into the record of this House:

> Present lack of psychological services in Atikokan places the concerned teacher in a situation that is little short of tragic. He may be certain that the student is heading for serious mental trouble, but there is nothing he can do. In the first place, there is no one who can verify his suspicion, and in the second place there is no one to whom the student can be referred. The result is that it is only when the condition becomes so serious as to be obvious to all that anything is done.

In other words, in very simple terms, expressing the graphic truth that facilities for diagnosis, let alone facilities for treatment, are nowhere available in the province of Ontario.

Now, there were two or three other specific questions I wanted to put to the hon. Minister, but perhaps at this point in the estimates, he is prepared to intervene with some fairly concrete material.

**Hon. Mr. Davis:** Mr. Chairman, I think the hon. member is well aware, and that he raised this point during the estimates of The Department of Health, that a quite comprehensive report was prepared for several departments of government, relating to the problem of the emotionally disturbed child.

As the hon. Minister of Health indicated to the House, this report has been prepared and

has been presented to the departments who are directly involved. There has been very serious study of this report. I can refer now to my own department, where the recommendations and their implications have been very carefully analyzed. I would only add this much, Mr. Chairman, because I am not in a position on this occasion to outline specifically what will in fact be done. The only thing I can say is that we are as concerned and I would suggest that this government is as concerned as is the hon. member for Scarborough West—

**Mr. Bryden:** It has not shown it in actions up until now.

**Hon. Mr. Davis:** —about the situation of the emotionally disturbed and the handicapped child.

**Mr. Bryden:** Why do they not do something about it?

**Hon. Mr. Davis:** Mr. Chairman, this matter is also receiving a very specific study, not the emotionally disturbed, but the whole question of special services for the school boards in the province. This is receiving a thorough study within the department itself.

I fully realize, Mr. Chairman, there are many problems in this area. It does not confine itself to the emotionally disturbed. I also think one could say, and with some degree of fairness, that we are not the only jurisdiction that is grappling with this problem. We have looked at the situation in other provinces and states of the Union. There has been consideration as to how effective a programme is, say, of compulsory classes for the emotionally disturbed, and this has met with a mixed reaction in certain jurisdictions. There is some question as to whether this is in fact the best way to treat these youngsters.

I would say, Mr. Chairman, that the plans being prepared by the various departments will in fact come to grips with the problem, but to generalize or to even attempt to outline all the problems here on this occasion, is, I would suggest, quite impossible.

I can only say to the hon. member for Scarborough West, because I say this sincerely, Mr. Chairman, I believe that his interest in this problem is genuine. I can only say that we share this genuine interest, that the hon. members opposite are not the only ones concerned. But I do point out it is a very large area of concern, and one that will not be solved overnight. But the report with relation to the emotionally disturbed youngsters has been prepared, is receiving very careful consideration, and I would anticipate that within the not-too-distant future, some enunciation of policy will result from this report. But Mr. Chairman, and I think the hon. member perhaps anticipated it, I am not in a position in the House here tonight, to give any details or consideration at this time.

**Mr. S. Lewis:** Mr. Chairman, to respond to the hon. Minister. I respect the fact that concern is not confined to one side of the House, and there is no question in my mind that that is true. As a matter of fact, if I may venture the personal opinion, I have sensed from time to time amongst some members of the government a good deal of frustration on the unwillingness of the Cabinet to move on this issue, and to move with some speed. Now the Cabinet has had this report, which is appropriate to this vote, for some three months, and to test the concern that is felt by the Cabinet and the hon. Minister, I want to put the recommendations of that report to the Minister now, and hear about the feelings which he may have on the individual recommendations.

Mr. Chairman, the main recommendation of that report, as it must be, is for a manpower commission, at the highest level of government, to analyze all the manpower resources and requirements to provide just this kind of special service. As the report must make clear, these services require trained people and the people must be provided immediately. If they are not provided immediately, then the present services cannot even be sustained.

That is question number one. What does the hon. Minister think of the report's recommendations that there must be a manpower commission?

Second, Mr. Chairman, directly on this branch, what is the hon. Minister's personal opinion about the need to strengthen the special educational services with specific grants to school boards for that purpose, and that purpose alone? Special grants for special services. The report must, I suggest, contain that recommendation. What does the Minister think, Mr. Chairman, about the recommendation that the report must contain, which suggests that a special course for teachers, to teach these specially handicapped children, should be provided; if necessary, it should be provided over a year period, beyond the point of their actual teaching certificate, which will allow them at that point to counsel parents, to identify

disturbance, to be free from classroom teaching after they receive the specifics, to develop the liaison with the community resources?

Fourth, Mr. Chairman, what does the hon. Minister think about the recommendation which the report must make, to expand school guidance and school psychological services, with grants for that precise purpose? I think that is a very important recommendation, which the report necessarily must contain.

Fifth, what does the hon. Minister think about the report's recommendation that there should be an ingredient at the teachers' college level, within all the courses of mental health and child development, so that that part of it can be emphasized in the process of providing teacher education?

Sixth, Mr. Chairman, and again evolving directly from the services required by this branch; what does the hon. Minister think about the report's recommendation, which I suggest to him must exist, to provide more money to the universities to expand training in clinical and educational psychology as opposed to experimental, which is so characteristic of the University of Toronto?

And, Mr. Chairman, finally if I could ask the hon. Minister, what does he think as a Minister, knowing of the incredible lack of diagnostic facilities across the province, what does he think of the report's second major recommendation – by major I mean all-encompassing – which it must have, that regional complexes for children's specialized psychiatric services must be provided all across the province of Ontario, and that such regionalized services should be modelled on CPRI in London?

I know that the Minister of Health is primarily responsible for that recommendation, but I also suggest, Mr. Chairman, that if the Minister of Education can overcome the very real problem he has in diagnosis and treatment of these children, then obviously he has to support that kind of thing. I am anxious to know how close the Cabinet is to a decision. I am frankly anxious to know how close the Treasury board is to making up their minds about it.

Finally, Mr. Chairman, I would like to ask the Minister about recommendations which surely exist in regard to research. The very simple acquiring of statistical data which is not now present; the follow-up studies which are not now available and the in-depth research—the more pure and fundamental research which is characteristic of this kind of problem. I also suspect strongly that the report outlines recommendations for reform institutions, for public welfare, for other areas, which are not relevant to this estimate and this branch.

I know not whether the Minister smiles at his colleague or at my suspicion, but I will say this to him, Mr. Chairman, that I will stake what little knowledge I have that this interdepartmental report must contain those recommendations as I have put them to the House. The Ministers have had this report for almost three months; it has surely now reached Treasury board level. Now that we have the recommendations on the floor of the House I suggest strongly to the Minister that he let us know his personal feelings since most of the recommendations relate to education and the provision of personnel.

Indeed, the manpower commission recommendation is the single most important one on which everything else hinges and for which the Minister of Education or University Affairs, as you might deem it, has final responsibility. Again I would be interested in the Minister's comments

**Mr. Chairman:** Perhaps before the Minister answers he might take into consideration that the question regarding university participation should properly be introduced under the estimates of University Affairs.

**Mr. S. Lewis:** I would be glad to skip the question on clinical psychology.

**Hon. Mr. Davis:** Mr. Chairman, it is obvious that the hon. member wishes me to comment on what he feels are specific recommendations in the report.

As I pointed out just a few moments ago, this report was made to the Minister of Health of this government. It relates not just to The Department of Education or to The Department of Health. And I would think it would be improper at this stage to go into any detail as to what the specific recommendations might be and what the government policy may be as a result of these recommendations. I think the member surely must appreciate this.

If the member is asking me for personal observations on some of the recommendations that he feels may be in the report, Mr. Chairman, I think it would be more appropriate to discuss this when some final policy is enunciated in this whole area by the government. I can say that personally—and I am speaking personally—we are very anxious to proceed with some type of comprehensive programme for these young people.

One could generalize and say that some

further form of teacher training, whether it be in the regular teachers' college programme as part of the regular programme or an extension of it, obviously is desirable. I should point out that provisions presently exist for financial support to the boards for, as we call them, classes for the handicapped or auxiliary education. And while I am not in any way passing the responsibility, some of the responsibility must rest with the boards because they are in the position to implement these programmes.

I would suggest that a good portion of the machinery actually does exist under the existing regulations and grant provisions of the department. Once again, one of the problems in any programme of this nature, as the hon. member very properly points out, is the supply of adequate personnel to do the task. Whether the specific recommendations in the report are necessarily the best way to approach the problem I am not in a position on this occasion to state.

I would say that the report—and I am speaking personally once again—is a good report. It is comprehensive. I think it outlines, shall we say, what the ideal situation could or should be over a period of time. I think also we must recognize that it will take some time to bring about this situation and it may very well be that there are other ways and other policies and programmes that might be pursued. I think I could presume on the chairman of the committee, who happens to be here with us tonight, in suggesting that the committee itself does not state their suggestions are necessarily the only way or even necessarily the right way to do this.

We have had many discussions on this subject, but I suggest, and I hope the hon. member understands, that I think it would be inappropriate for me to get into the details of this report that was prepared for the various departments of the government on this occasion. I can only assure the member that it is not gathering dust on anyone's desk, in any department. It is very much a vital and important issue and I think we can very safely assume that some type of programme will be emanating from this report in the very near future.

**Mr. S. Lewis:** Two short brief questions then, Mr. Chairman: One, does the Minister dispute the content of the report, the recommendations as I have tried to outline them in broad terms? Does he deny that these are the issues around which all is concentrated? And second, when he says "very near future," does he mean before the end of the current session, assuming that the end is three or four weeks hence, or does he mean that we will lose another year before there are legislative enactments? Can he at least tell us that?

**Hon. Mr. Davis:** I am not sure that some aspects of the report will in fact require legislation. I question whether this will be necessary with many facets of the report, that any legislation will be required. I cannot say whether it will be, or some statement will be made within the next two or three weeks. I am not in a position, Mr. Chairman, to make this statement on this occasion.

I would also state that while the hon. member has identified some of the areas within the report and has suggested some of the recommendations, generally speaking we—I am not going to say "would not endorse." I would, however, suggest that we understand the recommendations in the report, but I would have this qualification: there are perhaps other ways of dealing with the problems and with the recommendations that have been made—if I can put it in this fashion.

**Mr. MacDonald:** The Minister contends that we on this side of the House do not have any monopoly of concern in this issue. I would concede this as a fact, but you from that side of the House have the power to act. And the simple fact of the matter is that the committee report to which the Minister has referred is a product of the concern that was focused in this House by this party, principally through the efforts of the hon. member for Scarborough West last year. If it had not been—

**Hon. Mr. Davis:** Mr. Chairman, with great respect, I am not taking anything away from the hon. member for Scarborough West, but I would suggest, and I think I know whereof I speak, that this matter was the concern of the department and of the Minister prior to the member for Scarborough West raising this a year ago. I want to make this abundantly clear. As I say, I am not detracting at all from the interest that the member for Scarborough West has taken.

**Mr. MacDonald:** It may have been the concern of the Minister, who is a person with some compassion, for years, but this government is singularly lacking in compassion on this issue. And it is no coincidence that the committee from which the Minister now has a report—a report that he has been sitting on for some three months, along with some of his colleagues—that committee was established after this issue was raised and fought out in

the House precisely one year ago, or perhaps 14 months ago.

You have now had the report for three months and you are still sitting on it. What are you waiting for? How long are you going to wait? How many more years are you going to nurture your concern before you get into action and mobilize the resources that only this government is going to be able to mobilize? It is true in many respects in some fields of the handicapped children that the boards now have the responsibility, but this Minister knows full well that the boards have the responsibility now, and they are not exercising that responsibility. It is idle to get up and say they have the job, it is their responsibility; go ahead!

There are 1,300,000 children in our elementary schools. There is at least 10 per cent of those children by general assessment and now confirmed by the specific assessment, for example, that is being done in an area like Kingston, who are seriously perceptually handicapped. There is another 10 per cent who require some sort of assistance. So even if one takes the 10 per cent who are seriously handicapped, there are 13,000 people.

Now let us come back to the hon. Minister's contention that the—

**Hon. Mr. Davis:** Mr. Chairman, I do not want to interrupt the hon. member, but if it is 10 per cent of 1,300,000, it is slightly more than 13,000.

**Mr. MacDonald:** Right—130,000!

**Hon. Mr. Davis:** This is very hard to establish, but I would think that the member really has it now at the 20 per cent level, because as he says there is 10 per cent seriously handicapped and 10 per cent not as seriously handicapped, which is one-fifth of your student population. And while, Mr. Chairman, we can argue this back and forth all evening, I think that this percentage is substantially high. Mind you, you get into degrees of disturbance—

**Mr. MacDonald:** Mr. Chairman, we had a debate earlier in this House and it was interesting that the hon. Minister—I do not know if he happened to be here that day—did not dispute the fact at that point. There are at least 13,000 children in the school system in the province of Ontario—at least 13,000 children, and I do not think that you can dispute that at all—

**Hon. Mr. Grossman:** That is one per cent.

**Mr. MacDonald:** All right; let us accept the 13,000. That is within the school system. Let us accept the 13,000. The Minister tends to slough this off by saying that board took the responsibility for doing it now. There happen to be three boards—I think I am correct—in the province of Ontario, doing something about it; Toronto, Ottawa and London. And how many children are they looking after? Two hundred. That means you have 12,800 of the 13,000 minimal number—which even the Minister was willing to consider was a minimal number—who are requiring some assistance.

I am talking at this point about the perceptually handicapped. I am not ranging into the emotionally disturbed and many other categories. I am not going back to a group that we discussed earlier when I concentrated my attention on the culturally deprived children who do not get the advantages in the early stages of the system so that they can overcome the disadvantages they started out with. I am not discussing those at all; all of these are relevant in the context of an educational system that presumably provides an equality of educational opportunity. These children do not have any equality of educational opportunity and I repeat, and I think I am going to be silenced by the hon. Minister, that while he may have had some concern, the government became concerned only when we confronted the government in a massive way a year ago from this group in the House and you set up a committee.

**Hon. Mr. Grossman:** Wrong!

**Mr. MacDonald:** There are so many things on which we are wrong and ultimately events prove us to be right.

You have a report and you have been sitting on it for three months and there is absolutely no reason at all why this government could not have come to a conclusion in implementing the recommendations of that report. The basic problem is that the House and the public in a strange sort of way—almost, in a sense, a bit calloused—is not appreciative of the tragic circumstances of the individuals who have to suffer the consequences of a perceptual handicap or an emotional disturbance.

Therefore, I want to present to the House, and our group is going to present to the House, just so that they will be reminded of the exact nature of this and the proportions of it, a few cases that are presumably going to be drifting along before the government is willing to come to grips with it.

To begin with, I want to take two cases in the Metropolitan Toronto area. One is a lad by the name of Stanley, aged 13—and let my hon. friend over here try to identify him

and contend that this is hurting the individual or something of that nature—

**Mr. D. W. Ewen** (Wentworth): Mention their names!

**Mr. MacDonald:** Utter, unmitigated nonsense! This is your excuse for not doing something about the general problem. Stanley is a disturbed boy who comes from a very deprived home and is now a permanent ward of the Metro CAS. Since he was three, he and his six brothers and sisters have been intermittently handed over to the CAS as temporary wards whenever the parents' marriage was about to break up.

During his period of wardship, Stanley has spent time in numerous foster homes; a year and a half in Thistletown and a year at Earlscourt Home. He is now in a group foster home. He is described as mildly neurotic with a dull normal intelligence, and has been expelled from school since September, 1965. The CAS has made efforts to have him admitted to Warrendale school but space and money were not available. He may now have to be sent to the training school since other facilities are not available.

Stanley is a boy who might have thrived if the school system provided even minimal flexibility or opportunity for him. In his brief history, Stanley has expressed his unhappiness about his separation from his mother by stealing, arson, truancy, chronic bed wetting, wandering and violent behaviour at school.

Over the years, particularly after his stay in Thistletown and during his current stay in a group foster home, it had been felt that there were very great hopes for rehabilitation if only appropriate schooling and a warm, stable environment could be found. Since he has lived with his foster family, his bed wetting has cleared up considerably, but the problem of schooling is an intractable one.

When he was 10, Thistletown hospital discharged him with an optimistic prognosis, providing he was put in an opportunity class with a lot of help and support, but no opportunity class was available in his district of Etobicoke. Though progress was being made with him in the group home, the regular school situation rapidly deteriorated. In other words, despite the valiant efforts of a social agency and his foster parents, Stanley's progress was being impeded and finally stopped by the total lack of responsiveness on the part of the school system.

In the spring of 1965, Stanley was suspended from school for writing on walls, talking back to teachers, and so on. A month later the principal insisted that the CAS again remove him from the school for the same kind of behaviour. Last spring the same school agreed to admit him on the condition that his behaviour would meet with the more expected norm.

It is nothing short of astounding that our free and public school system would require pupils to conform to their standards rather than meeting their obligations to provide education for all children—"Equality of educational opportunity," the slogan that the hon. Minister has proclaimed. If the school cannot teach Stanley, that is the school's failure. Stanley does not exist for the school's convenience. On the contrary, the principal and staff of a school are, in a very real sense, servants of the students and their families and they are under serious and moral obligation to provide a service, even to inconvenient children. But several weeks after the school term began last fall, the school expelled Stanley for disrupting the class, shouting obscenities and so on.

It is understandable that the school could not allow Stanley to hit younger children and disrupt classes. It is not understandable that they provided no alternative for him, but cast him out into limbo where he remains. The school system has seen fit to punish and exclude Stanley, to refuse him an education because he is an unhappy youngster whose mother did not love him.

Even the chance of an opportunity class which is, ironically, forced upon so many children to whom it is seriously damaging, was denied Stanley.

Now I ask the hon. Minister, what is he going to do about a child like that?

Let me give him a second case—

**Hon. Mr. Davis:** Mr. Chairman, I am somewhat interested in that if the information is correct—and I assume it is. The Etobicoke board has provided many opportunity classes. This is the reference and I do not think the hon. member really meant opportunity classes. I do not know, because they are available in Etobicoke. We have some perhaps 1,240 opportunity classes across the province and there are a goodly number in Etobicoke. Perhaps this was not the appropriate reference.

**Mr. MacDonald:** Whatever the reason for it, he was cast out by the school system; that is the important point.

Let me give a second case, Mr. Chairman, again in the city of Toronto: a lad named Richard, aged seven. Richard is an exceptionally bright youngster who has developed

a pathological terror of schools since he was moved from Montreal to Toronto. His critical emotional state is disrupting the entire family and is daily growing worse as the possibility becomes clear that he will be put in an opportunity class next year.

In this case, the Ontario school system has not only failed to help the child, but has aggravated his distress to an intolerable degree and perhaps destroyed all hope of normal development. As an infant of two living in Montreal, Richard was diagnosed as minimally brain damaged and perceptually handicapped. He was a wild and impulsive child, constantly crying, but fortunately there were facilities for such youngsters in Montreal.

At the age of three Richard spent a year in a special school where his frustration, distractability and restlessness were minimized and where he began to communicate more with children his own age. The parents were even more hopeful the following year when they entered Richard in the Cumberland co-op nursery, which had small classes and the possibility of special treatment.

Unfortunately for his family, the father was abruptly transferred to Toronto and Richard fell into the hands of the Ontario public school system. He was enrolled in kindergarten for a disastrous year. Every day he came home crying with fear and humiliation at the taunts of other children and his constant failure in classes. He became so acutely distressed and anxious that his parents frequently had to keep him at home for several days to calm him down.

Finally his father turned to the hospital for sick children, where social workers told him that Richard was merely slow in maturation and would grow out of it. But when Richard failed kindergarten, his father took him to Dr. Rabinovitch in Montreal. Dr. Rabinovitch diagnosed the boy as being above average in intelligence, but perceptually handicapped. He felt Richard was educable under special non-stimulating conditions, but warned the parents that the boy's emotional state was rapidly deteriorating.

Back in Toronto, Richard was enrolled in group therapy conducted by Dr. Goodman of the North York mental health clinic. The doctor stressed that Richard's terror of school would lead to even more severe emotional difficulties, despite his progress in group therapy, unless he could get help in learning. But it seems that Richard is headed for emotional disaster. He is once more enrolled in kindergarten and since there are no classes for the perceptual handicapped in his school, he is probably headed for an opportunity class. The parents are in despair. They feel that if they had been able to stay in Montreal, Richard would receive the necessary help. They cannot afford private psychiatric help, since they are saving all their money for a trip to Purdue, about nine months from now, after being on the waiting list for two years. But even after the Purdue diagnosis, they do not know where they will find appropriate facilities for their unhappy child.

Now there is another case, a case of a child who responded to the kind of treatment that was available in facilities—and I am not pretending these are generally available throughout the province of Quebec, but were available in Montreal—but who was a cast out, who was discarded by the public school system in the province of Ontario.

Those are two that we would like to present to the hon. Minister and ask what is he going to do about it, how long is the ministerial committee going to sit after three months in consideration of the recommendations of the committee?

**Mr. F. Young** (Yorkview): Mr. Chairman, I would like to add to this a case or two, one in particular where a friend of mine has had a very very serious time. I think all of us have faced cases like this from time to time, but this particular man is quite willing that his name be used, I am not going to use it here, but the press or the hon. Minister or ayone who wants the name may have it. I am perfectly willing to give it and be quite willing that he should be called.

**Hon. H. L. Rowntree** (Minister of Labour): What do you mean, you are going to give it to the press?

**Mr. Young:** I simply say that he is quite willing that his name be used by anyone who may be interested.

I have seen the problem and the frustration and the sheer unfortunate sequence of events.

Sylvia, aged 13, in Toronto. Sylvia is a deaf and disturbed child, like Jamie last year, who now seems fated to spend her life in the Orillia Hospital school for the retarded. Her extreme difficulties as a child nearly destroyed her family. Her deafness was not diagnosed until she was two years old, when she was pronounced to be suffering from a nerve deafness which was incurable. Then began a succession of special schools for Sylvia, each episode ending in defeat and frustration.

At the Belleville school for the deaf, three-year-old Sylvia experienced acute frustration,

because the school apparently was not geared to the totally deaf child like herself. She was moved to the Toronto school for the deaf, but again they were not equipped to handle the child with no hearing at all. She was severely disciplined for trying to use her hands to express herself, whereas the school insisted on lip reading only.

The stress of the situation was so great that Sylvia, who was often well mannered and affectionate at home, became violently opposed to attending school. She refused to go in a taxi and had to be taken by her father. Even so, she struggled so wildly that on occasion, the father was stopped by police on suspicion of kidnapping.

Sylvia's brutalizing experience at schools, which were inadequate for her, started her on an unhappy pattern of misbehaviour. She was brought to juvenile court several times on charges of stealing, and she would wander away and get lost. She was interrogated by the arson squad. Ambulances had to be called when she became so violent at home that she had to be hospitalized and on arrival at hospital, she was turned away. On one occasion she escaped from the sick children's hospital and was found wandering in her nightclothes on a downtown street on a midwinter night.

Several agencies, including the Salvation Army, the CAS, and Reverend Rumble's summer camp, all tried to help Sylvia, but the disturbance had grown too acute. The disastrous effect on her family is incalculable. Her father had to be hospitalized for emotional stress and four of her brothers and sisters have had serious emotional repercussions.

A long series of psychiatric examinations have shown that Sylvia is an intelligent child. Indeed, a recent complete psychological assessment showed an overall IQ of 100. It is especially cruel that this despairing and violent child, locked in a world of silence, should be shut off with the retarded and her chances of ever communicating with others, cut off completely.

A more total and destructive form of solitary confinement can hardly be imagined. It is noteworthy that a judge of the juvenile court was extremely distressed that Sylvia had to be sent to Orillia, for want of better facilities. He tried to find other accommodation, particularly at Warrendale, but thus far he has been utterly frustrated. The judge himself told Sylvia's father that he had spoken to the government about just such a problem, and the need for facilities, but to no avail.

At this point, the only solution would appear to be a treatment centre. In the early days, a school for the deaf with special classes for those youngsters who are also severely disturbed would have provided an answer, but even today such classes are not available in Ontario. It may be that the Catholic children's aid society, in conjunction with Reverend Rumble, might perhaps find a foster home setting, but again such a setting would follow on treatment for Sylvia's disturbance, rather than being viewed as a last resort substitute.

The government seems to have decided that equal opportunity for all does not include children with handicaps. Our public school system is in fact a free schooling system for well adjusted and normal children. Sylvia must go to Orillia because she does not qualify for public education.

One other case, of Bradley, aged nine, in Toronto. Bradley was brain damaged due to an Rh factor, but testing in New York and at Purdue indicates that because of his above average IQ, he could overcome perceptual handicaps with a little extra help at home and at school.

His parents have been aware of this problem right from the beginning,, when he was slow in learning to talk and to walk. But, despite this realization and determination to help, they have not been able to find any support or advice in our health or educational systems.

The family doctor and the hospital for sick children, as usual, dismissed the problem as one of slow development, a distressingly familiar pattern that surely indicates some gap in patterns of diagnosis.

However, once again, the Rabinovitch clinic in Montreal was able to pinpoint the difficulty as one of brain damage, causing poor motor control, physical co-ordination and eyesight. Even before Bradley entered kindergarten, his parents had taken him to the United States for a complete and thorough assessment, but forewarned is not forearmed when it comes to the Ontario school system. Despite their understanding of Bradley's problems, his parents were unable to find special help for him and were unable to convince the public school that he should be given special consideration.

In fact, school was a very damaging experience for Bradley. In kindergarten, he was ridiculed both by pupils and the teacher, and the latter actually held him up as a bad example for the other children. The principal was equally unenlightened, and ignoring the test results in Purdue and New York and Montreal, insisted that Bradley was a slow

learner who would have to repeat kindergarten.

The second year in kindergarten was the beginning of emotional problems for Bradley. His fear and distress have increased each year, as he failed grade 1, failed a primary opportunity class, and is now repeating his year.

Apparently despite Bradley's failure to make any academic progress in such a setting, the school system is unwilling to consider any further change for him. His parents state now that he has been consigned to the limbo of an opportunity class, the North York psychological service will not do any further testing, which might lead to alternative placement for him. Since he has passed the magic age of eight, he is no longer eligible for the three tiny special classes for the perceptually handicapped in North York. And since the parents exhausted their funds in getting an assessment of Bradley, there is no possibility of private tutoring, they just cannot afford it. The only solution seems to be to move to Purdue, though Bradley's parents will be heartbroken to leave Canada, where their families have lived for generations. If you are not rich in Canada you must either move or give up any hope for your child, and Bradley's parents are not rich.

Two more cases which show the deseperate need for extension in this whole field of training the perceptually handicapped.

**Mr. Chairman:** I know it is very difficult to restrict discussion to the one section. The last two or three speakers have overlapped into various divisions of the same vote, so I have not tried to restrict it to the actual division.

The member for Wentworth East.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, I want to present to the House a case or two in relation to the problem of perceptually handicapped children. I am not going to relate to the House the serious situation in Hamilton, the papers have reported it in the last few months, in regard to the emotionally disturbed and the problem of facilities for them and in particular the lack of diagnostic services which they need so badly. I hope that the Hamilton members will recollect that the story was given quite clearly in the past few months, they should be able to get in touch with the people involved in this most serious problem and not try to accuse the Opposition of degrading parents or individuals because we are trying to help the situation.

This is the case history, Mr. Chairman, of Sally, aged 16, of Port Credit. Sally is the only child of a family whose income is derived from a veteran's pension. Her parents cannot afford any further diagnosis or treatment for her and are terrified of her fate when they are dead. Sally suffered brain damage at birth and was diagnosed when a baby as subject to epileptic seizures. She is almost spastic and has severe perceptual handicaps in every sphere. This was not diagnosed until she was about 12. Nursery school and kindergarten were terrifying experiences for Sally. Her teachers did not seem to understand her complete lack of visual and spatial comprehension and once she was forced to walk along a two-foot high fence, which seemed to her to be 200 feet above the ground. Although her co-ordination was extremely poor and she could not even crayon properly, Sally was shoved along from grade to grade. Her emotional state deteriorated. She began throwing tantrums and was subject to more frequent epileptic seizures. When she was about eight, a doctor at the hospital for sick children told the parents that the child was retarded and the parents should "learn to live with it." The following year another doctor placed Sally on anti-convulsant drugs, though the right drug was not found for another three years. Meanwhile, Sally stopped all learning and became more hostile and aggressive when she was placed in opportunity classes.

When she was 12, clinical tests showed that Sally had a verbal IQ of 100, but the parents were completely unable to have her taken out of opportunity classes.

For the past three years, Sally has been in vocational school where she exists in a fog of non-comprehension and humiliation. The other girls taunt her and exclude her from all school activities. She has become terrified of school and is developing a bad stammer; her epilepsy has flared up again with daily seizures; she has become introverted and afraid of people.

Her parents are no longer able to afford anti-convulsant drugs or medical consultation as they are not yet old enough for the old age pension. They do not know where to turn. At no point in the school system were special services provided.

Mr. Chairman, I would relate to the House the case of Walter, 12, of Cooksville. Walter has become an emotionally disturbed boy who at this moment is in a state of panic about entering a regular grade 6 next year, where he will receive no special help. His family is at a dead end in helping Walter. There is simply no money for the special help he needs in overcoming his perceptual handicap.

And our school system makes no provision for him.

Walter seemed quite normal as a small child, but by the time he reached kindergarten age his perceptual difficulties had become obvious. He could not tell left from right, had trouble feeding or dressing himself and was unable to colour or draw. The family made the usual depressing rounds of doctors, both private and at the hospital for sick children, who told them that Walter was hopelessly retarded. The best they could do before sending him off for a terrifying year in kindergarten was to equip him with glasses, but this did not help his perceptual difficulties or protect him from the scarey bewilderment and painful teasing which such a child undergoes in our school system.

In grade 1, Walter was placed in the lowest grading level. At the age of 7, he was failed and put into an opportunity class.

That this depressing and limiting atmosphere was all wrong for Walter must have been clear even to the school. For at this time he was diagnosed by the society for crippled children as having a remarkably high IQ of 140. An optometrist referred him to Dr. Yamaoka, who recognized the problem as a perceptual one and immediately began the proper treatment, treatment which which must be conducted on a very limited basis due to the family's lack of finances. Meanwhile, Walter had developed a real emotional problem arising from his incredibly inconsistent programme at school. Twice he was rescued from the dull oblivion of the opportunity class for a special and very valuable class set up on a temporary basis. Twice he made rapid gains, both intellectual and emotional, but twice he regressed again when the classes came to an abrupt end. All avenues seemed to close to Walter's desperate parents. Next year he must transfer to another school where even the haphazard remedial classess will not be available. He has been unable in the past to get psychiatric help at the hospital for sick children because of a shortage of social workers. The waiting list at the private rating clinics are impossibly long. Private tutoring is out of the question financially. Walter's mother is afraid that his tension and fear of the school is taking him to the point of no return emotionally, and she is determined not to let him enter another futile and harmful opportunity class, but no other alternatives are open.

**Mr. Nixon:** Mr. Chairman, I—

**Mr. E. G. Freeman** (Fort William): Mr. Chairman, I was going to speak on—

**Mr. Nixon:** Yes, by all means.

**Mr. Chairman:** The member for Brant defers to the member for Fort William.

**Mr. Freeman:** Thank you, Mr. Chairman.

There is a great deal of concern in the Lakehead area, Mr. Chairman, with regard to this problem, too. I feel in justice to the people in that area of this province that some note should be on record at this time under the estimates of the Minister of Education.

I have in my hand a letter from Dr. J. R. Augustine, MD, FACP, president, Lakehead branch, Ontario association for children with learning disabilities, and this letter is under date of May 18 of this year:

> Dear Mr. Freeman:
>
> It was with great pleasure and renewed hope my wife and I noted in the *Globe and Mail* of May 11th the stand taken by Mr. Stephen Lewis and others in the Legislature regarding the resolution asking the provincial government to finance the establishment of special classes across Ontario for children with learning disabilities.

**Mr. Nixon:** That is very white of them to recognize the Liberal resolution.

**Mr. Freeman:** I thought so too. To continue:

> This is a most important resolution and I am sure you see the wisdom of its speedy enactment to help the 60,000 children with learning disabilities in the provincial schools.

And 1,200 of them are in the Lakehead or about 10 per cent of all children, or three to six in every class.

I suggest to you, Mr. Chairman, that Dr. Augustine is a very learned man in this area. He has spent many years of his medical career in this type of study. Mrs. Augustine has also done special work in the approach to this area of learning disabilities and both she and Dr. Augustine are certainly well qualified to present a substantial view and I think their background should be respected and considered.

I would like perhaps to go just a bit further with that, too:

> Several of us got together a few months ago and formed a Lakehead branch of the Ontario association for children with learning disabilities, with the help of the founding organization in Toronto. Mrs. Doreen Kronick, president, 306 Warren road, Toronto 7, Ontario, writes:

> Our group now numbers 63 parents and is growing. We have held two meetings just recently and played tapes on the subject of learning disabilities and showed an excellent movie from Montreal, the title of which is "Bright boy, bad scholar," excerpts of which will appear on the May 27 showing of Take 30 at 3:30 p.m.
>
> The school principals and some teachers in Fort William have also borrowed the film. So there is a very wide degree of knowledgability developed at the Lakehead in this last short time through Dr. Augustine and people who have a very real problem, inasmuch as they have children in their families with this rather frightful problem, learning disability.

Now I too would like to speak of this. I know some of these people through association by having been called into consultation with their parents, and this is a case of a boy named Frank, 12 years of age, who lives in Fort William. I would like to place on the record the background of Frank's career up to his present age of 12. Frank's perceptual difficulties first became very noticeable when he entered nursery school at age three. He was nervous, distractable, hyperactive, with no conception of right or left and had poor motor control.

The family physician diagnosed it as immaturity. By the time Frank finished kindergarten, which he failed, he was becoming a behaviour problem as well, and these emotional difficulties have intensified with the continuing struggle to conform to a school system which is unwilling to recognize and help with his problem.

His school history provides ample evidence; kindergarten was repeated; grade 1 was tough—great difficulty in reading and printing; grade 2 was tougher. Only an inordinate home study programme enabled Frank to scrape through, at the expense of outside relationships with his peer group. Grade 3 was even worse; borderline pass and much hypertension.

Frank is now in grade 6 but is expected to fail. For the past three years he has had intensive tutoring at great expense to his parents, but each year it has become harder and harder to pass the examinations. Arithmetic is almost insurmountably difficult because of Frank's difficulty in comprehending abstracts.

It is interesting to note that when Frank was in grade 3, his parents had to pay themselves for psychological testing arranged through the school. The test showed that he was of normal intelligence, but becoming withdrawn because of the continued and brutal teasing inflicted upon him by other children. This teasing has become an unbearable problem for Frank and his younger brothers. On many occasions he has been beaten up on the way home from school and this experience, coupled with the intense strain of coping with school work, is taking its emotional toll. Regular bloody noses do not make for strong school loyalties.

Frank has been diagnosed at the Rabinovitch clinic in Montreal as above average in intelligence, although suffering from visual perceptual problems. It is unlikely that Frank will be able to make use of his potential within the present distressing school context.

These are sad cases, Mr. Chairman, and there are many, many of them.

I would like to mention the Lakehead area. This is the case of a boy, Scott, aged 10, in the Port Arthur area. From his earliest years Scott has shown all the signs of perceptual handicap, with lack of co-ordination and growing frustration, although he was not diagnosed until this year. He was hard to discipline and had poor eye-hand co-ordination. He never played the usual games of ball that children play, and did not mix with his peers. Scott has been penalized severely for having been born in a city in northern Ontario where word had not penetrated of emotional or perceptual disturbance.

Accordingly, Scott failed kindergarten and has been shoved through to grade 3 with a total lack of academic achievement. This aggressive hyperactive little boy who cannot draw or co-ordinate properly, was told in kindergarten that he was immature and would be failed. The school has since done some inconclusive testing and implied to Scott's parents that the boy was retarded and should be sent to an institution. The family physician was unable to pinpoint the difficulty.

The parents have been saving for three years for a trip to Toronto to have the boy diagnosed. Early this year he began showing signs of severe disturbance. He has become neurotic and has to be sedated. A psychiatrist felt he was becoming frighteningly emotionally ill. In March, Scott was brought to the Sutherland clinic in Toronto, where he was diagnosed as having severe perceptual handicaps. It was felt that Scott had a very high IQ, that he was working at least 40 points below his rating and that his parents should get private tutoring for him. But the parents cannot afford private tutoring and the school adamantly refuses to provide special help. His teacher is now insisting that Scott

will be failed in grade 3, but Scott is terrified of this eventuality since it means that he will be even more isolated from his peers.

Scott's parents are understandably frantic. If the Toronto school system presents such a maze of hopelessness and frustration to such parents, one can imagine the bleak prospect for those who live in northern Ontario.

We put these cases on the record, Mr. Chairman, because we, I think together with every hon. member in this Legislature, have a very real degree of sympathy for children who find themselves in this very terrible position. We feel that after the effort made in the past several months—or perhaps a longer period of time than that—to bring this very important matter to the attention of all members of the Legislature, to the Minister of Education and to members of the Cabinet, that something of a very worthwhile—a very worthwhile—nature will be sought out and done for this huge number of emotionally disturbed children in this province. It is the duty of this government to get very, very busy indeed on this demanding problem.

**Mr. Bryden:** Mr. Chairman, may I follow up on this? I know we are probably reaching a point of stolid passivity over on the other side of the House which is all too characteristic of the government from time to time.

I suppose one could go on citing cases till doomsday because there are so many of them. The difficulty, I think, is that sometimes we think of these problems in terms of statistics. There was a little interchange a while ago as to whether 13,000 or 130,000 were involved. This, to a certain degree, just depends on your definition, but I think what we have to keep bearing in mind is this, whether the figure is 13,000 or 130,000, they are all individual human beings with individual promise. They are all youngsters; they are at the beginning of life. Are their lives to be over before they even start? Are they to retreat into a terrible internal prison, or are we going to get down to business and find some way to assist them?

The hon. Minister has already stated that the government is looking at the committee's report. Maybe I was mistaken, maybe I misunderstood his words, but I did not feel too hopeful about what he said. It seemed to me that what he was saying was leading us up to a big letdown. He was suggesting that the committee had made certain recommendations and I gather that my friend the member for Scarborough West was not too far off the track in suggesting what some of the recommendations would necessarily have to be and the Minister in relation to those suggestions, was suggesting that there might be other ways of doing this. I took it from that that he was preparing us for the fact that the government really is not going to do too much about the committee's recommendations once again—they are going to evade the issue, under the guise of doing the thing in a somewhat different way.

Therefore I feel it is quite necessary and desirable to continue to bring before this House more cases of individual human beings at the beginning of life, and I want at this moment to call to the attention of this House two cases. I bring these two out of many that I could, because there are, on the one hand, certain similarities between the two cases, and yet a certain difference.

The similarities are, first, that the parents of the child in each case are desperately anxious and would do anything to find a solution to the problem with which they find themselves. Second, that the public school system and indeed facilities generally in Toronto have simply been of no use at all. Those are the similarities.

The difference in the two cases is that in the case of one of these youngsters, the prognosis, I would say, is at least fair, because the youngster's parents are reasonably well to do and can seek help elsewhere than in Toronto or in the public school system. In the other case, the prognosis is, as far as I can see—I hate to have to say it, but this seems to be inescapable – the prognosis is extremely poor, because the child's parents are poor and they cannot afford to get any assistance other than what we might be able to give them through our system and in other ways, and of course, Mr. Chairman, we know that that is practically nothing.

But here, in human terms again, are these two cases. One of them relates to a youngster whom I will call John, his age is nine. He appeared to be a normal child, although he had some difficulty with the concept of right and left, until he entered nursery school. His nursery school teacher felt he had defective eyesight, but when his parents took him to occulists he was found to have 20-20 visiion. This was the beginning of a long search to discover the cause of John's trouble.

In grade 1 he was showing signs of hyperactivity, slow maturation and defective eyesight, although psychological testing showed he had a superior IQ of 130. At his parents' insistence, John moved to another grade 1 class, where a sympathetic teacher was of great help to him in his reading. Then the family moved to Toronto just as John was to

enter grade 2. To their amazement, the boy was promptly placed in an opportunity class of slow learners. This is a child with an IQ of 130. One can imagine the frustration and despair of a bright youngster with confusing problems of perception, who is trapped in a group of slow and retarded children.

John began to develop signs of such severe emotional disturbance that his parents removed him from the public school system and hired a private teacher for a year. Almost immediately his emotional difficulties vanished.

The problems of diagnosis have been perhaps the most bitter frustration for John's baffled and worried parents. The school system repeatedly recommended eye glasses, which proved to be of no use, or wanted to place the boy in a slow learner category. At the hospital for sick children, John was diagnosed as severely retarded and in need of institutionalization and his high IQ rating was brushed aside.

Finally the parents took John to Purdue University, where he was diagnosed as having perceptual eyesight problems, with a superior IQ. Clinic workers at Purdue were shocked to learn that John had been considered retarded by Canadian teachers and doctors and urged the parents to consult the Rabinovitch clinic in Montreal. Subsequently, Dr. Rabinovitch did see the boy and completely confirmed the Purdue diagnosis.

John has now been returned to a normal grade 2, where he is able to make progress because his parents have provided constant private tutoring and medical help. John's father estimates that all this has cost at least $15,000 to date. He is understandably resentful that although he is a Canadian, he had to go to the United States for a correct assessment. The parents are fearful that John may again have emotional difficulties inflicted by an unsympathetic school system, and are considering moving to Purdue in order to obtain the right schooling.

This is the case of John, whose parents as we have seen are well-to-do and have so far spent $15,000 on diagnosis and assistance that would not be available in any other way or without that expenditure of money.

But now we have the case of Cecil, who is aged 12, and he unfortunately has reached the end of the road or apparently so. His immigrant parents are poor and isolated by their poor grasp of English. Though they did manage to get proper diagnosis and locate private help for Cecil, they are unable to take advantage of this help because of their lack of money.

Cecil follows the tragic pattern of most perceptually handicapped children. Despite his difficulties in physical co-ordination and his distractability, his real emotional difficulties did not begin until he met up with the Ontario public school system.

When Cecil came to this country at the age of four, his co-ordination was so bad that he could not hold a crayon. Still, he was of average intelligence and got along well with his family, particularly his baby brother. He was enrolled in junior kindergarten, but the frustration was so intense his parents removed him. His parents were still hopeful when the hospital for sick children recommended eye glasses, but these made no noticeable improvement.

Cecil learned English easily and was enrolled in kindergarten at Huron Street public school. Kindergarten was a nightmare to him. The teacher was unsympathetic and insisted that Cecil could conform in ordinary physical activities. He was unmercifully teased by the other children about his inability to do up his coat or put on his rubbers. From then on, Cecil's emotional health began to disintegrate.

In school he was completely lost. His parents had sent him to parochial school in hope of smaller classes, but he was unable to comprehend numbers, and could not read or write because he reversed letters and had no idea of spacing.

At the age of seven and again at nine, the parents had him assessed by Dr. Rosen at Toronto psychiatric hospital and the hospital for sick children. Dr. Rosen found that Cecil had minimal brain damage, an average IQ and perceptual handicap, lack of hand-eye co-ordination, poor eye conveyance, and lack of spatial concept.

Dr. Rosen also felt that Cecil was becoming severely emotionally disturbed, with frequent crying and tantrums, withdrawal, hostility and aggression against his formerly beloved younger brother. The parents were referred to Dr. Yamaoka but could not afford treatment by this specialist.

At Mount Sinai hospital they could not obtain any help, because of lack of money and language barriers. Indeed, the parents could not even afford the carfare to regular group therapy classes at the Toronto mental health clinic.

Cecil has been shunted into grade 6 but is failing again. He is now almost completely unmanageable. The parents asked Dr. MacIntosh, psychologist for the North York board

to set up special classes. They were told that Cecil is now too old to attend any special classes.

After Cecil fails this year, the parents have nowhere else to turn. They are refusing to relegate him to the dead end of an opportunity class.

**Mr. Renwick:** Mr. Chairman, I rise to complete a number of these case histories in synoptic form for the House. I assume, Mr. Chairman, that each of the hon. members will make some effort during the course of the narration of the facts of these cases, so far as they can be placed within a reasonable scope, to appreciate the severe difficulty in which the parents are placed, even if the members of the House are not in a position to imagine themselves suffering under the handicap that one of these children would be suffering under.

I refer to one case, a boy in St. Catharines, Edwin, aged seven, which is another example of a parent who cannot find help for the child, let alone diagnosis, in Ontario. By next fall, he and his parents will have left Canada to live in Wichita, Kansas, where their son will be able to attend a special school.

The father is a welder and cannot afford boarding, as well as tuition fees, and so he has no choice but to uproot his entire family.

Edwin's parents first sought help when the boy was four. The family physician could not understand the problem and the hospital for sick children, as so often seems to be the case, diagnosed Edwin as severely and hopelessly retarded. The parents were unsatisfied with this analysis, they wrote to professionals all over the world and were advised to go to Germany. After saving for a year, the parents were able to make the trip and the boy was diagnosed as perceptually handicapped, withdrawn, overanxious, nervous, with no sense of spatial relationships and poor co-ordination. This is a classic constellation of emotional problems arising from the child's physical difficulties in comprehending the world around him.

Back home in St. Catharines the principal of the public school could think of no place for Edwin but nursery school and this inadequate solution lasted only four days. The mother then tried to see the local director of education, who refused to see her until she had also contacted the provincial special education branch and applied pressure.

Parents without tenacity appear to have little hope in this field.

Arrangements were then made to have Edwin in regular kindergarten for 45 minutes a day after the parents refused to follow the department's inappropriate advice to send Edwin to a school for the retarded. Stopgap arrangements with untrained teachers simply cannot work. Edwin's teacher could not cope with him and it was arranged that he should work by himself in the school's music room with a teacher paid by the local board. This at least is much further than many schools boards are willing to go but still it is not far enough. Edwin's difficulties are far from being alleviated by a teacher who has not been specially equipped to deal with them. Furthermore, though the school board psychologist has tested Edwin, the parents have not been told the results. They are apparently not to be released.

The parents have therefore decided to accept the diagnosis made in Germany, which was confirmed at the institute of logopeaics in Kansas. The cost in Kansas is prohibitive on a boarding-school basis—$400 per month. Thus, the parents must consider moving—tuition is only $150 per month. It is frankly distressing to us that no comparable facilities are available in Ontario.

Our school system is a much-vaunted one and perhaps the satisfaction with the system would be less unanimous if it were more widely known that parents are forced to travel half-way around the world to find out what is wrong with their sons.

Mr. Chairman, I have the case of a boy, Johnny, from Toronto, aged 12.

Johnny's case is now a closed one, since he has been relegated to the dead-end of a training school. Such a placement was specifically warned against by a psychiatrist who examined Johnny not long ago. He pointed out that Johnny was extremely hostile to and fearful of adult authority, living in a fantasy world, and could be helped only by a warm, stable and loving family life, perhaps in a treatment centre.

That Johnny has been sent to the bleak and punishing world of the training school, at the very point at which he was being considered for admission to a treatment centre which might have helped him, is a sad comment on our system of dealing with unhappy youngsters.

Johnny was one of seven children, and he lived in constant fear of his violent and brutal father. Caseworkers state that Johnny was grossly rejected and subject to extremely inconsistent handling at home.

At school, Johnny was rough with other children. He wanted to be liked but went about it in an awkward fashion, was trouble-

some in his attempts to gain attention and repeatedly and increasingly indulged in fantasies about his own prowess and his fantastic adventures with his father.

The school was extremely hostile to Johnny and seems not to have recognized that he was anything but "a bad boy." The principal, referring to this disturbed boy's fantasies, wrote of him that:

> He was a chronic liar; his behaviour was not acceptable and it became necessary to discipline him repeatedly. He was not accepted by his peers and also repeatedly provoked his siblings. He realized that his behaviour was not accepted but was unable to correct it.

Johnny's teacher also adopted this unfeelingly critical and hostile tone, revealing a depth of misunderstanding that is horrifying in a teacher: "He would continuously cause trouble, sometimes starting right at nine o'clock. Johnny and I did not get along too well because I continuously had to be at him for small things."

Eventually, this teacher threatened to resign unless Johnny was expelled from the school. And Johnny, being eminently dispensable, was expelled. The principal wrote that "this was for the good of the school"; and in this written report managed to get in a few sneers about "Johnny constantly bemoaning his lack of friends."

Johnny was also told by the principal that he would end up in a detention home and, thanks to this principal and the school system which tolerates him, that is exactly what happened. Once Johnny had been removed from school, no helping agency could be found for him except a juvenile training school.

There can be little doubt that after Johnny's experiences in school and in juvenile court, his "fear of adult authority" may be hardened into a permanent and destructive pattern. The province, as a substitute parent for this boy, has been as unrelentingly hostile and punitive as his own parents.

The third case which I have is the case of a boy by the name of Douglas, aged 12, from the city of Toronto.

Douglas is one of the few perceptually handicapped children we have learned of who has actually been helped by classroom teachers. His perceptual problems were leading him to severe emotional disturbance but the support of kindergarten teachers was invaluable. However, the story does not yet have a happy ending. Though Douglas has achieved some emotional stability, the school system cannot provide him with the proper facilities for equal intellectual progress.

Douglas was afflicted with severe and frequent epileptic seizures from the time of his birth and, by the time he was two years old, doctors in Montreal and Toronto had diagnosed him as retarded and urged that he be institutionalized. Understandably enough, after the parents had visited Whitby Ontario Hospital they refused to consign their son to that institution and looked for further help.

Until he was four, Douglas was being taken to Hamilton for psychiatric treatment as well as being maintained on anti-convulsant pills. But his disturbance seemed to grow more acute until he was drastically hyperactive, very nervous and totally unable to communicate with anyone. Perhaps this emotional state also reflected the tension of his parents who were unable to find any kind of help for Douglas in Toronto and were becoming frantic.

Then Douglas was enrolled in a private and progressive nursery school in North Toronto where classes were small and the staff sympathetic. He so flourished in this atmosphere, and it should be remembered that the teachers were not specially trained but just a little more aware and sympathetic than many in our public school system, that he was enrolled in a public school kindergarten two years later.

Here again, proof was offered that a reasonably understanding teacher can make a world of difference for a handicapped child. Douglas' teacher managed to increase his emotional stability still further, and after another two years he was put into a grade 1 opportunity class.

Here is where the system broke down once again. A sympathetic teacher, found by chance, is not enough for Douglas; it is only a good beginning. When Douglas was nine, his parents took him to the Rabinovitch clinic in Montreal, where he was found to be a happy boy without neuroses, who was capable of learning much more quickly than is possible in an opportunity class and, in fact, capable of finishing grade 12 if he received help with his perceptual difficulties in eye-hand co-ordination and motor control.

But Douglas is apparently not to have this chance. The school system will not admit him to a special class for perceptually handicapped children because of his age. In a typically futile and inappropriate gesture the school sent him instead to a special class for the disturbed which was so upsetting to him that he came home every day for two weeks crying bitterly. He has now been returned

to the opportunity class where whatever potential he has will remain forever undeveloped.

It appears to us that we hear too much about the brain drain from this country and I would suggest that many of these children are able to contribute substantially to the society in which we live if we would devote ourselves to the aim and object, Mr. Chairman, of making certain that children are equal to the opportunity which the government insists it is providing in its educational system.

**Mr. S. Lewis:** Mr. Chairman, if I may—

**Mr. Chairman:** Perhaps I should point out that the last few speakers have been following along in a similar vein in bringing to the attention of the House several specific cases and where they may not be identical, it does border on repetition.

**Mr. S. Lewis:** I find it frankly difficult, Mr. Chairman, that you can call repetition the singular, individual humanities which are involved, but I will not deny that the symptoms are very similar and indeed the situations are similar.

What we in this group have endeavoured to do this evening is to put before the House a very miniscule handful of case histories drawn right across the province demonstrating the incredible breakdown of the educational system to deal with such children. And I would say to you, sir, that their histories are drawn from the associations that have developed—from the association for children with learning disabilities, from the association for emotionally disturbed children, from the records of children's aid societies and treatment centres and, indeed, from the judges of the juvenile court—all of whom across society, be they individuals or groups, feel the same sense of desperation on this problem and feel the pressures beginning to reach intolerable proportions.

We feel in this group, I think it is fair to say, that the prime responsibility is that of education, and that education can respond in a variety of ways. It can respond by special classes where such children are actually isolated for teaching purposes, it can respond by sheltered classes, such as the North York system; where two or three children with specific handicaps are absorbed in a total class; it can respond by teachers specially trained and, indeed, it can respond through treatment centres, as it were, within the educational system. I think it is worth recalling that it was the judge's brief to the interdepartmental committee on disturbed children which suggested that training schools should be taken out of reform institutions and put into The Department of Education. And I think the prime motive behind that kind of unquestioned logic, is the fact that education is the place which should take responsibility and provide the services.

**Hon. Mr. Davis:** Treatment services?

**Mr. S. Lewis:** Treatment services? If the hon. Minister intervenes and says "treatment services," I would say to him, strongly, "yes."

The child guidance clinic system in the United Kingdom is tied directly to the school system and the child guidance clinic setup frequently provides treatment as well as providing diagnosis. I am not at all sure that there is not great value in expanding the school system that way. After all, under the special services branch we already have special schools for the deaf and the blind and I imagine that there can be other special classes and special settings within The Department of Education.

We have not been inflexible, Mr. Chairman. We now have them under The Departments of Reform Institutions, Public Welfare and Health and surely The Department of Education need not abdicate this particular responsibility.

By way of tying it together, I would like to put two short case histories on the record of the House which I think dramatize particular aspects of this problem, one of them perhaps excessively so, but I think it should be put.

One of them deals with a little boy of seven called Ricky. I spoke to his case worker on the telephone not many days ago. He is a temporary ward of the children's aid society in the hinterland of this province and his fate is now hanging in the balance. He is on the waiting list for Thistletown hospital and it is felt that if he receives treatment he may overcome his terrible past experiences.

Hon. members will find this difficult to believe, but at the age of six and a half, Ricky was held for several weeks at the Ontario Hospital for the criminally insane at Penetang. His case history does not tell us what it does to a six-year-old to be thus confined to Penetang. One can only imagine that this final blow inflicted upon him, in effect, by the government of this province, must have seriously affected him – just as surely the incarceration of a 10-year-old boy in the Ontario Hospital at Hamilton cannot but have that long-term effect.

The criminality of this action can be seen

when one views the results of psychological testing done with this child. Ricky is convinced that he is bad and that no one can possibly love him. The government must surely have reinforced this cruelly destructive self-image by imprisoning the child in such a condemning environment.

Ricky is seriously emotionally disturbed. His mother suffers from psychosis and completely rejected Ricky and his four brothers and sisters. Of the three-year-old she has said, "I feed him and dress him, and that is it." She has frequently left the children to go out with other men. Her husband is a weak and inadequate person who once attempted suicide after finding his wife with someone else.

The results of this background are seen clearly in the children. The ten-year-old brother is now being treated in Thistletown and the others are now in foster homes. Ricky is a hyperactive, extremely aggressive child. At school his teacher could not leave the room without Ricky vanishing into the cloakroom to rifle the other children's pockets or to steal from her desk. He often hurled boulders at other children, tried to strangle them and destroyed school property. Two Red Cross workers who once cared for Ricky and his siblings have testified that they have never seen such hostility amongst children before.

The school's answer to this violent an despairing child was to expel him as they had expelled his older brother. School intelligence tests showed Ricky to be of high average intelligence but there were obviously no facilities for coping with this child in any more constructive manner than to reject him from the school system completely.

That is not in any sense a condemnation of the local school board who must have reached a point of futility, but it is a reflection upon a system that can tolerate that kind of thing; expel a child from school with, thereafter, no avenues open to him.

The school psychologists felt that Ricky can be helped if proper treatment is found. He is still only seven years old. Perhaps the most poignant evidence of what happens to a child who is totally unloved can be read in some of the psychological tests he did. In sentence completition tests he replied to the questions: "My father seems to think . . ." He answered: "I am bad." To the question: "If I could only . . ." He answered: "Be good." To: "I wish my mother . . ." He answered: 'Would give me supper early all the time." To: "If I were grown up . . ." He answered: "I would love my mother and father—I mean, help them."

Despite these yearnings to be loved and to love in return, Ricky is convinced that the world rejects him so completely that figuratively it tries to destroy him, and in an apperception test he said:

> It looks as if some people are in the hospital, and a man and two more people and they are going to kill the brother with a knife. That is all I know about it. Why, I do not know. Maybe because the father killed the wife. I think they are going to kill the boy, that is all.

And one would add, Mr. Chairman, that one hopes the province of Ontario will not desert this boy, and that immediate help will be provided for him above the level of an Ontario Hospital.

Let me make this observation. Some of the best-equipped treatment centres in the province of Ontario—and they range from Warrendale to Thistletown—have very active school environments, very active school environments, in which children of this severity of emotional disturbance are maintained, and contended with and therapeutically treated in a most effective manner. There may be very real value in considering that such schools and such therapeutic milieus be brought within The Department of Education, because the department has a tremendous role to play in sponsoring that kind of setup.

The final case that we in this group want to put on the record is that of a boy, John H, aged 14, of the city of Toronto; a bright boy who has ben thwarted and hindered for years by a school system which is sometimes openly hostile, frequently indifferent or brutal, and at the very best unhelpful. His parents have been subjected to the usual stream of heavy-handed advice and mistaken diagnosis from the virtually untrained grade 12 graduates who are his primary school teachers. In kindergarten, his parents claim, his teacher ventured a guess that this bright but extremely overactive child was simply immature. In grade 1 his teacher, who had no training whatever in the identification of disturbances or handicaps, announced that he was mentally retarded. Meanwhile the child adjustment service discovered that John had an IQ of 126, but added that he had a negative personality which would no doubt clear up by the time he reached grade 4.

Impressed by his IQ ratings, the school worked hard with John and he was passed into grade 2, but at this point his parents moved to North York and his new school arbitrarily moved him back into grade 1 without notifying the parents.

The lack of communication between these

two schools was distressing; the lack of communication with the parents is shocking. To fail a child is a serious move and one which educators recognize to be almost totally destructive and harmful. To fail a boy who had worked so desperately hard to pass grade 1 and to fail him without discussing it with the parents is an indication of how a school system can be insensitive to a pupil's humanity.

Even more telling is the comments made by the school principal when John's parents learned of this action. He told them the boy was hopeless and to reconcile themselves to the fact that he might have to become a ditch digger. After all, he said, society needs ditch diggers.

At this point, the best that the school psychological services could recommend was that John be sent to a private school. That is quite an admission of failure for a public school system: "Your child is different, and therefore is not entitled to free education."

Since John's family had no choice, they followed this advice and John attended a succession of private and specialized schools, at great cost to his parents.

If the schools were unable to help in even the most minimal way, our other public facilities were equally useless. The hospital for sick children dismissed it as an emotional problem that John would grow out of. When John, under severe stress at school, developed stomach pains, another hospital gave him anti-convulsant medications designed for epileptics. At Toronto psychiatric, John was diagnosed as brain-damaged, and treated as as an outpatient for several years.

It is interesting to note that a senior psychologist of the North York board of education said that there was no place for John, who has a high IQ, I remind the House, in the entire system.

No place for John, Mr. Chairman? Or no place for a school system that discriminates against children with problems rather than extending themselves particularly towards them?

In any case, John has dramatically disproved the psychologist's statement. He has passed every grade and is now in junior high school, by dint of special tutoring every single evening and twice a day on weekends. At both the Weldon and Sutherland clinics, John has been diagnosed as brain damaged, and it was felt that only extraordinarily hard work of this type would get him through school in the absence of special classes.

The cost of the tutoring and the burden on the family can easily be imagined. What is hard to conceive is the gruelling routine that this handicapped boy must follow, particularly since his high school principal has made an inflexible ruling that no special considerations can be applied to John, and unless he lives up to the standards applied to others, he may not attend school.

Very literally, John is existing—with his fierce studying routine and self-imposed isolation—to accommodate the school system. Is there not something just slightly perverse about that arrangement?

I have a letter which I need not read into the record, from the parents, as well as many other case histories which have come to the attention of this group over a considerable period of time.

Let me sum up if I could for the hon. Minister opposite, and hope that the hour or so we have taken on this issue has been merited.

One recognizes, Mr. Chairman, that issues of this kind hold no political prerogatives. It is the responsibility of all the members of the House on all sides to raise them, and we in this party are perfectly cognizant of supporting the resolution directly on this point, submitted by the hon. member for Brant not so very long ago, and by the speeches which are being made in other parts of the province by other members of his party.

What we are trying again to do is to bring in a concerted way—as often and as relentlessly as it is required to evoke response—the individual cases which are simply indicative of the thousands upon thousands of children who are falling through the gaps in the school system.

There were a great many common denominators, Mr. Chairman, in these cases put before the House. The first was the poor diagnostic facilities, with which I think the hon. Minister must agree. Very few facilities anywhere in the province, except for the hospital for sick children, CPRI, and, frankly, I can think of no other, with the exception of a few psychological services and boards of education, like Toronto, and London, or Ottawa—there is absolutely nothing in the province. That is why the recommendation in the interdepartmental committee report of a pattern of such diagnostic services across Ontario, modelled on CPRI is so desperately important.

Frequently, Mr. Chairman, these children were unjustifiably branded as retarded by medical people; frequently branded as retarded by their school teachers, in the

absence of any proper diagnostic facilities, even though the children may have had an average, or higher than average IQ. And that, sir, is a consistent pattern.

The second consistent pattern that emerges, is that if the parents had the money, and were prepared to mortgage every worldly possession to that objective, they could get diagnosis. But not in the province of Ontario. They had to go to the Rabinovitch clinic in Montreal, to the very excellent facilities in Purdue, to the special diagnostic clinic in Syracuse, one family to Germany, others to Kansas. I suggest to you, Mr. Chairman, that it is an intolerable situation, when literally hundreds of parents in the province of Ontario have to go beyond the borders, in order to find a diagnosis for their children. And that is in fact the case, whether it be in the absence of facilities, or the incredible waiting lists that prevail at those facilities.

The third common denominator is that almost invariably these children were confined to opportunity classes, whether a diagnosis was made or not, and as has been pointed out in this House before, opportunity classes tend to frustrate unbearably those children of average or greater than average intelligence, whose slowness of maturation, as it were, relates to the handicap, and not at all to the intelligence quotient.

Something again has to be done to provide these special classes in the school system. Now the reason I suspect the hon. Minister says that mandatory special classes are not realistic, is because he recognizes we simply do not have the staff to fill mandatory classes in school boards around the province. And I respect that fact. But again I come back to the recommendation in the interdepartmental committee report on a manpower commission and the immediate production of personnel. That surely is the end at which to strike, rather than to make the assumption that permissive legislation will do the job. It will not, in the absence of anything else.

The next common denominator, Mr. Chairman, was the attitude of the peers, the peer group for these children, which was invariably unsympathetic, invariably subjecting the child to humiliation and catcalls, and sometimes to the brutality that is a sad part of adolescent development when this kind of child is isolated in the school system. Again one need not overemphasize the feeling on the part of parents whose children return day after day, subjected to this kind of intellectual and physical abuse, in the context of a system which cannot respond to the need.

And the final common denominator, Mr. Chairman, is the absolutely incredible cost which individual families have borne. In the process of documenting this kind of area, we in this group have come across financial outlays ranging from $3,000 to $47,000 on the part of an individual family, admittedly very affluent, in an effort merely to find diagnosis. None of this was spent on treatment.

The treatment facilities for special procedures for perceptually handicapped children, for emotionally disturbed youngsters, are that much more expensive, whether it be at one of the clinics that are available in Metropolitan Toronto, or whether it be for special remedial education in some of the outlying parts of the province.

I say, Mr. Chairman, finally; the hon. Minister has had the report for three months. No one denies the exercise of his compassion in the school system over the years, I think he will recognize that of our group in this House, indeed of the Opposition in this House. But, I say to him through you, sir, that he must move his colleagues in the Cabinet. You cannot lose a generation of children from the school system, and sit with equanimity and watch it happen. Whether we talk about it in terms of several hundred, or several thousand, it is an indisputable fact there are countless thousands of children to whom this is occurring and for whom the school system is finally responsible. I appeal to the hon. Minister, before the end of this session, that he make whatever announcements are required to provide the breakthrough in this entire area of special educational services for handicapped children, whatever that handicap may be.

**Mr. Nixon:** Mr. Chairman, I would be anxious to hear the hon. Minister's comments on this presentation before I proceed.

**Hon. Mr. Davis:** Mr. Chairman, I think that I made my position rather clear before the presentation of these cases to the House.

I could, if I were so inclined, relate some of the positive features as to what has been accomplished in the field of special education in this jurisdiction, because in many areas, Mr. Chairman, I think the province of Ontario has provided some very substantial leadership in the field of special education.

I had the pleasure of attending the international conference, not too many weeks ago. I am sure some of the hon. members opposite took the opportunity to meet with some of these people in the field of exceptional children, when they were here at the Royal York some few weeks ago. Actually, there were

some 6,000 delegates from around the world and I am sure the members opposite took the opportunity to discuss what was happening in other jurisdictions with the exceptional child, if we can use this term, to encompass the emotionally disturbed, the handicapped, and so on, if we use this all-embracing term.

I would say, Mr. Chairman, and I take no credit for this at all because a lot of this has been going on for some time, Ontario is recognized and very highly regarded in the field of special education by many other jurisdictions.

**Mr. Bryden:** This is the old, old answer.

**Hon. Mr. Davis:** Well, Mr. Chairman, it may be in the view of the member for Woodbine the old, old answer.

Interjections by hon. members.

**Mr. Chairman:** I am going to suggest to the members that the Minister listened to the members when they spoke and they should give the same courtesy to the Minister.

**Hon. Mr. Davis:** I think, Mr. Chairman, there is no doubt—and I am not saying that we have completed or have reached this goal by any means—but the goal of public education in this province is to educate in the most complete sense of the word all of our children. This is the objective of the educational programme in this province. This is not to say that we have achieved this objective, Mr. Chairman, I am not making this statement. Obviously in fact we have not. But I say to you this, that we have made very substantial progress not only in the area of the exceptional child but many other areas.

I was interested in some of the case histories that were presented. Obviously, one of the common ingredients as the member for Scarborough West has pointed out, is the question of diagnosis, the assessment of the problems that faces the youngster. There is then the question of treatment, the question of the place in the school system in endeavouring to assist these disturbed or exceptional children.

I think, Mr. Chairman, that while you can point to other jurisdictions where they have certain facilities for diagnosis, I would point out that you will probably find—and I do not have the information here—that in the city of Montreal, which was referred to by two or three of the members opposite, that as far as physical facilities in the school system itself, opportunity classes, classes for the emotionally disturbed and so on, that there are fewer facilities in the school programme in that jurisdiction or in that city than exist here in the city of Toronto. Obviously they have the clinic, a very excellent one.

I was interested too in the observation and it seemed to be phrased almost by the same author, that some of these parents were thinking of moving to Purdue, so their children could have a continuing education programme. I am not completely familiar with the programme at Purdue but my understanding is that once again it is a clinic where the assessment is made, but just as important some programme has developed for the parents, not just for the students, and with respect, as I understand it, it does not provide a continuing year-by-year programme for the individual students.

This is an assessment that is made, so that when I hear the suggestion that people are moving to Purdue so that their children can have this continuing education programme, I wonder really whether this is the appropriate type of move they should make.

I should point out, Mr. Chairman, that it was only in 1960 that there were some 768 approved opportunity classes in this province. Within five years, this number has now increased to some 1,450.

I fully appreciate that the emotionally disturbed youngster may not receive the proper type of instruction in the so-called opportunity class. But I also suggest this: there are some who may. And this is where one of the difficulties arises as to the degree or varying degree of emotional disturbance and the type of classes, and whether or not they should be singled out.

There is a school of thought which suggests that the youngsters should be treated in the normal classroom environment. This is all a matter still of discussion. To the best of my knowledge, there has been no final determination made in any jurisdiction that we know of as to the best way to treat the emotionally disturbed child. There are many—

**Mr. S. Lewis:** May I ask a question?

**Hon. Mr. Davis:** Yes.

**Mr. S. Lewis:** The Minister would agree, though, that it is worth experimenting with all the techniques—

**Hon. Mr. Davis:** Without any question, Mr. Chairman, experimentation in endeavouring to find the right way to treat these youngsters is highly desirable. And I suggest to you that we are not really far behind many other jurisdictions as perhaps the debate here tonight would indicate.

**Mr. MacDonald:** It is a sad commentary on the others, though.

**Hon. Mr. Davis:** I do not want to reflect on other jurisdictions, but I think I can say with some knowledge that the position in Ontario is not unique; let us put it that way. Other jurisdictions are facing identical problems. The whole question of the perceptually handicapped, with respect, is a fairly recent development in education. In fact, one could say in fairness that it is a quite recent development in education. We do not pretend to have the answers as to how these children should best be treated. It is difficult to diagnose. Two or three of the case histories tonight indicate that what were probably, and I would hope, qualified medical personnel gave diametrically opposed assessments or diagnosis of the problem. This is how complicated it is.

We have the sick children's hospital where some of the most talented people available are making diagnoses that are opposed or contrary to a diagnosis that was made, as I recall, either at Purdue or Montreal or West Germany—it does not matter. But this just illustrates further the complexity of the situation.

We have had for some time, Mr. Chairman—and you will not find this in every jurisdiction, I can assure you of this—incentive grants for the emotionally disturbed, for the neurologically impaired, the hard of hearing, and for limited-vision classes, orthopaedic classes, opportunity classes. There is a whole range of auxiliary education grants outlined in the departmental regulations and I suggest that in a relative way it is a very clear indication that we are concerned about the problems of the exceptional child.

I also say that the solutions are not easy and they are not all related to economics, although the programme to do this thing effectively is not an insignificant one as far as dollars would be concerned.

We have in the teachers' colleges and we are in the process of increasing and expanding this type of instruction for the elementary teachers to help them recognize the learning difficulties of the children within the school programme. I think one can honestly state there is a growing awareness and a desire to treat these individual situations. Some of the case histories in the way they were phrased and read to the House by members opposite would indicate that the teachers, the principals, the school system, had something of a callous disregard for many of these young people. I take issue with this. Certainly you can point to isolated situations where individual teachers or individual principals may not have exercised the interest that perhaps the members opposite and some of the rest of us feel would be desirable.

But they do not relate the stories of the hundreds of youngsters who have degrees of emotional disturbance and other handicaps who are treated by the teachers and by the principals in the school system of this province.

I think, Mr. Chairman, we should recall or remember that there are many thousands of youngsters who need and who are receiving some special help and consideration from the many competent teachers who staff the schools in this province.

We are concerned with many aspects of this. We are concerned with building into the proposed extended teacher education programme a focus upon special education requirements. This is part of our programme. We are concerned with developing personnel who are fully qualified as educational diagnosticians, not medical but educational. And this has not been done in any comprehensive way, at least not in many jurisdictions that we know of. This is something new that must be approached.

We are interested in developing personnel who can assist not just the school system but the parents, because much of the problem with the emotionally disturbed relates, as the members have pointed out, to the home environment itself, the relationship between the school and the home, and I would suggest that this needs a particular type of professional person. And I cannot define how or just in what way these people will be developed. But I think, Mr. Chairman, this is a very important part of any programme that might be developed for the emotionally disturbed.

The department has co-operated, I think, rather fully with the parents concerned about the emotional and learning disorders of children. We have helped them with their two courses these last two summers. The member for Scarborough West nods his head. I think he knows the co-operation this group has received from The Department of Education.

I can only emphasize, Mr. Chairman, and I could go on on this subject at some length, that the government does share the concern that has been expressed by the hon. members opposite. They are not, sir, the only group which is interested in the exceptional child in this province, and I reiterate we have

had very solid accomplishments in this whole field of special education.

I could outline many of the other difficulties that relate to this whole problem. I can only say, Mr. Chairman, that the report that was prepared, and I suggest a very good report, outlines a comprehensive programme. When the hon. member for Woodbine suggests I am trying to indicate that we are going to water down, or perhaps not adequately deal with the problem, I suggest, Mr. Chairman, this is an unfair inference. There was nothing in what I suggested that would give him cause to make this statement.

I did say, and I think the chairman of the committee would agree, that there may be other more appropriate ways of dealing with the recommendations, or with the suggestions named in the report. The thinking in this area changes. It changes week by week, as we gain more knowledge and more experience in dealing with these particular problems.

Mr. Chairman, I conclude my brief remarks on the subject by saying categorically that this government and the department is interested and will develop programmes that will in the final analysis enable us to deal with these individual situations. We cannot accomplish this overnight. It requires the training of qualified personnel in many facets of this whole problem, but I say, Mr. Chairman, that we are in the process now of developing programmes that we think will adequately assist the problem of the so-called exceptional youngster in the school system.

The interest in this problem, Mr. Chairman, is not confined to the hon. members opposite.

**Mr. Nixon:** Mr. Chairman, I wanted to ask the hon. Minister rather specifically about a problem—

**Hon. J. P. Robarts** (Prime Minister): Mr. Chairman, if you will excuse me. I think if we have completed that section of this debate, I move that the committee rise and report it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Robarts:** Mr. Speaker, tomorrow there are certain second readings and some bills in committee of the whole House with which I would like to deal, and then we will return to these estimates. Private members' hour from 5 to 6.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.15 o'clock, p.m.

No. 140

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Tuesday, June 14, 1966

Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JUNE 14, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: In the east gallery, Ryerson public school, Brantford, and in the west gallery, St. Andrew's public school, Galt.

Petitions.

Presenting reports by committees.

Mr. L. C. Henderson (Lambton East) from the standing committee on agriculture presented the committee's first report which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 112, An Act to provide for crop insurance;

Bill 114, An Act to amend The Edible Oil Products Act;

Bill 115, An Act respecting abandoned orchards;

Bill 118, An Act to amend The Artificial Insemination of Cattle Act, 1962-1963;

Bill 120, An Act to amend The Weed Control Act;

Bill 143, An Act to amend The Farm Products Marketing Act.

Your committee begs to report the following bills with certain amendments:

Bill 113, An Act to amend The Department of Agriculture Act;

Bill 119, An Act to amend The Plant Diseases Act.

**Mr. Speaker:** Motions.

Introduction of bills.

## MOOSONEE DEVELOPMENT AREA BOARD

Hon. J. W. Spooner (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to provide for the establishment of the Moosonee development area board.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, may I inquire if notice of this appears on today's order paper?

**Mr. Speaker:** The notice was given yesterday and it is No. 92, under Votes and Proceedings notices.

**Mr. Bryden:** But does it not have to appear on the order paper, Mr. Speaker? In other words, two days' notice is required under the rules?

**Mr. Speaker:** We do require two days' notice. I understand when it is in the Votes and Proceedings it is usually accepted.

Does the Minister have the unanimous consent of the House to proceed with the introduction of the bill?

**Mr. Bryden:** Mr. Speaker, I would like to just say I am not going to deny unanimous consent, but I do think that the government ought to follow the two-day rule, just as other hon. members do.

**Mr. Speaker:** Yes. It is in the Votes and Proceedings, but not on the notice paper.

**Mr. Bryden:** But that means it has not had two days' notice.

**Mr. Speaker:** Will the Minister proceed?

Motion agreed to; first reading of the bill.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, this bill provides for the establishment of this board, and its responsibilities will include the provision, maintenance and operation of sewer and water services; the provision and maintenance of roads and streets, including drainage; the collection, removal, and disposal of garbage and other refuse; all the purposes of The Planning Act; the provision, maintenance and operation of fire protection services; and the provision, maintenance and operation of street lighting in the Moosonee area.

## THE DEPARTMENT OF PUBLIC WELFARE ACT

Hon. L. P. Cecile moves first reading of

bill intituled, An Act to amend The Department of Public Welfare Act.

Motion agreed to; first reading of the bill.

**Hon. L. P. Cecile** (Minister of Public Welfare): Mr. Speaker, the new provision in the Act gives general authority for entering into agreements with the government of Canada for contribution under such schemes as the proposed Canada assistance plan.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I would like to ask the hon. Minister of Lands and Forests a question.

Does the hon. Minister have any plans to re-establish the fish hatchery in the Fort Frances district of northern Ontario?

**Hon. A. K. Roberts** (Minister of Lands and Forests): Mr. Speaker, before I answer the question, may I say that, if my hon. friend is as full of nice fresh northern air as I am after his visit north, we are both in good condition.

The answer is no. A fisheries management unit has been set up for Rainy Lake, and the complete study is being made of the fisheries situation. It is our opinion that a hatchery, to provide warm water fish, such as pickerel, is not the answer.

The state of Minnesota has adopted the same stand and has closed down their hatchery for warm water species also.

**Mr. Thompson:** Mr. Speaker, may I ask a supplementary question?

One of the prides of that area was its walleye. Have you considered a hatchery which might include walleye?

**Hon. Mr. Roberts:** Well, I would have to answer that very generally. Our system of hatcheries is a question of location as to water suply and environment. We could have a walleye hatchery 500 miles away and still be able to supply the area. I do not think we have any problem of supplying walleye.

**Mr. Speaker:** Perhaps the member will proceed with all his questions to the Minister, and the Minister will reply to them.

**Mr. Thompson:** Fine, if that is acceptable to the hon. Minister.

My next question is: have any approaches been made to the federal government to have an area of northern Ontario designated as a federal park?

My next question: is the hon. Minister aware that because Ontario has no legislation to control fish buyers, therefore buyers from neighbouring provinces can take advantage of Ontario's market to the detriment of the Ontario fish processing plant?

**Hon. Mr. Roberts:** Mr. Speaker, with respect to the first question, an approach has been made to the federal government to have an area of northern Ontario designated as a federal park, but for many years there have been what might be termed "desultory" conversations on the subject of a national park, or national parks, in Ontario. Such places as the Bruce peninsula, the Elliot Lake area and the Pukaskwa area have been mentioned.

We have under construction a provincial park in the Elliot Lake area, part of which is presently in operation, and an extensive park reserve in the Pukaskwa area in the White river provincial Department of Lands and Forests district which I visited a few days ago.

We have areas in the Bruce peninsula in which The Department of Public Works is actively engaged in negotiating purchases for park and recreational use. There have also been some similar discussions in relation to an area near the Manitoba border in the northwest angle of our province in the Lake of the Woods area.

Having said this, I would point out that the question is framed as a inquiry as to whether approaches had been made by this government to the federal government, and while we have had discussions, we have not made approaches. One of the problems in connection with national parks is that, under its present policy, the federal government requires the land to be donated. In other words, it will not buy land in the province from the province, and that creates in itself a problem.

However, I would like to say in answering this question—

**Mr. Thompson:** Mr. Speaker, the first question has been answered now. May I ask a supplementary question to the first question?

**Hon. Mr. Roberts:** I was not quite through. When I am finished then I will be glad to have it.

I would like to point out that at a meeting on May 10, 1966, of a committee—I think it was The Department of Indian Affairs and Northern Affairs committee in the federal government—Mr. Laing made this statement which might of interest to my hon. friend. At the end of the proceedings on page 108 he said:

> I might say this, that while there has been some almost implied criticism of On-

tario here, I do not want to participate in it at all. Ontario has co-operated very, very well indeed in these studies and is doing so today.

**An hon. member:** That is not what they really think of us.

**Mr. Thompson:** Mr. Speaker, may I ask the Minister a supplementary question? Is it true—

Interjections by hon. members.

**Mr. Speaker:** Order! Will the member proceed, please.

**Mr. Thompson:** Is it true what some of the people say, that because of the hon. Minister's fierce parochial pride in Ontario he wants to administer all of the parks and would not hand over or donate land to the federal government?

**Hon. Mr. Roberts:** I think that question opens up a very broad subject. In speaking for myself, I think there is far too much interference already between the provincial and federal authorities—

Interjections by hon. members.

**Hon. Mr. Roberts:** —on so many subjects and I do not want to initiate more.

On the basis of our work for parks, would it not be rather foolish to duplicate the same thing if enough is being done in the provincial field? But that is only one element to this. I have mentioned some others. We have not, by any means, taken an antagonistic attitude in relation to any particular project.

**Mr. Thompson:** May I ask another supplementary question? In view of the fact that Ontario supplies a large tax slice to the federal government, does the hon. Minister not think that in the parks area we should get some benefit from that federal contribution?

**Hon. Mr. Roberts:** I do not think that I can say anything more than that. I do not think that the intermingling on the present basis would be very helpful, and I think that we are going ahead at a pretty fair clip ourselves.

However, we are talking and we are negotiating, and I do not want the answers to these questions to interfere in any way with the general trend that is going on.

**Mr. Speaker:** The member also asked a question regarding fish buyers.

**Hon. Mr. Roberts:** Yes, I will repeat the question. "Is the Minister aware that because Ontario has no legislation to control fish buyers, therefore buyers from neighbouring provinces can take advantage of Ontario's market to the detriment of the Ontario fiish processing plants?"

The way that question is worded, I answer that I am not aware of such a situation, and I very much doubt it; we do not actually licence fish buyers. In a competitive market, the fish producers stand a better chance of getting a higher price than in a restricted market. I expect the question posed by the hon. leader of the Opposition is aimed at complaints that he may have heard in northwestern Ontario from one or two fish buyers. I heard them some time ago. My analysis, however, of the situation did not convince me that licensing of fish buyers would be the answer. I would point out further that the McIvor commission of inquiry into fresh water fish marketing, which has been taking evidence in this and other provinces, has not made its report to the federal authorities. I believe that this particular point has been raised before.

**Mr. Thompson:** Mr. Chairman, to clarify —and I realize I have to ask this in the form of a question, as a supplementary question— might I ask if the hon. Minister is aware of a new fish processing plant just outside Kenora, and is he aware of the difficulties that processing plant has in getting regular customers in the form of buyers throughout the Ontario lakes when from Manitoba you can have buyers come in and raise the price just for one particular market? Then they will return to their own province where they have steady customers, while in Ontario this particular processing plant cannot buy in the Manitoba lakes and, therefore, is at a disadvantage.

**Hon. Mr. Roberts:** I am not aware of there being a restriction in the Manitoba field, I am not aware of that. I am aware of that general complaint, but when we looked into that complaint, I found that a good deal of the fish that was involved was fish that came from Indian bands under the direction of the Indians and under federal Indian affairs, and that their particular produce was let out on tender. Some of these complaints were due to the fact that the highest tender came from Manitoba.

**Mr. Thompson:** As a supplementary question, could I ask: is the Minister aware that there have been Indian commercial fishermen who have caught fish with the understanding that they would sell them to a

buyer in Manitoba, but he has never picked up the fish and they have rotted.

**Hon. Mr. Roberts:** I am not aware of that particular situation.

**Mr. Thompson:** Could I ask the hon. Minister of Public Welfare if he would advise why his department has not utilized the west wing of the Fort William sanatorium as an annex to Grand View Lodge home for the aged?

**Hon. Mr. Cecile:** Mr. Speaker, I consider the available space in the wings of the Fort William sanatorium as more suited to a nursing home or rest home type of accommodation. The building was planned as a hospital and not designed to fulfil the different purposes of a home for the aged.

We are prepared to make grants to the city of Fort William if they wish to operate a nursing home in this wing under their own jurisdiction. In this way, they could obtain a subsidy of 80 per cent of up to $140 monthly for each patient.

A more attractive alternative perhaps would be for the city to establish one of the new rest homes under the proposed amendment to The Homes for the Aged Act. There would be no restriction on the age of persons admitted to long-term care and the provincial grant would be equivalent to that which is available for a home for the aged.

These proposals will be going forward when approval is given to the Act to amend The Homes for the Aged Act.

**Mr. Thompson:** Mr. Speaker, could I ask a supplementary question? In view of the fact there is a waiting list at the already existing home for the aged in Fort William, and in view of the fact that there is a whole floor which is vacant, would not the Minister consider that this could be used temporarily for the proper care, perhaps bed care, for people who desperately need it? At this point in this area there is overcrowding and a waiting list for patients.

**Hon. Mr. Cecile:** Well, Mr. Speaker, I cannot agree entirely with what my friend has been told because this has been under investigation by members of my department. We are, at the present time, discussing this matter with the people at Fort William and we have never denied their taking that particular position since they have an excess of residents to be taken care of in that particular sanatorium. But that situation has existed for three or four years with the promise that something would be done, and that has not been done.

We are still, as I stated in the statement, willing to go ahead and discuss it further with them, but at the same time, I do not want to create a precedent if I can avoid it—if I do it with one place I will have to do it with every place else and our programme would be disrupted to a very large extent. This is under consideration now and under discussion. Again, as I say, I could not agree that we can turn it into a home for the aged and continue the programmes as they are in the ordinary homes.

**Mr. Thompson:** Mr. Speaker, a further supplementary question for clarification. Do I take it then that the Minister is suggesting to the old people at Fort William that those on the waiting list will just have to wait until you have built a new home?

**Mr. Speaker:** The leader of the Opposition is now getting somewhat out of order with his supplementary questions. I would remind him that in the question, it must be a question and not a statement of fact or something that is argumentative in nature. Would he proceed with his other questions?

**Mr. Thompson:** I certainly respect your decisions, Mr. Speaker, and will naturally conform to them.

This is to the hon. Minister of Health: Would the Minister advise why his department, in view of the serious shortage of institutional space for mentally retarded children, has not utilized the available facilities of a floor of the west wing of the Fort William sanatorium, particularly in view of the fact that the doctors there state that they can provide the necessary staff and care for these children?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I am at a loss to know what doctors the hon. member is speaking of.

**Mr. Thompson:** Doctors in the hospitals!

**Hon. Mr. Dymond:** We speak to the superintendent of the hospital who is in charge of the institution, and he is the only one qualified or authorized or empowered by his board to speak to us. It is rather strange to me that for the past month this gentleman, Dr. Scott, the superintendent of the sanatorium, has been working to advise my department at my request on the further utilization of the sanatorium for purposes of treatment of mentally retarded children.

We have a unit already in operation there

providing nursing care for 54 profoundly mentally retarded and physically handicapped children who are in need of nursing care under medical supervision. At the present time, there are six children awaiting admission to the facility, three from the local region and three from the Sault Ste. Marie area. As of this date, the administration of the sanatorium has not been able to complete their report as to the availability of additional space for the purpose of caring for retarded children, although I would anticipate a report by the end of this month.

The west wing of Fort William sanatorium, mentioned in this question, has never been designated for the care of mentally retarded children. It has been suggested in a brief to me, which I have already discussed with the sanatorium board and others, in the Fort William area, that this could be utilized for custodial care for older persons. It does not lend itself readily to the care of retarded children because it is separate from the existing unit. But there are empty beds in the main section of the building more suitable for this purpose. With only six children on the waiting list, we will have to await Dr. Scott's report to see whether or not it is feasible to extend our programme into this part of the hospital.

**Mr. Thompson:** Mr. Speaker, as a supplementary question, in view of the fact of the excellent care—and I want to emphasize the excellent care—which the staff are giving to the seriously mentally retarded children in that institution, and in view of the fact that there is a floor which is empty, would the Minister consider, if Dr. Scott would recommend that he could take care of more mentally retarded children, would the Minister consider following through on such a recommendation?

**Hon. Mr. Dymond:** Mr. Speaker, Dr. Scott already knows that we will take all of the space that he can make available for us which can be suitably adapted to this purpose.

**Mr. Thompson:** Mr. Speaker, I have a question of the hon. Minister of Highways. Is the Minister aware that the construction of the Essex road bridge on the Black Sturgeon river in the Kenora district has been declared illegal, and that it has caused minor flooding and has limited boat travel along the Black Sturgeon? In view of the fact that the bridge was constructed under the supervision of The Department of Highways engineers, would the Minister advise what steps are being taken to reconstruct the bridge to prevent flooding and to permit free movement of water traffic?

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, I was not aware of the matter to which the hon. leader of the Opposition has referred. I have asked the director of operations to investigate the matter and report to me. Unfortunately, his report has not been received. I would ask the hon. leader of the Opposition to allow me to take it as notice to report later.

I might take the liberty, if I may, of suggesting to the hon. leader of the Opposition that his trip north seems to have rejuvenated him to the extent that I propose to go up there next week myself.

**Mr. Thompson:** They will be delighted to see the hon. Minister.

**An hon. member:** It does not have the same effect on all people, you know.

**Mr. R. M. Whicher** (Bruce): —take a little money—

**Hon. H. L. Rowntree** (Minister of Labour): Is the hon. leader of the Opposition going back?

**Mr. Thompson:** I loved it, and I will be going back.

I have a question directed to the hon. Minister of Labour.

Would the hon. Minister advise why the Kenora district Department of Labour inspector approved plans for the installation of heating equipment at the Shoal Lake fish processing plant in Keewatin, and now appears to have reversed his decision after the installation of the equipment, which decision could result in considerable financial loss to this vital industry?

**Hon. Mr. Rowntree:** Mr. Speaker, the designs of the new refrigeration plant at Shoal Lake in Keewatin were not, and I repeat—were not—submitted to the chief inspector of boilers before installation commenced, as is required by section 14 of The Boiler and Pressure Vessels Act of 1962-1963.

The welding of the direct expansion coils and other parts of the installation was done by a person who had not been qualified to weld or do the work in Ontario. Numerous welds were subsequently found to be defective by district inspector Wall, who so reported by telephone on June 10 to the chief inspector. The inspector was instructed to take such steps as were necessary to remove the danger.

The welder involved has now passed the welding qualification test and is authorized to undertake the repairs to the installation, as deemed necessary by the inspector.

**Mr. Thompson:** Could I ask a supplementary question?

Is the hon. Minister aware that the owners of the plant allege they had sent the plans to The Department of Labour, and The Department of Labour itself had told them to go ahead on the installation?

**Hon. Mr. Rowntree:** I am not aware of any such suggested facts.

**Mr. F. Young** (Yorkview): Mr. Speaker, on Friday, I asked a question of the hon. Minister of Economics and Development. I wonder if he has the answer?

**Hon. S. J. Randall** (Minister of Economics and Development): I have, Mr. Speaker. I am sorry I was not here Friday, but I have the information with reference to the question the member asked.

This is with reference to the layoff of the employees at the McKinnon Industries plant.

I was advised of a reported shutdown of some production lines at McKinnon Industries Limited in St. Catharines on May 9 by the hon. member for Lincoln, and it is my understanding that McKinnon Industries will discontinue production of the following items in their St. Catharines plant in July:

Manual steering; distributor; ignition coil; voltage regulator; master cylinder; prop shaft; truck hub and drum and Buick and Olds assembly.

The prop shaft bearing division will be moved to the General Motors Frigidaire plant in Toronto and I understand the remainder of the lines will be produced in the United States.

However, I am advised that the company will drastically increase, however, production of starting motors, delcotrons, which are generators and altimeters in that plant, plus rear and front axles and engines to take up the slack of the other lines going out.

This changeover, along with other model changes, will necessitate the layoff of some 350 employees.

I might also add that in June 1962, McKinnon Industries employed 4,585 persons, and this rose to 6,592 in 1964 and 8,500 at the present time, an increase of 3,900.

The industrial training branch of the Ontario Department of Labour has been working with McKinnon Industries in a variety of training programmes. In light of these layoffs, two training experts have been sent to St. Catharines to meet with the company, union, and local national employment service officials in an effort to place those workers who are laid off and require retraining in other plants in the area currently running on-the-job training programmes.

The federal authorities also, in their manpower programmes, have been most active. The national employment service has been alerted to the situation and is working closely with the company and the union in an attempt to place those workers whose seniority rights will carry them through until October.

The federal mobility programme is available with grants and loans to help workers who find it necessary to relocate in other parts of the province.

The unemployment insurance commission will pay basic unemployment benefits for the displaced workers.

The federal free auto trade agreement mechanism provides for supplementary unemployment benefits beyond those paid by the company for workers displaced as a result of the auto pact. In the case of the Ford Motor Company, workers laid off last year under similar circumstances were receiving as high as 85 per cent of their salary while they were waiting to be re-hired.

The federal departments of manpower and immigration agreed in the spring of this year to hold a local investigation in connection with those layoffs as a result of the representations in Ottawa by Local 199, UAW, and as you know we did the same thing down in Windsor with the Ford company employees.

All these federal services are available to the company and the employees in addition to our provincial industrial training programme.

I might mention, the Niagara Falls region is one of the areas of highest skill shortages in the province and I do not believe there is going to be very much difficulty in placing anyone who is not eligible for re-employment once the programme is sorted out.

**Mr. Young:** Mr. Speaker, this is reassuring. I wonder if the hon. Minister would inform the House whether it is usual practice for industries to inform the local member and the local member inform the hon. Minister? This seems an unusual channel.

**Hon. Mr. Randall:** Well, if you want to go back a little further, I talked to Mr. Barbeau, the president, at the opening of a

new plant in St. Catharines about three months ago, and he said they were revising their lines, the same as most of the automotive plants. He said we will have some layoffs, I do not know what they are at the present time. The first notice I received that they did have layoffs, was when the UAW local 199 over there approached the hon. member for Lincoln, and he sent me the copy dated April 26, of the people who were to be affected. From that time on the machinery has been in operation looking at the possibility of re-employing these people in other areas.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question of the hon. Minister of Transport, a copy of which has been submitted to him.

Would the hon. Minister consider as a pilot project, giving Metro Toronto police the authority asked by Dr. Morton Shulman, chief coroner, and Controller Dennison, for safety inspection for all licensed motor vehicles, as is in operation in Vancouver, and granted to that city in B.C. by its provincial government?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, the municipal police have authority now under section 47 of The Highway Traffic Act to compel the inspection of any motor vehicle registered in or operating on the roads of the municipality. Extensive use is made of this authority.

As far as I am aware, there has been no request from any municipality for authority to operate a total compulsory periodic motor vehicle inspection programme.

**Mr. V. M. Singer** (Downsview): There have been lots of requests in the Legislature for you to initiate it.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, my question is to the hon. Provincial Treasurer.

In view of the renewed difficulties between oil companies and gasoline retailers resulting in the cutoff of service to the public in the Orangeville and Galt areas in the past few days, does the government plan any immediate action to resolve these long-standing grievances?

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Speaker, in reply to the hon. member's question, I may say I understand the action referred to in the hon. member's question is voluntary on the part of the gasoline retailers, although I should perhaps add that I do not have any detailed information concerning the matter.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, I have a question for the hon. Minister of Public Welfare.

Would the hon. Minister comment on the statement appearing in today's London *Free Press* of Trevor Pierce, executive director of the Ontario welfare council, claiming that the hon. Minister's new rest home legislation will delay a solution of nursing home problems for at least 18 months?

**Hon. Mr. Cecile:** Mr. Speaker, I have not seen the statement to which my friend refers, but I assure you that the matter of establishing rest homes is left entirely to the discretion of the municipalities concerned.

I consider that there is plenty of opportunity for both public and private nursing homes to meet the needs in this field. It is certain that the method of financing through municipalities and the development of smaller homes are favourable aspects of the proposed rest homes. It is possible that municipalities are best able to consider the local requirements for this type of facility. The rest home will relieve hospitals and homes for the aged to the extent that persons of any age who are incapacitated with relatively stable disabilities can be admitted for long-term concentrated care.

I have not seen the article.

**Mr. S. Lewis:** May I ask a supplementary question, Mr. Speaker? How is it that rest homes requiring a high level of chronic nursing care were placed under The Department of Public Welfare and not under The Department of Health, in conjunction with the new nursing home legislation?

**Hon. Mr. Cecile:** I would say in answer to this, Mr. Speaker, that it is not in the same field at all. There is the age factor concerned in that one cannot enter a home for the aged if under 60 years of age unless one gets Ministerial consent. Otherwise, a lot of these people, who are long-term, chronic cases in these smaller places, would be admitted and the age ruling would not be upheld.

As I have stated admission would be more or less based on the fact that a person would need long-term, ordinary care and would not be eligible for the hospital or for the programme where there is specialized nursing, as in homes for the aged.

**Mr. Speaker:** The Provincial Treasurer.

**Hon. Mr. Allan:** Mr. Speaker, I have a statement re the receipt of the arbitration award concerning the January, 1966 cyclical review.

The award of the civil service arbitration board concerning the January, 1966 salary review was received yesterday by the chairman of the Ontario joint council. He has forwarded it to representatives of the government and the civil service association of Ontario.

This award affects approximately 22,000 civil servants and 581 classifications in the maintenance, clerical and technical series. The arbitration board consisted of His Honour Judge J. C. Anderson, chairman; D. Alan Page, Esq., representative of the official side, and J. Stefan Dupre, Ph.D., representative of the staff side.

The award is unanimous having been agreed upon by the chairman and both nominees.

The matter of the January, 1966 cyclical salary review was referred to the civil service arbitration board in February, following direct negotiations between the representatives of the government and the civil service association of Ontario, and after consideration of the matter by the Ontario joint council. The arbitration board held hearings with the parties on March 15 and 16; April 23 and 27, and May 7. In addition, the board held executive sessions without the parties on a considerable number of occasions. The award is now being studied by the interested parties who have agreed it should be released to employees and the public tomorrow morning at 10 a.m.

It will be seen from the number of employees in classifications affected that the salary negotiations for the maintenance, clerical and technical classes were the most complex to come before representatives of the government and the association since the establishment of procedures for negotiation.

I wish to pay tribute to the chairman and members of the arbitration board for their unstinting efforts in bringing this matter to a conclusion and for their success in making their award unanimous. I believe the award will provide a foundation upon which we can continue to recruit and maintain a civil service of the highest order.

In addition, the award and the proceedings before the arbitration board should assist the parties in developing improved procedures for direct negotiation in the future.

**Some hon. members:** Hear, hear!

**Hon. Mr. Rowntree:** Mr. Speaker, before the orders of the day, I wish to announce the appointment of the Hon. Mr. Justice George A. McGillivray of the Ontario court of appeal as a commissioner under The Public Inquiries Act to inquire into, report upon and make recommendations concerning The Workmen's Compensation Act, upon subjects other than detailed administration.

Mr. Justice McGillivray will have all the powers conferred by The Public Inquiries Act to carry out the fullest investigation of this subject.

I would point out that Ontario's workmen's compensation system, a system that has been a model for many other jurisdictions for more than 50 years, came into being following a Royal commission study carried out by Chief Justice Meredith just prior to World War I. Since that time it has been the policy of successive governments to provide for periodic and systematic reviews of the Act and its operations. Thus, in the years 1931 and 1932, Mr. Justice Middleton acted as a Royal commissioner to examine the Act, as did Mr. Justice Roach in 1949 and 1950.

Their reports formed the basis for changes in the legislation.

While extensive improvements have been made in the Act in the past three years, all designed to upgrade or extend the benefits available to the people of Ontario, the government believes it is desirable at this time to obtain an independent and objective assessment of the Act in the light of today's economy and society and to provide all interested parties with an opportunity to make their views known.

In February we commenced to make the arrangements for the carrying out of this study. I am sure the House shares my pleasure that Mr. Justice McGillivray has consented to undertake this extensive and important task.

**Some hon. members:** Hear, hear!

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, on a point of order, I think I am correct in saying that the House has not dealt yet with the matter of workmen's compensation in the estimates. Would you therefore, Mr. Speaker, take under advisement as to when it is dealt with, the question as to whether it is sub judice, though I would think on that score that Mr. Fulton and Mr. Diefenbaker have put to rest for all time the matter of a Royal commission being sub judice.

**Mr. Speaker:** Order!

**Mr. Sopha:** This is perfectly in order; this is the Parliament at Ottawa and they have dealt with it at Ottawa. Those two estimable gentlemen have never ceased to comment—

**Hon. Mr. Rowntree:** Mr. Speaker, I am not concerned with the reference to the two other estimable gentlemen. I am concerned with the operation of my department. Insofar as the outstanding debate is concerned in this House, there will be no limitations on it in any way with respect to it when it is called.

**Mr. Sopha:** It is very interesting to note that the Minister of Labour has assisted you in your ruling, Mr. Speaker, and I hope that you will adopt that.

**Hon. Mr. Rowntree:** I said, as far as I was concerned.

**Mr. Speaker:** I will take the point of order under consideration.

**Mr. Singer:** I wonder if I could ask the Minister a question arising out of his announcement. Is the judge he named the same judge who was the Royal commissioner in the Sarnia land investigation?

**Hon. Mr. Rowntree:** I do not recall whether or not he is the same one. I believe this same justice has conducted other inquiries; he did one in connection with Hydro several years ago. He is one of the more eminent Canadian men on the bench.

**Mr. Speaker:** I would ask the Prime Minister to introduce our distinguished visitors in the Speaker's gallery.

**Hon. J. P. Robarts** (Prime Minister): Thank you, Mr. Speaker. In the gallery this afternoon is a group of seven young professional men from Australia who have been sponsored to visit Ontario by rotary international. They have spent two months here examining this province and, perhaps to them, our strange customs in some regards, and they have been making a joint study of government and industry in the province. I would like to point out that there will be a similar group sent from this province to Australia to conduct a like study there.

As I have said, these exchanges are sponsored by rotary international and it seems to me they are a very good thing in the promotion of understanding and goodwill in various parts of not only the Commonwealth, but of the world. On behalf of, Mr. Speaker, the hon. members here, and the people of Ontario, I would like to extend a very warm welcome to these young men and hope they will return to Australia with some deeper appreciation of how we function here.

Perhaps I should extend our congratulations to rotary international for making this type of endeavour possible and express to them the thought that a group from this province doing a similar study in Australia cannot do anything but assist and improve international relationships.

**An hon. member:** A great place, Australia!

**Mr. Speaker:** Orders of the day.

## THE PUBLIC LIBRARIES ACT, 1966

Hon. W. G. Davis (Minister of Education) moves second reading of Bill 155, The Public Libraries Act, 1966.

**Mr. R. F. Nixon** (Brant): Mr. Speaker, just briefly on this bill, which I know will be discussed further in committee: the recommendations in the St. John report, which apparently led up to the rewriting of the libraries bill that we have before us, call on the Minister of Education to appoint an advisory committee consisting of members of the Ontario library association, the library trustees association of Ontario and representatives of The Department of Education to review the old Act.

I see that the Act has been reviewed, in fact rewritten. The bill does call for the implemenation of such a committee to advise the Minister in the future. But it seems to me that such a committee might very well have been in operation to interpret the St. John report to the Minister, so that he would have the advantage of their experience as well as his own departmental officials' experience when he undertook to rewrite this important Act.

The second major criticism I would make is that the bill itself does not take any steps whatsoever towards the integration of the two separate library systems that we presently have in this province; that which is established on a public basis and that which is established and growing rapidly in the school system.

Surely it would be an up-to-date idea for the incorporation in a bill that was supposed to be a new approach to the development of libraries in Ontario, that such an integration would at least be in view for the years that lie immediately ahead. It seems a waste of effort that no provision has been made for some more strong centralized responsibility

for the cataloguing and processing of the books that are acquired by the many library systems across the province of Ontario.

We will have an opportunity to consult with the Minister and his advisors in committee, but these, in my view, are two criticisms that might be raised at this time.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, just by way of a very brief reply, the suggestion in the report with respect to a central agency is not one that would require any legislation. I should also point out—and I do not want to labour this—but I understand the library association issued something of a statement about the bill itself. I will not read the first paragraph, it is somewhat embarrasing, but the library association says:

> The government, in introducing new legislation, has responded to the criticism of the Ontario library association St. John report with understanding and with speed.

So the association in a general way is endorsing this portion of the programme as far as library development is concerned.

Motion agreed to; second reading of the bill.

## THE PHARMACY ACT

Hon. Mr. Dymond moves second reading of Bill 156, An Act to amend The Pharmacy Act.

Motion agreed to; second reading of the bill.

## THE DENTISTRY ACT

Hon. Mr. Dymond moves second reading of Bill 157, An Act to amend The Dentistry Act.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, on a matter of principle, I think to the bill, how is it that in this bill, unlike no others setting out the rights of professional societies, a stipulated fine is included in the content of the bill? I believe up to $1,000 penalty is provided which can be levied by the profession. How is it that this principle has been established in this bill, and not in any of the others which are analogous to it?

**Hon. Mr. Dymond:** Mr. Speaker, I can only say in answer that this was the request of the profession itself. They believed that this was necessary for them to administer the Act well and truly, and we acquiesced in their request.

Motion agreed to; second reading of the bill.

## THE PESTICIDES ACT

Hon. Mr. Dymond moves second reading of Bill 158, An Act to amend The Pesticides Act.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, may I ask if the hon. Minister plans to give any explanation of the objectives of this bill and the means by which it is hoped the objectives will be achieved?

On first reading, his explanation of the bill consisted of one sentence, saying that it was designed to introduce additional measures to control hazards to health in the use of herbicides and pesticides. This is a very laudable objective, Mr. Speaker, but I think it would be useful for the House to know exactly what these additional measures are. It is not immediately apparent on the face of it just how effective the legislation will be.

I think all of us in this House appreciate the need for additional measures to control hazards arising from these substances. The existing legislation, I think, is out of date, it does not provide adequate protection to the public. There is an urgent need for protection to the public, but failing a reasonably full explanation from the Minister, Mr. Speaker, it is almost impossible for this House to decide whether or not the government is now facing up fully to its responsibility to provide the kind of protection required.

As I say, I had hoped the Minister would have given us a full explanation in moving the second reading of this bill. Since apparently he did not consider it necessary to do that, I would ask, before the bill is given second reading, that he give such an explanation so that at least we will have it before us when we get into committee of the whole.

Perhaps he could give us his explanation in the light of certain queries that I have in my own mind and are not answered merely from reading the words of the bill.

As we all know, the problem of pesticides and herbicides is becoming more acute all the time. I discussed this problem to a limited degree under the estimates of the Minister of Health. One of the difficulties as I see it is that it has been found necessary to develop and put into use increasingly powerful chemicals to control both pests and

weeds. Now, of course, The Pesticides Act covers a great range of subjects. It covers the fumigation of buildings as well as the application of pesticides and herbicides for agriculture and other related purposes. I am not aware of any serious hazards to humans from the use of pesticides in the fumigation of buildings though there may be some that I am not aware of, but I am certainly aware —and I think all members of the House should be aware—of the growing hazards of the use of these substances in agriculture. As I said, it has been found necessary to use increasingly powerful substances.

One of the difficulties in the use of chemical control of pests has been that new variants of the pest develop which are resistant to the older control chemicals. DDT once was a very effective chemical for controlling pests, as well as many types of weed growth, but now there are variants of insects that are resistant to DDT, so we have constantly more powerful chemicals in the same general group of chemicals.

We now have such chemicals as aldrin and dieldrin, which are extremely dangerous substances. In fact, so dangerous that I believe their use has been banned in certain applications in the United States. I am not personally qualified to know whether or not they should be banned here. I have heard that the food and drug directorate at Ottawa has the U.S. action under consideration. But whether or not it is necessary to ban their widespread use, it certainly is necessary to get more effective controls than we have now.

It is obvious even to me as a layman, that the additional powers to make regulations that are provided in this amending bill will provide an increased measure of control—if they are implemented of course. We are always up against the problem when the government asks for power to do things, we never have any review of what they do, or indeed if they even do it. But if regulations are issued under the additional powers given in this Act, there will no doubt be improvement in the control over some of these dangerous chemicals.

For example, I notice there is power to make regulations to regulate the disposal of containers. This can be most important. The substances that are now used for these purposes are so dangerous that, as a matter of fact, even an empty container could lead to the death of some innocent individual, and particularly, a child who might not appreciate the hazard involved.

I notice also there are various powers to make regulations covering persons who handle these substances, and also regarding the storage and various other methods of use. I take it this bill is now to provide for provincial inspectors in addition to municipal inspectors. There is power for those inspectors actually to stop the application of a herbicide or a pesticide where he thinks it is being done in a dangerous manner. All these things are good. I realize they are necessary. I am for them, and I am glad that the government is belatedly asking for this type of power.

One of the real questions that is in my mind, Mr. Speaker, and to which I do not find an answer in the bill, is whether there is some provision to ensure that people applying these pesticides, particularly in the open, are properly qualified in their use. This is not clear in the bill, but the present situation, as far as I can make out, whatever the law may be, is that almost anyone can use these very powerful pesticides on his own property. I suppose one can always argue that if someone wants to poison himself, that is his business. I am not sure that that is a valid argument, but I suppose it is possible.

The only trouble is that it does not necessarily follow that he will poison only himself. He may poison his family, for example, or he may apply the pesticide in unfavourable wind conditions, so that it will blow a mile, two miles, three miles, contaminating crops along the way, possibly creating direct hazards to human beings and animals, but certainly creating hazards through the contamination of crops.

A particularly dangerous feature of this is the hazard of contamination to forage crops which will subsequently be ingested by animals. Then the next thing you know, dieldrin, or whatever the other dangerous substance may be, will appear in milk for human consumption.

I am not once again going to go over the ground that I dealt with some time ago in this House, other than to say that we notice there have been some serious occurrences involving dieldrin in this province. The hon. Minister of Health and I have different interpretations on the use of the word dangerous. I will say only this: in my opinion the occurrences are dangerous; indeed any occurrence of dieldrin in milk is illegal. At least, it is illegal to sell milk for human consumption if there is any dieldrin in it, under the law as it now exists. In actual fact a very small tolerance is permitted, .08th parts per million, I think. There were three

occurrences in this province where the concentration was substantially in excess even of that rule as to a permissible level. I say there is an inherent hazard to the public of Ontario when such conditions are possible. It is quite possible this arose because of some amateur applying dieldrin to some other crop and the dieldrin drifting with the wind and landing on forage crops.

I am not saying that the proper licencing and regulation of operators is the full answer to the problem we have been talking about. I think there are a lot of phases that we have to consider, but I think this surely is an essential precaution. If people are to apply dangerous chemicals in such a way that they could affect other people and large sections of the population—if one considers the long chain of reaction that can be instituted by an improper application of one of these chemicals —then I think we should come to the point where we provide in the law that these substances can be applied only by licensed operators.

We should take it upon ourselves to examine people who want to do this type of work to make sure they are qualified to do it, that they fully understand all of the hazards involved, that they fully understand the conditions that are inappropriate for the application of the substance. Then we should license those people and provide that nobody can engage in this work, even on his own property, unless he has a licence.

I do not think it is good enough to say that a man should be able to do on his own property whatever he likes. What he does may have very serious consequences for other people. I am not sure if there is such a provision in the law now or not. I got the impression from reading the original Pesticides Act that only licensed operators could actually apply pesticides. However, I know in fact that this is not so.

It may be true that only licensed operators may engage in the fumigation of buildings or, shall we say, the extermination of termites. But it certainly is not true that only licensed operators can engage in the application of pesticides and herbicides for agricultural purposes. Certainly the bill does not say that. It does not change whatever the existing law is on this subject, by one particle, but I think it is time we saw the problem in terms of changing the law in the public interest.

There is a vital public interest involved. There are a great many people, qualified people I may say, who are having very grave doubts altogether about the use of some of these powerful chemicals. Whether or not we should be prepared to go so far as simply to ban their use altogether is a question I do not want to get into here, but I do think that we should develop belatedly a respect for the power of the chemicals, and should at least make sure that no amateur uses them in such a way as to create a hazard, often an unknown hazard, for other people.

It is not good enough, in my opinion, for the law to provide that an inspector may stop a person from applying an exterminant in a dangerous way. After all, the inspectors cannot be all over the province watching everybody. It is not usually found to be an adequate protection to the public in matters of this kind merely to be able to stop what is clearly a dangerous practice.

Obviously it is desirable to have the power to stop one if it is discovered, but one has to go further than that. One has to create the conditions under which dangerous practices are not likely to occur, and it seems to me that the only way in which one can help to create those conditions is by a proper system of licensing operators and of educating and examining the licensed operators.

Even if one puts it on the basis that only a licensed operator had to be in charge and take responsibility for an extermination operation, that might be sufficient. But I think we have passed the point in view of the highly lethal nature of the chemicals now being used in these applications, where we can simply let any amateur do whatever he wants on his own property with dangerous poison.

**Hon. Mr. Dymond:** Mr. Speaker, I think the hon. member himself has answered the questions which he posed to me.

We are aware of the fact that there are a great many dangerous substances being used and are constantly coming upon the market, and it is because of this that we have to introduce these amendments.

The principles involved in them are simply stated in one sentence, and any elaboration would simply be more fat on the meat. It would add nothing to the flavour or to the power, or anything else.

How are we going to exercise these controls? I think the controls, first of all, we seek to exercise are laid out in the bill quite clearly. We defined exterminators, for instance, and inspectors. We make provision for the appointment of inspectors. We outline their powers.

It is, as I stated, because of the appearance

of these increasingly powerful agents that we have found it necessary to strengthen our controls, to make sure, insofar as we possibly can, that those who are using these dangerous substances are properly qualified.

The present regulations, as hon. members know, provide for the licensing of exterminators who are making this a business. A licence is not issued to them until they have passed an examination.

Here is the first and most effective measure we can use, sir, the matter of education; education of those who are going to use the substances.

Now, the hon. member has struck a very important point in stating that these regulations and this Act do not apply to one using the substances on his own property and for his own crops. While it is quite true that in spraying his own crops the spray may go with the wind and contaminate forage, etc., for large areas around his property, the same, of course, can happen in the event of a licensed exterminator using it. Here again, only, I believe, education can teach the users of the hazards inherent in these substances, and get them trained so they will not apply them on a day when the weather is not suitable for such an undertaking.

The average farmer, I think, being a pretty careful businessman—and he has to be in these days, particularly when he is using substances of this kind, which are costly—is not going to spray his orchard or his farm if the weather is such that the substance for which he has paid good money is going to blow onto his neighbour's property. He is too much concerned in having the substance work on his own property.

Now, this does not control it, and he cannot build a fence around his property in such a way that he retains it. I do not think that the individual farmer is so ignorant of the potency and the hazards involved in these matters. The agricultural representatives, at least those whom I know, and I know a few of them, have for some time been carrying on very intensive educational programmes in the use of these. I think most of them have developed a calendar for the guidance and assistance of education of farmers in their area, and the farmers adhere quite strictly to these calendars. Rarely do we find farmers, good farmers, becoming involved in the use of these new substances, without seeking advice, usually of the agricultural representative, who is kept well up to date in the matter of their use.

The hon. member touched on the dangers inherent in the use of dieldrin and alderin, but the regulations already lay down fairly vigorous controls in respect of the use of these for anybody, not only for licensed exterminators.

But here again, the problem is in policing it. The hon. member pointed out quite clearly that the inspector cannot be everywhere, and we cannot possibly hire or employ enough inspectors to have one watching every farmer, or every person who is using this, and it is for this reason that we are putting emphasis upon the matter of education first of all.

Because of the increasing development and the more frequent appearance on the market of new and rather exotic substances, the Act is constantly under review. At the present time it is under very intensive study with a view to determining whether it is time already to rewrite the Act altogether.

This is being forced upon us largely because of the fact that so many new and much more toxic substances are being used. We believe that the controls sought for in this amendment are necessary. As I pointed out, they establish certain definitions; clarify certain definitions; provide for the appointment of more inspectors; delineate their powers; provide penalties for those who obstruct or seek to obstruct the inspectors in any way. We want to clarify the qualifications of exterminators and their assistants and we want to add to our regulations. This is something I think must be done by regulation—control of the use of highly toxic substances, so many of which are new and about which little is known to those using them mainly.

Motion agreed to; second reading of the bill.

## THE COMMUTER SERVICES ACT, 1965

Hon. Mr. MacNaughton moves second reading of Bill 160, An Act to amend The Commuter Services Act, 1965.

**Mr. F. R. Oliver** (Grey South): Mr. Speaker, the legislation that this bill seeks to amend required that the hon. Minister of Highways should get the approval of the Lieutenant-Governor in council before he purchased or acquired rolling stock, equipment, and so on and before he acquired by purchase, lease or otherwise, or expropriated any land or any interest in land.

Seriously, Mr. Speaker, I doubt the wisdom of the (b) section of No. 1. I can understand, for a moment, of course, why the hon. Minister should have the right, without reference to the Lieutenant-Governor in

council, to purchase rolling stock or some items of equipment that he might need. But I think we are going a little far afield when we give to the hon. Minister the right, in the name of the Crown, to purchase without reference to the Lieutenant-Governor in council, land, and to expropriate land, to serve the purposes of the bill.

I can understand how commissions operating outside the government—the Ontario northland railway and the other commissions that we have—why they should have powers of expropriation, but in this instance, the hon. Minister who is asking for the powers of expropriation, without reference to the Lieutenant-Governor in council, is a member of the government of the province. It would seem to me that in this category my hon. friend should refer for approval to his colleagues before he expropriates, or before he purchases what may be very large areas of land, to serve the purposes of his bill.

I want to know from the hon. Prime Minister, and from my hon. friend, just why it is felt necessary to exclude what I think is a proper procedure. When, sir, a Minister is a member of the Cabinet I do not think he should be excused from going to his colleagues and saying, I think we should, in the interests of this bill, purchase so much land, or we should expropriate great areas of land, to serve the purposes of the bill. I do not think he should do it on his own when he is sitting among his colleagues. He should, in my judgment, take it to the Lieutenant-Governor in council.

**Hon. Mr. MacNaughton:** Well, I would suggest to the hon. member that The Highway Improvement Act, which shall we say sets out the statutory authority for the Minister of Highways—in a very broad programme from one end of the province to the other in terms of highway construction, and all those matters associated with highway construction—does give the Minister of Highways the authority to acquire land by negotiation, expropriation or otherwise.

Now, it seemed to me that we really were not asking the Legislature to approve in this bill anything that they have not seen fit to approve of for quite a long period of years, and more particularly did we request it here in the interests of time and urgency. We are anxious, I am sure as every member of the House realizes, to implement this commuter rail service with a minimum of delay. There have been no serious delays up to this point, but it is quite possible that delays could be involved. The time involved in some circumstances of even a week or two in obtaining the kind of approval that the original bill required can be very important to us if we are going to implement this service by target date, as we have every intention of doing if it is possible.

I would point out to the House that in this circumstance the land requirements are only those involved in station locations and parking facilities. Many of these have been acquired up to this point by negotiation. We see very little difficulty, but I can conceive of serious difficulties arising if certain land requirements that would make it possible for a station facility to function and, thereby, make the entire system operable, if you wish, were delayed by virtue of failure to be able to expropriate or negotiate. It could come at a critical time, weeks might be involved or short periods of time.

Now, basically this is why we request it, and if it had not been a situation that was comparable in terms of similarity to The Highway Improvement Act, which in its overall and total ramifications involves work of a much broader nature, then I suggest we might have gone along. But the Minister of Highways is authorized now to acquire land by negotiation, expropriation or otherwise for all road construction purposes from one end of Ontario to the other. Just in terms of implementing those things that we want to implement in time and against target date did we think it was sensible to put it in this bill.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I sort of felt when we saw The Expropriation Procedures Act, which is more affectionately known as the Davis-Pittock face-saving Act, that the government had begun to do some second thinking about giving expropriating powers and removing any rights to appeal. But hardly had the printer's ink dried on the latest printing of The Expropriation Procedures Act than we have Bill 160, which sets up another expropriating authority.

**Hon. Mr. MacNaughton:** On a point of order, Mr. Speaker, it does not set up another expropriating body. The Minister of Highways already is an expropriating body and this simply brings this bill into line with The Highway Improvement Act but the Minister already has this authority, so it does not set up another expropriating body, it is one and the same body.

**Mr. Singer:** I cannot keep up with my good friend, the Minister of Highways, as

he changes hats. The Minister of Highways under The Highway Improvement Act has certain powers, now, here he is a Minister who has different powers under a different Act. To all intents and purposes and no matter how you slice it, there is still a new expropriating authority, because if he had these powers under The Highway Improvement Act he would not have to ask for them in this Act. This Act is before us because, simply because the government wants one more expropriating authority. I do not know if it is expropriating authority No. 4,235 or 4,236. My books are not quite that much up to date, but the fact is—

**Hon. Mr. MacNaughton:** Mr. Speaker, I rise on a point of order again if I may—

**Mr. Singer:** Mr. Speaker, surely I have the floor?

**Hon. Mr. MacNaughton:** I rise on a point of order.

**Mr. Singer:** Oh, I am sorry.

**Hon. Mr. MacNaughton:** The hon. member has said that we have proposed this statutory amendment because we want another expropriating body and he is quite wrong. He is quite wrong. That is not the purpose. He is imputing motives when he says that, and that is not correct.

**Mr. Singer:** All right, Mr. Speaker, I get the point of order, if it is important that I do. I apologize to my friend, the Minister and to the House for imputing motives to the government when I say that when in Bill 160 they ask that a Minister be given expropriating authority, they want that authority. And that is exactly why the Minister was calling me to order, he says the bill is here, we have asked for something. I am suggesting the government is asking for it and he says that is wrong, I am imputing motives. Well, if the government is not asking for it, let him take his bill back.

What is the purpose of the bill, Mr. Speaker? It is there because the government feels they need one more expropriating authority. And the point I make—and I think it is a most valid one, sir—is that we would have thought that the government would by now have learned its lesson. How many more Pittock dam incidents do you want? How many more University of Toronto expropriations in Peel county? How many more of those incidents do you want? Well, you are just extending the opportunities for this sort of thing to arise. And why? The Minister says, "Trust me, rest assured, they are going to be only little tiny expropriations."

Mr. Speaker, I do not know what delays he is going to contemplate, he says "at the moment I have in mind only little ones for small stations, probably for a small number of people who are going on a small number of trains, little tiny trains," but The Commuter Services Act—

**Hon. Mr. MacNaughton:** When did I say little tiny trains?

**Mr. Singer:** —is pretty broad in its scope and—

**Hon. Mr. MacNaughton:** When did I say little tiny trains?

**Mr. Singer:** Mr. Speaker, my friend—

**Hon. Mr. MacNaughton:** When did I say—

**Mr. Singer:** —is awfully sensitive this afternoon and I wish he would just bear with me. It is unfortunate that the government, arrogant as it is, is now asking for additional expropriating authority without giving any safeguard to the people who are likely to be affected. One more authority, one more opportunity to grind into the ground the people whose land is being taken, not to give them any opportunity to appeal the merits of the expropriation.

And on this basis, sir, I think this Act is unnecessary and I apologize sincerely to my friend the Minister for having attributed motives to him when I read the bill.

**Mr. Bryden:** Mr. Speaker, I would say the explanation the Minister gave as to need for the bill is sufficient reason why we do not have to proceed. I do not think it is sufficient for him to refer to The Highway Improvement Act. Indeed, it may quite possibly be the case that The Highway Improvement Act needs some change. I resisted the temptation to say needs improving, but it is possible. It is not necessarily the last word. We do not have it here before us today, so I will not discuss it.

The explanation the Minister should have given us, Mr. Speaker, and which he has not yet given us, is what change has there been in the situation from last year. Last year, he came before this House with legislation, The Commuter Services Act. In that Act, he asked for authority to acquire equipment and so on, and also to acquire land and to expropriate land subject to the approval of the

Lieutenant-Governor in council. Now he comes back and he wants to remove the requirement that he must seek the approval of the Lieutenant-Governor in council. He has not indicated to us anything that has happened between then and now which ought to lead him to the conclusion that this restraint must be removed. He says he has had no difficulty or no serious difficulty up until now. Well, if he has had no difficulty, is he just getting jittery now that the deadline is getting closer?

**Hon. Mr. MacNaughton:** No, no jitters!

**Mr. Bryden:** Surely, if he really had believed that difficulties could arise, he could have foreseen that last year.

I think the hon. Minister did the right thing last year when he asked for the right to exercise these powers, subject to the approval of the Cabinet. I do not see any reason why this House should now give him any greater discretion than he was given last year, failing an explanation that some situation has arisen that makes it apparent that he needs greater freedom of action. He has not given that to us and I do not see why we should give the power to him.

I am particularly concerned, as other speakers are, at the hon. Minister's request to be given powers of expropriation without reference to the Lieutenant-Governor in council. We all know the whole question of expropriation is an extremely vexed question, it has caused a lot of discontent. Many people, I am not saying the majority or even a large minority, but nevertheless, an appreciable number of people, feel they have been unfairly dealt with in expropriation. We have a proliferation of expropriating authorities with no adequate control over what they are doing. We have been making some attempt, in my opinion not very effective, but neverthless an attempt in this House, to rationalize this whole question of expropriation.

Now the hon. Minister of Highways comes before us and asks us to give to a Minister of the Crown an irresponsible expropriating power. I do not use the word irresponsible in a pejorative sense. I use it only in the sense that the power is to be exercised by someone who really does not have to account to anybody, except long after the event when the damage may have been done. As I say, Mr. Speaker, the hon. Minister is asking for a very wide discretion in this bill without having given any cogent reasons as to why he needs it. I do not believe in giving such authority to anyone.

The hon. Minister of Highways is a fine man and I would trust him as far as I would trust anyone in the world but I do not really believe in giving wide discretionary powers to anyone unless there is a compelling reason for doing so. I do not think the House should be prepared to give wide discretionary powers to anyone without compelling reasons. The hon. Minister certainly has not presented any reasons at all, much less compelling ones, so, therefore, I do not think we should give him the powers that he has asked for in this bill.

**Mr. Speaker:** Before the Minister sums up I thought perhaps there were other members who wanted to speak.

**Hon. Mr. MacNaughton:** No, I prefer to wait, Mr. Speaker, if I may, and deal with any matters that may come up.

**Mr. E. W. Sopha** (Sudbury): Apres-vous, mon cher Gaston!

**Hon. Mr. Robarts:** On a point of order, we decided among the three parties what the procedure was. We got into one of these "After you, Gaston" hassles previously in the session, and we have a form of procedure which was settled upon.

**Mr. Speaker:** I was going to inform the member of it.

**Mr. Sopha:** Mr. Speaker, I think it was the late Harold Adams Innis who pointed out in one of his works that one of the significant differences between the systems of government in the British parliamentary system and that of our American friends evolved out of the matter in which land is held. Under the British system, land is held from the Crown, and if one speaks of it historically, one can see that there is in a subject of the Queen no tenacious or total right of holding land. Land originally was granted by the Sovereign and held by the Sovereign's leave. And, of course, in our country, originally, all the land, being in a state of nature, belonged to the Crown and was granted to the original settlers and other persons who began to do business in British North America. On the other hand, our American cousins have an almost constitutional right to their property and cannot be deprived of their property except by due process of law.

I have never taken the trouble to ascertain the reason for the use of the term condemnation that the Americans use, rather than our word expropriation. When the Sovereign

body, be it the Queen or in the case of the United States, a form of government, the central government, the state government, the municipal government, takes land, in their system, the land is said to be condemned, which is hardly an accurate term because very frequently it is very much improved after the taking. But strictly speaking, under our system, the Sovereign may grant powers to any of the executive to take land from any person who holds fee simple to it, for public purposes and, of course, that right has been surrounded by qualifications and exceptions as protections to the subject.

This Legislature, you will recall, went to great trouble a few years ago to pass the new Expropriation Procedures Act which resulted from the deliberation of a select committee of this House, and attempted by the passage of that Act to give to the subject much greater rights and safeguards than he had hitherto enjoyed. I think that all of these statutes, of course, arise out of a device, and I use that term in its most salutary sense. A device that led to the passage of that Act, I would think, was the activities of The Department of Highways more than any other agency of government.

It was The Department of Highways, bent on bulding roads to accommodate the great increase of motor vehicles, that surrounded itself with powers, whereby the servants of the department could walk into a registry office or a land titles office anywhere in the province and put on the title to the citizen's land, a notice of expropriation. He might, as the history of that era shows, learn of it the next day; he might learn of the expropriation the next week; in three months' time; or he might learn of it three years after the notice of expropriation was there. If he had no occasion to search the title, a long period of time might go by before he discovered that The Department of Highways had, in fact, expropriated his land.

Now, that was not a very satisfactory system, and many abuses arose out of it. Of course, the citizen was pitted against monolithic government which had taken his land, and often found it very difficult to marshal the resources to take that government before the appropriate tribunals to effect just compensation for his land. However, as I say, we went to great trouble. With the support of all parties of the House, we attempted to eradicate that vice, and to some extent we did.

Looking at the principle of this bill, it occurs to me that we are prepared to take a retrograde step, we want to go back into the dark ages. We want to give this hon. Minister a grant of powers, but we are asked, over on this side, all of us are asked to join with the government and give to this hon. Minister, who administers a very powerful department which spends a lot of money, we are asked to give him privileges that apparently we are unwilling to give to other bodies. Certainly we are not going to give them to the conservation authorities, and we are not going to give them to universities, or hospitals. But we are asked to give them to the hon. Minister.

I do not see any objection to the principle, or, as a matter of fact to the administrative efficiency, for this hon. Minister to go to the Cabinet, which I am told meets once a week, and to say to his Cabinet colleagues: "Get it put on the agenda."

I do not know what goes on behind those walls, but I can make a very shrewd and educated guess. He can get it put on the Cabinet agenda that he, the hon. Minister of Highways, acting under The Commuter Services Act, requires a strip of land in Etobicoke township. He can take a plan along with him, and he can show it to those who can read plans among his colleagues, and say: "Here is the piece of land that I want this week," and I would not expect that any difficulty would evolve if he did that every week. It would only take five or ten minutes of the Cabinet's valuable time. At least it would have the very salutary effect in that his colleagues in the Cabinet would be required to share his responsibility for the taking of the land. Who knows, but at one of the meetings, one of his colleagues in the Cabinet would say to him: "Do you really need to do that? Should these people be dispossessed? Is there not an alternative route? Perhaps you could do with less land, you do not need a strip 400 feet wide, perhaps 100 feet wide." All sorts of questions spring to mind, and all of them, of course, distil to the concept of reasonableness, and safety, and doing what is right and just and fair between government and citizen.

The monolithic government, of course, grows. It increases in power and the ministry some people in the country suspect. The ministry becomes intoxicated with power. Having got a lot of power, the ministry wants more. I suppose in the development of human personality, the Cabinet Minister who surrounds himself with more power feels that he is achieving something, and that he is progressing because of the increase of responsibility that rests heavy on his shoulders in the exercise of his public duties. He must

go to sleep at night, perhaps, Mr. Speaker, with that awesome consciousness of the power that the Legislature has given him.

Well, it will be interesting to hear from the hon. Minister of Highways. We on this side have a manifest curiosity to hear why the words, "with the approval of the Lieutenant-Governor in council" should be struck out of the statute. I say, in anticipation of anything he says that we are not going to accept, unless there are very clear and cogent reasons given to us, any suggestion that it is on the basis of efficiency. Too many things are done in the name of government that are harsh and oppressive to the citizens, in the name of efficiency, in the name of speed. The world does not really move that fast, that when the rights of the citizen to enjoyment of his lands are at stake, that those rights should not be superior to the impulse of the hon. Minister and the bureaucracy toward efficiency. Efficiency can give way, and no one is going to tell us, I say, on the second point of anticipation, that the provision of commuter services will go ahead with that degree of speed that the hon. Minister will need to run helter-skelter ahead of the crowd in expropriating land.

Thirdly, what is good for universities and conservation authorities and hospitals is good for the Minister. I see in the statute no protection to the subject, no appeal from the Minister. Of course, the Minister is—

Interjection by an hon. member.

**Mr. Sopha:** There is? Well, I am glad to hear that.

**Mr. Singer:** To whom?

**Mr. Sopha:** My friend from Downsview says from the wings, to whom. Perhaps we will hear who the appeal is to, but on this day let me say that fourthly, we on this side of the House are not content to make a grant of power of this nature to this hon. Minister, so that he may go about this portion of the province and designate lands according to the exercise of his discretion.

That leads me to pause and reflect on that question of ministerial discretion. I can say to you, your honour, that I am familiar enough with the exercise of ministerial discretion in the acquisition of lands by expropriation, to say that under our present law, and the hon. Attorney General will bear me out, I am quite sure, there is no power in the land, there is just no power in the land under our constitutional system for any court to interfere with the exercise of ministerial discretion; say to a Minister, we the court, in the exercise of reason, commonsense, consciousness of fair play, decide that the hon. Minister's act is improper and illegal.

The French, of course, under their civil code and highly sophisticated and well-developed system of law—it is a body of administrative law which we do not have, we have never developed it, we have been content with the common law—but under their law administrative, in certain circumstances there is power in the conseil d'etat, specific court, to interfere with ministerial discretion, if the Minister cannot, on the basis of reason, demonstrate that he ought to exercise his discretion in that particular way.

The common law jurists have always taken the position that those are political decisions and it is not for us to substitute our reason for that of the Minister. So whatever the avenue of appeal would be, your honour, it would not help the subject in respect of the question whether his lands ought to be expropriated or not.

So finally, with your indulgence you have granted me, I say in the context of what I have said heretofore: On this side of the House we are not content on the 14th day of June to join with an arbitrary grant of power to a Minister of the Crown like this, unless such grant were hedged in very precise and very detailed safeguards to the right of the individual to enjoy his property.

I have often been much taken up by the dichotomy which exists between the method of granting lands in this province and the method of taking them away. The Crown lands in this province, every year at this time of year from the month of May on, every registry office and land titles office in the north country and a good many parts of the south are flooded with applications for registration of patents to foreigners, people who do not even reside here. The Crown lands are alienated and conveyed and assigned by the hundreds of acres to aliens. There are no restrictions on that, only the restriction of putting down the dollars. Come and have our lands and enjoy them in perpetuity in fee simple.

There is a dichotomy when you look at the method in which lands may be taken away from residents and citizens by an arbitrary grant of power to one Minister of the Crown, in this statute, with no control over him at all. In the final analysis, what lands are taken, how they they are taken, the amount offered in compensation, and the use of the lands, within very loose boundaries, are decisions made by civil servants,

made by the bureaucracy in the name of the hon. Minister, and the Minister is only the vehicle. He puts his name and his stamp and his signature on it. He takes the advice of others.

So, what do we do if we pass this statute? In effect we are giving to the bureaucracy, and I use that term in its most salutary sense, bureaucracy meaning people who work for the government, and nothing more, the civil service, we are giving them the power to say whether a citizen in any particular county will have to give up his land.

To me that is a surrender of parliamentary control and nothing else. Nothing else. It is a surrender, it is a vacation, it is a reneging of the responsibility of the Minister and typical of the drift that government has got into in this the seventh decade of this century. Government is drifting that way, and the rights of the citizen, in the absence of restrictions, continue to diminish. It is said that the only right he has is to defeat the government, to vote against the politicians. But that is a very shadowy substance, it is a very ephemeral right that the citizen has.

What he, in effect, does, in the face of a statute like this, is grin and bear it as best he can. He has to take it. He has to suffer the imposition of a demanding government made upon him in the name of the public good without any supporting argument or without being fortified by any evidence but the mere naked act of a Minister of the Crown acting under the powers that we are asked to grant to him.

Today, we cannot do it; we cannot do it. You will have to ring the bells and muster them all out in the corridors, in their offices or wherever they are. They will have to come in and they will have to shove it down our throats. It is the only way you will get it because we will stand on this side and we will say today: no, sir, we are not joining with the government today to grant these arbitrary powers. The hon. Minister will have to get the right somewhere else but not from us.

**An hon. member:** Right!

**Hon. Mr. MacNaughton:** Mr. Speaker, I have only a very few short words left to say. In terms of cogent reasons, my only reasons are those I expressed before, not in the interests of efficiency, as has been mentioned, but in the interests of providing a much needed service to this particular part of the province of Ontario, and the extent to which the time factor can become critical and very important.

The manner of appeal would be the same and is set out as in the original bill. The manner of appeals are the same as they would be under The Highway Improvement Act or any other Act where expropriation is involved.

**Mr. Singer:** There is no appeal under expropriation.

**Hon. Mr. MacNaughton:** The only apppeals in this circumstance, of course, I said, are those that are already in the Act.

**Mr. Singer:** Absolutely nothing concerning appeals on the merits.

**Hon. Mr. MacNaughton:** You know what they are.

**Mr. Singer:** I know they do not exist and you know they do not exist.

**Mr. Speaker:** Order!

**Hon. Mr. MacNaughton:** They exist to the extent that appeals can be made against the value that is offered by the expropriating body. There are two courses of action open to the appellants under this, as the hon. member well knows. Those are the appeals that exist today under The Uniform Expropriation Procedures Act which would be applicable under these circumstances.

There is really little more that I can say about this bill except that the undertaking that is involved here is new, brand new. It is important and the purpose of this is to eliminate any possible avenue of delay. Certainly no more discrimination against landowners will be apparent or prevalent if this section of the bill is approved, than heretofore. Reference has been made of course to the fact that under the previous section the Cabinet took some responsibility; I can assure you the Cabinet will still take the same amount of responsibility if a Minister abuses his responsibility.

I think this is all the comment there is to be made, Mr. Speaker. I have asked the House to approve second reading of the bill.

**Mr. Speaker:** Shall the motion carry? All those in favour of the bill being now read a second time, will please say "aye."

All those opposed, will please say "nay."

In my opinion the "ayes" have it.

Call in the members.

All those in favour of Bill 160 being now read a second time, will please rise.

All those opposed, will please rise.

| Ayes | Nays |
|---|---|
| Allan | Ben |
| Apps | Bryden |
| Beckett | Bukator |
| Boyer | Farquhar |
| Brown | Freeman |
| Butler | Gaunt |
| Carruthers | Gisborn |
| Carton | Gordon |
| Cass | Lewis (Scarborough West) |
| Cecile | MacDonald |
| Connell | Newman |
| Cowling | Nixon |
| Davis | Oliver |
| Demers | Racine |
| Downer | Reaume |
| Dymond | Renwick |
| Edwards | Singer |
| Evans | Smith |
| Grossman | Sopha |
| Guindon | Spence |
| Harris | Thompson |
| Hodgson (Victoria) | Whicher |
| Johnston (Parry Sound) | Worton—23. |
| Johnston (Carleton) | |
| Kerr | |
| Lawrence (Russell) | |
| Lewis (Humber) | |
| Mackenzie | |
| MacNaughton | |
| Morningstar | |
| McKeough | |
| McNeil | |
| Noden | |
| Olde | |
| Peck | |
| Randall | |
| Reilly | |
| Reuter | |
| Robarts | |
| Roberts | |
| Root | |
| Rowe | |
| Rowntree | |
| Simonett | |
| Spooner | |
| Thrasher | |
| Villeneuve | |
| Walker | |
| Welch | |
| Wells | |
| White | |
| Whitney | |
| Wishart | |
| Yaremko—54. | |

**Clerk of the House:** Mr. Speaker, the "ayes" are 54, the "nays" 23.

Motion agreed to; second reading of the bill.

## THE PLANNING ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves second reading of Bill 169, An Act to amend The Planning Act.

Motion agreed to; second reading of the bill.

## THE FARM LOANS ACT

Hon. J. N. Allan (Provincial Treasurer) moves second reading of Bill 171, An Act to amend The Farm Loans Act.

Motion agreed to; second reading of the bill.

## THE FINANCIAL ADMINISTRATION ACT

Hon. Mr. Allan moves second reading of Bill 173, An Act to amend The Financial Administration Act.

Motion agreed to; second reading of the bill.

**Clerk of the House:** Second order; committee of the whole House; Mr. L. M. Reilly in the chair.

## THE MUNICIPAL UNCONDITIONAL GRANTS ACT

House in committee on Bill 124, An Act to amend The Municipal Unconditional Grants Act.

Sections 1 to 3, inclusive, agreed to.

Bill 124 reported.

## THE MUNICIPAL FRANCHISES ACT

House in committee on Bill 125, An Act to amend The Municipal Franchises Act.

Sections 1 to 4, inclusive, agreed to.

Bill 125 reported.

## THE LOCAL IMPROVEMENT ACT

House in committee on Bill 126, An Act to amend The Local Improvement Act.

Sections 1 to 3, inclusive, agreed to.

Bill 126 reported.

## THE ONTARIO MUNICIPAL BOARD ACT

House in committee on Bill 127, An Act to amend The Ontario Municipal Board Act.

Sections 1 to 4, inclusive, agreed to.

Bill 127 reported.

## THE CONFEDERATION CENTENNIAL ACT, 1962-1963

House in committee on Bill 128, An Act to amend The Confederation Centennial Act, 1962-1963.

**Mr. E. W. Sopha** (Sudbury): Mr. Chairman, is the word in lines 3 and 4 of subsection 2, is that meant to be "municipality"?

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Yes, it is misspelled, there is an "i" missing. It is typographical and will be corrected.

**Mr. Sopha:** May I inquire who the Minister is in the statute? Is it the Minister of Municipal Affairs?

**Hon. Mr. Spooner:** Yes, the grants are contained within The Department of Municipal Affairs.

**Mr. Sopha:** Yes, well, in relation to grants to municipalities under this Act, I recently saw an advertisement on the CBC which consisted of apparent Disney-like cartoon persons difficult to describe except that they had vestiges of coming from rural Ontario by their garb. One of them was simulated to be armed with a shotgun which he fired into the air, and then as one wondered what all this was about, a voice, a silken unctuous voice of people employed by the national broadcasting corporation, said something to the effect that be sure to get your applications in early for your centennial grants. Then the message was to the effect that it was designed for municipal officials.

As I sat in amazement, looking at this manifestation of how the serious matter of our country's 100th birthday is to be celebrated by the use of such juvenile and puerile methods of conveying the message, my four-year old boy said to me: "Isn't it funny, Daddy?" And I said, "Yes, son, it was designed for you and when you tell me what your centennial project is, I will convey it to the Minister."

Really, I tried to find out the next day which department of government was responsible for this manifestation of pusillanimity on our national broadcasting system and how they could dare treat the thing with such an utter lack of seriousness, having Disney-like cartoons attempting to get across the serious message. Of course, that is manifested in other areas of the treatment of our centennial celebrations next year, not the least of which is in The Department of Tourism and Information with their emphasis on barn-raising bees and the like. But I called The Department of Municipal Affairs the next day and they utterly denied any responsibility for this. I tried The Department of Tourism and Information and they too denied it.

I began to wonder if I had seen it the Sunday night previously. I have not seen it since, perhaps mercifully it has gone into limbo. Perhaps the hon. Minister can root out, find out who is responsible for this very juvenile exercise on our television networks and substitute for it a serious message to municipal people, telling them that the deadline has now been extended, I think to August 5 or something like that, to get their applications in.

My dismay in this regard is only equalled by my dismay at some of the projects that have been approved. Not the least of this feeling is my dismay at the project approved in my own community where they are going to use the largesse of the senior levels of government to build, of all things, a police station to commemorate our 100th birthday, instead of something meaningful—

**Mr. S. Lewis** (Scarborough West): That shows imagination!

**Mr. Sopha:** Well, it shows a realistic business sense, I would think, they cannot get a police station any other way. Not that there is anything wrong with the police, they are a very fine organization. But, they do not really commemorate 100 years of assessment of what this country has built, at a time of national stocktaking and appraisal of what we have and a resurgence of hope and optimism and faith in the future of this country. All of those things attend our municipal celebrations and one would hope that government would give the lead in attaching an air of seriousness—not too serious—an appropriate seriousness to the importance of the round figures of 100 years of achievement of this great nation.

**Hon. Mr. Spooner:** Mr. Chairman, to begin with may I allay the member's fears that this government has nothing to do with any advertising on television, such as he has seen or any other type. We have no advertising programmes which emanate from The Department of Municipal Affairs and as far as

I know, The Department of Tourism and Information, that have anything to do with centennial projects. I would say that if I had seen the juvenile programme that the hon. member saw on television I probably would have had the same reaction. It might have been a little more severe in that I probably would have picked up the telephone and telephoned Ottawa and told them to get some adult advertising on the airwave instead of some of the juvenile things that are contained in the airwaves today, not only with respect to centennial projects and centennial celebrations but to a lot of other junk that they throw at us.

We had nothing to do with that, I want to assure the hon. member in this House.

Sections 1 to 3, inclusive, agreed to.

Bill 128 reported.

## THE DEPARTMENT OF MUNICIPAL AFFAIRS ACT

House in committee on Bill 129, An Act to amend The Department of Municipal Affairs Act.

Sections 1 to 4, inclusive, agreed to.

Bill 129 reported.

## THE GAME AND FISH ACT, 1961-1962

House in committee on Bill 88, An Act to amend The Game and Fish Act, 1961-1962.

Sections 1 to 9, inclusive, agreed to.

On section 10:

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I wonder if I could ask the hon. Minister for a clarification on this. One of the questions that has been raised to me was why a number of Americans can fly in to areas of the northwest, fish and then leave and fly out again into the United States without any examination. Now, I realize, it seems to me, that this is a federal matter that they should be required to land for examination when they are flying out again, but does this bill in any way cover that situation?

**Hon. A. K. Roberts** (Minister of Lands and Forests): Not in what I think my friend is referring to. He just happened to pick section 10 but I do not think section 10 has any particular relationship to it. That is a very difficult problem which we and other departments have had, both federally and provincially, on the border, and the Rainy river district particularly, although it could arise in all sections of the west. There is an interdepartmental investigation proceeding on which Lands and Forests, and I think Tourism, are the provincial representatives. The Department of Immigration and another department at Ottawa is also included, The Department of Transport. I think some of the allegations are a bit exaggerated because these tests, and they really are tests going out into the field to check on vehicles, and aeroplanes on lakes in our province, have not found any plane infractions. I think there have been some infractions on boats, and it is hoped that the reciprocal arrangement with the American authorities remains in effect. When an American plane goes back, the authorities will check carefully on the return end, customswise, because they have their laws as well. For example if a person carried an excess of fish over the allotted amount back to the United States from Canada, and in that way had more than they were entitled to under the American law, there could be a prosecution at the American level, and so it could reverse. It is certainly under very close surveillance. Some of the allegations, I heard them too. My friend got those, I imagine, on this recent trip, as I did. Actually they have not been substantiated in a number of cases where checks have been made. But that does not mean that the test should not be made. I think they should be made and I think there should be, if possible, a tightening up at the border in some way, or at the point of landing of planes moving from the United States to the province or the province to the states. I notice the Chairman looking at me. He is a pilot himself and I hope he has not been engaged in anything of that sort.

**Mr. Thompson:** Thank you.

Sections 10 to 13, inclusive, agreed to.

Bill 88 reported.

## THE MARRIAGE ACT

House in committee on Bill 117, An Act to amend The Marriage Act.

On section 1:

**Mr. R. F. Nixon** (Brant): Mr. Chairman, I do not have my book open just at that point but I would like to ask the hon. Minister if the enactment that he proposes permits the Indian band to appoint any official they see fit to handle the marriage licences on the reserve.

**Hon. J. Yaremko** (Provincial Secretary): The section reads: where it is deemed expedient for the public convenience the Lieutenant-Governor in council may appoint. The Lieutenant-Governor in council makes the appointments.

**Mr. Nixon:** Yes, but I was thinking of the recommendation.

**Hon. Mr. Yaremko:** It is upon the recommendation of the council of the band.

**Mr. Nixon:** It could be anyone they recommend?

**Hon. Mr. Yaremko:** Yes, it is the band. I may say that when this was drafted it met with the approval of the committee that was set up.

Sections 1 to 4, inclusive, agreed to.

Bill 117 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

the cost of the establishment, maintenance and conduct of the Ontario institute for studies in education shall be payable to the board of governors of the Ontario institute for studies in education, until the 30th day of June, 1966, out of the consolidated revenue fund, and thereafter out of moneys appropriated therefor by the Legislature and out of revenues derived from tuition fees, grants from individuals and organizations and from other sources,

as provided in Bill 122, An Act to amend The Ontario Institute for Studies in Education Act, 1965.

Resolution concurred in.

## THE ONTARIO INSTITUTE FOR STUDIES IN EDUCATION ACT, 1965

House in committee on Bill 122, An Act to amend The Ontario Institute for Studies in Education Act, 1965.

Sections 1 to 6, inclusive, agreed to.

Bill 122 reported.

## THE RYERSON POLYTECHNICAL INSTITUTE ACT, 1962-1963

House in committee on Bill 123, An Act to amend The Ryerson Polytechnical Institute Act, 1962-1963.

Sections 1 to 4, inclusive, agreed to.

Bill 123 reported.

## THE PARKS ASSISTANCE ACT

House in committee on Bill 135, An Act to amend The Parks Assistance Act.

Sections 1 to 3, inclusive, agreed to.

Bill 135 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

any moneys required by the Crown in right of Ontario for the purpose of any corporation constituted under subsection 2 of section 6 of The Housing Development Act, as re-enacted by subsection 1 of section 1 of The Housing Development Amendment Act, 1966, for purposes other than to carry out the terms of an agreement made under subsection 1 of section 6 of The Housing Development Act shall be paid before the 31st day of March 1967, out of the consolidated revenue fund,

as provided in Bill 136, An Act to amend The Housing Development Act.

Resolution concurred in.

## THE HOUSING DEVELOPMENT ACT

House in committee on Bill 136, An Act to amend The Housing Development Act.

Sections 1 to 3, inclusive, agreed to.

Bill 136 reported.

## THE CEMETERIES ACT

House in committee on Bill 138, An Act to amend The Cemeteries Act.

Sections 1 to 5, inclusive, agreed to.

Bill 138 reported.

## THE AIR POLLUTION CONTROL ACT

House in committee on Bill 139, An Act to amend The Air Pollution Control Act.

Sections 1 to 3, inclusive, agreed to.

Bill 139 reported.

## THE ONTARIO MENTAL HEALTH FOUNDATION ACT, 1960-1961

House in committee on Bill 140, An Act to amend The Ontario Mental Health Foundation Act, 1960-1961.

Sections 1 to 3, inclusive, agreed to.

Bill 140 reported.

## THE PSYCHIATRIC HOSPITALS ACT

House in committee on Bill 141, An Act to amend The Psychiatric Hospitals Act.

Sections 1 to 4, inclusive, agreed to.

Bill 141 reported.

## THE PUBLIC UTILITIES ACT

House in committee on Bill 144, An Act to amend The Public Utilities Act.

Sections 1 to 3, inclusive, agreed to.

Bill 144 reported.

## VILLAGE OF BEACHVILLE

House in committee on Bill 145, An Act respecting the village of Beachville.

Sections 1 to 5, inclusive, agreed to.

Bill 145 reported.

## THE CHARITABLE INSTITUTIONS ACT, 1962-1963

House in committee on Bill 147, An Act to amend The Charitable Institutions Act, 1962-1963.

Sections 1 to 3, inclusive, agreed to.

Bill 147 reported.

## RAISING OF MONEY ON CREDIT OF CONSOLIDATED REVENUE FUND

House in committee on Bill 163, An Act to authorize the raising of money on the credit of the consolidated revenue fund.

Sections 1 to 4, inclusive, agreed to.

Bill 163 reported.

## THE AGRICULTURAL DEVELOPMENT ACT

House in committee on Bill 164, An Act to amend The Agricultural Development Act.

Sections 1 to 5, inclusive, agreed to.

Bill 164 reported.

## THE PUBLIC SERVICE ACT, 1961-1962

House in committee on Bill 165, An Act to amend The Public Service Act, 1961-1962.

Sections 1 to 5, inclusive, agreed to.

Bill 165 reported.

## THE TILE DRAINAGE ACT

House in committee on Bill 172, An Act to amend The Tile Drainage Act.

Sections 1 to 4, inclusive, agreed to.

Bill 172 reported.

## THE JUDICATURE ACT

House in committee on Bill 94, An Act to amend The Judicature Act.

Sections 1 to 4, inclusive, agreed to.

Bill 94 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

where it appears by the report of the inspector of legal offices that in any year a registrar or any officer holding the office of registrar and master of titles has derived from the fees and emoluments of his office, after deducting necessary disbursements, an income that is less than his fixed annual salary, there shall be paid to such registrar or officer, out of the consolidated revenue fund, an amount sufficient to make up the income for the year to his fixed annual salary,

as provided in Bill 97, An Act to amend The Registry Act.

**Mr. K. Bryden** (Woodbine): Mr. Chairman, may I inquire why this is necessary? I admit I am dealing in an area with which I have very little familiarity, but as I read the resolution—and I take it there is a complementary clause somewhere in the bill—it is provided that registrars and other officers will derive income from fees. If the income from fees is not enough, is less than their fixed annual salary, they will be paid the difference. Why do we not adopt a system under which they are paid a fixed annual salary, with the fees and so on going into the consolidated revenue, or some other fund?

**Hon. H. L. Rowntree** (Minister of Labour): My understanding of that situation is that it is simply a matter of the fees themselves being made available in the first instance to make up salary, then if they are not sufficient, it is made up. It is required that the registry office be continued in operation in the county town, that the difference of the salaries then, and only then, be paid out of the consolidated revenue fund.

**Mr. Bryden:** But if there was, shall we say, a land office business and the fees were quite high, then there would not be any reduction in the amount of the fixed annual salary.

**Hon. Mr. Rowntree:** I do not quite follow that. All the fees do not, in those circumstances, go to the registrar.

**Mr. Bryden:** Where do they go?

**Hon. Mr. Rowntree:** They come into the consolidated revenue fund.

Resolution concurred in.

## THE REGISTRY ACT

House in committee on Bill 97, An Act to amend The Registry Act.

Sections 1 to 54, inclusive, agreed to.

On section 55:

**Hon. Mr. Rowntree:** On 55, Mr. Chairman, I move that subsection 3 of section 55 of the bill be amended by inserting in the first line of subsection 3, after the figure 9, the figure 23.

Second, in subsection 4 of section 55, the same section, be amended by inserting in the first line after the figure 20, the following words: "to 22, 24 to" so that subsection 4 would then read:

> Sections 1 to 4, 6, 7, 10 to 17, 20 to 22, 24 to 29, 31 to 34—and so on, as printed in the bill.

The amendments bring section 23 of the bill into force on proclamation instead of on the first day of January, 1967.

Section 55, as amended, agreed to.

Section 56 agreed to.

Bill 97 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

> the Treasurer of Ontario shall pay out of the consolidated revenue fund,
>
> (a) any damages awarded against the commissioner of the Ontario provincial police force in any proceeding brought against him by virtue of section 43a of The Police Act and any costs incurred by him in any such proceeding so far as not recovered by him in the proceedings; and
>
> (b) subject to the approval of the Lieutenant-Governor in council, any sum required in connection with the settlement of any claim made against the commissioner by virtue of section 43a of The Police Act,

as provided in Bill 99, An Act to amend The Police Act.

Resolution concurred in.

## THE POLICE ACT

House in committee on Bill 99, An Act to amend The Police Act.

Sections 1 to 22, inclusive, agreed to.

Bill 99 reported.

## PUBLIC FINANCE COMPANIES THAT HOLD SHARES IN PRIVATE LOAN COMPANIES

House in committee on Bill 106, An Act to provide for the registration of, and disclosure by, public finance companies that hold shares in private loan companies.

Sections 1 to 7, inclusive, agreed to.

Bill 106 reported.

## THE ACCUMULATIONS ACT

House in committee on Bill 132, An Act to amend The Accumulations Act.

Sections 1 to 3, inclusive, agreed to.

Bill 132 reported.

## THE TRUSTEE ACT

House in committee on Bill 133, An Act to amend The Trustee Act.

Sections 1 and 2 agreed to.

Bill 133 reported.

## THE CONVEYANCING AND LAW OF PROPERTY ACT

House in committee on Bill 134, An Act to amend The Conveyancing and Law of Property Act.

Sections 1 and 2 agreed to.

Bill 134 reported.

Hon. Mr. Rowntree moves that the committee rise and report certain resolutions and certain bills without amendment, and one

bill with amendment and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain resolutions and certain bills without amendment, and one bill with amendment and ask for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, we are moving along in ample time this afternoon. I realize it is just a few minutes before 5 o'clock but it was our intention to—

**An hon. member:** Pick up the five minutes we lost the other time.

**Hon. Mr. Rowntree:** The order paper is in good shape.

Interjections by hon. members.

**Hon. Mr. Rowntree:** I think we are making pretty good headway and I think it would be time for me in my capacity to express a word of appreciation.

**Some hon. members:** Hear, hear.

**Hon. Mr. Rowntree:** Mr. Speaker, I should like to call together Bills 26 and 59 which stand in the name of the hon. member for Sudbury and shown as items 24 and 34 on page 6 of the order paper.

## LIABILITY OF OCCUPIERS OF PREMISES

Mr. E. W. Sopha (Sudbury) moves second reading of Bill 26, An Act respecting the liability of occupiers of premises.

## THE FATAL ACCIDENTS ACT

Mr. Sopha moves second reading of Bill 59, An Act to amend The Fatal Accidents Act.

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, I address my comments to Bill 26 first and I beg leave of the hon. members of the House who have not the privilege, if I may say so, of being members of the honoured profession that some of us are members of—to end the sentence in a preposition—in respect of this bill, because members, if they pay close but not rapt attention to the proceedings, will soon discover that the field covered by this bill is a highly complex and technical one in the law. Because of its complexity and the obfuscation that has surrounded it over a period of 200 or 300 years, this bill is nothing more or less than an attempt to codify and an attempt to simplify—it is hoped—the law in respect of this branch of the law of torts.

**Mr. D. C. MacDonald** (York South): Is the hon. member sure he is going to simplify it?

**Mr. Sopha:** I hope so!

The British in their wisdom of centuries in the development of the common law have in most fields of social affairs—it is quite remarkable—managed to achieve reforms that are well ahead of developments on this continent. I suppose a thesis could be written that the British always lead the way in the reformation and simplification of the law.

They have done so, sir, in this area, for in 1957 the Parliament of the United Kingdom passed The Occupiers Liability Act upon which this bill is modelled. It has been adapted to meet conditions in North America and to leave out those that appertain peculiarly to the United Kingdom.

This bill deals with the persons who for various purposes come on the land of another. Generally speaking in the present state of the law, people come on land and premises in three categories, one of which we can dismiss summarily from our deliberations. That is the category of trespasser and a trespasser coming on land must take the land and the premises as he finds them. The occupier owes no duty in law to him whatsoever save that the occupier must not create traps for him, he must not create a situation which the occupier knows or reasonably might know would in effect constitute a snare or a danger to the trespasser.

That is to say, by way of illustration, if you suspect that your house is being burgled you must not set up some form of trap consisting of a, let us say, a door, a trap-door with spikes in the basement upon which the trespasser burglar will be impaled. You must not set up a spring gun to mow him down the moment he comes through the first storey window. This bill does not deal with the trespasser but leaves the trespasser at his own risk in knowingly going on the premises of another without the owner or occupier's consent.

The other two categories of persons who come on property, Mr. Speaker, are the licensee and the invitee. The law in its development has focused its attention on the category in which people come on your

property rather than on the concept of risk and duty, that is to say, the concept of negligence toward a person who lawfully and with consent, be it tacit or active, comes on to the property of another. And indeed, having said the other two categories are generally invitee and licensee, it must be added that our own supreme court of Canada as long ago as 1934, being dissatisfied in a particular case with those two categories, created another one to meet the circumstances of the case.

It is a wonderful thing about the common law, that it is so flexible and so adaptable when the judges begin to tackle a problem that comes before it, if the law does not suit the facts they are faced with, they change the law and adapt it so it will encompass the facts in order to do justice between subject and subject, and in a case they constituted a third category of licensee with an interest. A licensee with an interest in that particular case was a repairman who came into an apartment building for the purpose of repairing a piece of machinery of one of the tenants.

Clearly he was not an invitee vis-à-vis the occupier, the owner of the property, the man responsible for its condition. His business was with the tenant, but he had a perfect right to be there to repair the machinery at the request of the tenant so the supreme court of Canada said, "Well, we will put him in a category, licensee with an interest" and to all intents and purposes the duty of the occupier to him then became that of an invitee.

Having elucidated the categories, what is the duty that is owed? I can only speak very generally in informing hon. members that it is said in respect of an invitee—that is the person who comes on the premises of the hon. member for Scarborough Centre to do business with him in his jewellery shop or he comes on to look around—he does not have to do business, he does not have to buy one of those Rolex watches that he purveys.

**Mr. A. E. Thompson** (Leader of the Opposition): And pens as well, very nice pens!

**Mr. Sopha:** Yes, pens, and diamond rings. If he only comes in the store for the purpose of looking at the wares that are purveyed, then he comes on in the category of an invitee. What is the duty owed to an invitee? It is said by the judges and has been said for a couple of hundred years that the duty owed him is to keep the premises reasonably safe from risks of injury of which the occupier knew or ought to have known. The emphasis here must be placed on that phrase "ought to have known." When you think in terms of constructive knowledge, that "oughtness" in that phrase, then you are thinking in terms of negligence. What you ought to know is the condition of the premises that reasonable inspection will tell you or reasonable diligence about the condition of your premises will inform you of risks that may attend their disrepair or any other untoward circumstance in respect of the premises.

Having, I hope, made that clear, let us turn to the licensee and the law says in respect of the licensee that the occupier is liable to him only for dangers and risks of which he knew—and here we drop the concept of ought to have known. The occupier is not liable to the licensee for dangers that reasonable diligence might have disclosed to him; he does not have that duty to inspect to ascertain departures from the normal state of safety on his premises. Well, who is a licensee? A licensee is loosely that category of person who you tolerate on the premises.

Let us take that apt example of the member for Scarborough Centre; supposing a lady seeks refuge in his store for the purpose of getting out of the rain. She just drops into the doorway to stand out of the rain. Well, the member for Scarborough Centre, being a very obliging individual as he is is, and wishing to cultivate trade and to be polite and courteous to members of the public, tolerates the lady standing in the inside of his doorway out of the rain. Well, she is a licensee, she is there with a licence. He could turn her into a trespasser very quickly by saying, "Don't stand in my doorway, stand out in the rain," and the moment he says that she becomes a trespasser, if she does not depart.

Having, I hope, made that clear, I then turn to the next step in my development in saying that it is a strange system of law where a person in coming on land can come on in one category and depart in another. Supposing, for example, a peddler, a magazine salesman, came up to your door, Mr. Speaker, and supposing there was a danger out on the lawn. Your little boy had dug a hole, let us say, a foot deep and he had covered it carefully over with sod and you saw him playing out there, you saw him digging and that danger was not observable. The magazine salesman comes up to your door, raps on the door and at that point, at best, he is a licensee. And supposing the missus goes to the door and greets him, and supposing she is incautious enough to subscribe to 10 or 15 magazines to help him through school. All

right. She transforms him from a licensee into an invitee by doing business with him. He then becomes an invitee. Now, supposing on the way out, he steps in the hole that junior has dug—if he had stepped in the hole on the way in there would not have been liability—but on the way out, because he is an invitee, he has been transformed by metamorphosis, there could very well be liability. If a jury found that the hole dug by junior in the front lawn and covered over with sod, the hole in which the magazine salesman broke his leg on the way out, was a danger which you ought to have known about, you will see the difference very readily, Mr. Speaker.

That is a strange system of law and it would seem that in this enlightened age we should abolish those categories in relation to people coming on premises and set up a standard duty of care. And that is what this bill seeks to do. This bill would treat every person lawfully on premises the same and impose upon the occupier a common duty of care. Hon. members will see that phrase in section 2 of the bill. By statute then there would be imposed upon the occupier a common duty of care and it would be for the jury or the judge sitting alone to determine whether the occupier had departed from the standard imposed.

Only a lawyer could understand all that is included in the conceptual use of those words, common duty of care, because there is a good deal of legal lore about them in the law of negligence.

But very simply put, the common duty of care would be that standard whereby the reasonable man, that pillar of the common law, would, by the exercise of ordinary diligence and prudence appreciate that he had set up a risk whereby another person might be injured. That, of course, has the idea of reasonable foreseeability, that is to say, if you leave your front steps in an icy-covered condition and you blandly and blithely walk by them day after day and you do nothing about the correction, such as putting salt on the ice, or chopping the ice off, then you can appreciate, Mr. Speaker, as a reasonable man, that someone, lawfully using those steps, might sustain injury. This, of course, is the natural province of the jury, that great institution, the whole British jury, that the courts for a long time have said redounds in commonsense and perspicacity, and six men are able to direct their minds to a specific problem and to decide satisfactorily between subject and subject, whether there has been a departure from reasonableness.

When juries tackle this problem, besides being faced with the obfuscation of the categories, they have to wrestle with the categories in which a person comes on the land. The judge has to determine what the duty owed to the specific person is and he has to relate that to the jury. By the time he has finished, three of the six have gone to sleep and the other three are thinking about something else, most often, when they will be finished with this case. They wish to get home.

Then, on top of all that confusion, they have to get into this business of what he knew or what he ought to have known. The procedure encompassed by this revision of the law means that in these cases a jury would only have to objectively determine whether the occupier in a particular case had failed, as a reasonable man to take such steps to keep his premises safe from harm to those he might reasonably expect to be using his premises.

What is the reality? I am most concerned about the category of invitees, because nowadays almost everybody goes onto someone else's premises for the purpose of doing business. Every housewife in the country, sometime or other during the week goes into a supermarket or goes to a shopping centre. The longer I practice law and deal with these cases, the more I have become convinced that really in order to effect our social purpose, there ought to be a strict liability upon the occupiers of premises doing business with the public to keep their premises safe for the people who use them.

This is nothing more or less, your honour, than a good insurance principle. Let me give you an illustration.

I sat in the court of appeal one day, waiting for my case to be called and I listened to the case being argued ahead of me. Really if a layman had been there, he would have been bewildered by this legal jargon that was involved in the presentation of this case by very able lawyers. What had happened was this.

A woman in Hamilton had driven into the parking lot of a shopping plaza. She had parked her car, got out of the car and started towards the supermarket. She was going to a chain store, one of the big chain stores at a shopping plaza. She slipped on the ice, fell down and broke her leg. She brought action against the supermarket for damages, alleging that the presence of that ice in those circumstances constituted an unusual danger to her, she being an invitee, and the owner

being liable for dangers that he knew or ought to have known.

She did not have to show, you see, that he knew about the icy condition. All she had to do to bring herself within the realm of recovery, was to show that he ought to have known about the icy condition.

Your honour, if you are with me up to this point, I will tell you where tragedy struck her.

The lawyers for the supermarket alleged that when she got out of the car she saw the ice. She saw it, and at that point, the lawyer said, she had *sciens*; which of course is the Latin word for knowledge. She knew. Seeing the ice she knew of the existence of the icy condition.

Then, with regard to the *sciens*: "My lords," he said to the three judges on the bench, "all I have to show is that not only did she have *sciens*, but she had *volens*." The *volens*, of course, is the willingness. Knowing of the ice and starting to go across it meant that she accepted the risk. She was willing, you see—*volens*, the Latin verb meaning willingness. With the combination of the two, the knowledge and the willingness, by going across the ice, she accepted the risk of any injury that befell her.

In the deliberations of the eminent jurists, bound by the law that had developed over two or three hundred years, she was out of court. Her action was dismissed and costs were levied against her.

I think, your honour, that that is a rather ridiculous system of law. It hardly does credit to a sophisticated society. After all, the supermarket spends thousands of dollars in carrying on an advertising campaign to get people to come to the shopping plaza. They want the people there. The woman on arriving at the shopping plaza, seeing the ice, if she was really sophisticated in the intellect, appreciating the danger, what she ought to have done, said the law, was get back in the car and drive away.

Now the supermarket would not want that. They would not want it because that would be a waste of the powerful advertising campaign, about the 10 million gold stamps that you can get by attending at the supermarket, and so on, a trip to Nassau and a fur coat, and a yacht, and a Toronado and everything else they give away. From that point of view it is unrealistic.

Now on the other hand, is it not fair to say to the occupier of premises inviting people to come and do business with it: "If you want those people there, it is your duty to keep your premises safe. If the parking lot is covered with ice, you have the duty to send a man out every morning at quarter to nine to inspect the parking lot and see if the parking lot is reasonably safe for pedestrian traffic."

**Mr. J. F. Edwards** (Perth): Maybe they should have supplied skates.

**Mr. Sopha:** I am sorry, I have not got the time to digress or to stop.

I would think that would be a realistic and sensible approach. In addition to that, I relate that most occupiers of premises in the position of the supermarket, in those circumstances insure themselves. They take out insurance against legal liability to people who come on the premises for the purpose of doing business and who sustain injury.

It is a tragic thing, that a litigant, most often of very moderate means, sustains injury on the premises of another, which are not safe. As a result of the danger inherent in the premises, the person sustains injury, and then wants to get compensation for the loss that is entailed in that injury. It is a tragedy when that person goes to court to see his or her action dismissed.

They have to suffer the costs, not only bear the weight of the injury and all its consequent loss but then have to pay the costs for the unsuccessful prosecution of a suit. I would think, your honour, that it is eminently sensible in the light of the very high and sophisticated development of our business that the law should say to people who carry on business: we impose upon you a strict liability to keep your premises safe.

I do not say an absolute liability; that is different. An absolute liability is an insured liability and I am not suggesting an insurer's liability. But I am suggesting a strict liability. That is to say the duty of the occupier to keep his premises safe will be strictly construed and any departure, any unreasonable departure from that strict liability will result in him being liable, which liability, of course, he spreads across the whole of the community through the insurance premium. That is what the insurance effects—it spreads that liability of people in the category across the whole of the community.

On the other hand, the development of the law in this century has seen the enlargement of the concept that the individual ought to be relieved of his absorption of damages. His sole absorption and compensation to him is spread over the whole of the body politic. After all, that is what the

motor vehicle accident compensation fund is; that is what motor vehicle liability insurance is and that is what Dean Wright has called the concept of shifting losses—that is to say, shifting the loss from the individual to the whole of society.

To show you the rather ridiculous state that the law of occupiers has got to, let me give you another illustration, somewhat more exotic and which may captivate the interests of members of the House who listen to this. This was an actual case and through you, Mr. Speaker, I will ask the members who listen how they would decide the case.

Two ladies went into a beverage room in Chapleau for the purpose of quenching the midafternoon thirst. They were very reasonable, decent members of the community of Chapleau. They took their seat in the ladies—and I do not say anything to be facetious, nothing is designed to be facetious about this at all; it was a very tragic happening—they took their seat at a table in the ladies beverage room. They did not notice, but they sat down beside a group of four or five other ladies, in the beverage room.

They did not pay any particular attention to this group of four or five. After they were there a few minutes the waiter came along to the group of four or five and he admonished them about their behaviour. He admonished them about their behaviour and he said, in the jargon of the beverage room, to them: you are cut off. And that means that the supply of alcoholic beverage to that particular table has suffered a surcease, there is no more for them.

The waiter departed. The group of four or five ladies continued their gross conduct. A few minutes later the waiter returned and he said to this group of four or five sitting beside our two ladies: that is enough. And he proceeded to pick up the bottles on the table that were then undisposed of. That, you must appreciate, put a further injunction on his earlier admonition that they were cut off. He was now going to take away the remnants of what had theretofore been supplied.

The waiter turned to walk away and one of the ladies of this group of four or five picked up a glass, threw it at the waiter, missed him and hit one of our two ladies with the glass in the eye causing a serious injury which resulted in blindness in that eye. The lady, of course, who threw the glass, was improvident. No point in suing her. The lady who suffered the loss of sight brought action against the innkeeper, the owner of the premises.

The case came on and discussions of settlement took place. Those discussions took place with the judge, and the judge told the plaintiff's solicitor that in his view it was questionable whether this woman could recover against the innkeeper because, mark you, he could not foresee this chain of circumstances to result from that behaviour, from those activities of the waiter. The case was settled for much less than the woman would otherwise have got for the loss of sight in one eye.

With all respect to the jurist, I question this. After all, the liquor licence board lays down regulations for the supply of liquor to people who show the effects of its consumption, and those regulations are very strictly enforced. I suggest to the members of the House, to assist them to decide this case, that one of the reasons for not supplying more spirituous beverage to a person who shows the signs of inebriation is that with such supply you are unable to predict the conduct of the imbiber, when a person who imbibes to excess is likely to indulge in gross conduct.

I hope the members have followed my line of reasoning there. I suggest that the innkeeper, who is liable, of course, through the acts of his servant the waiter, might very well have foreseen that supplying liquor or beer to these four ladies might have resulted in some form of aberrational behaviour that might result in injury to another customer.

Surely that does not stretch commonsense, does not torture reason. That is the fate litigants suffer in the courts in these occupier cases, and I merely suggest that by the adoption of the principles of this bill all that mumbo jumbo goes out the window and the sole question to be decided in cases of this nature is: was there a departure from the common duty of care such as the reasonable man might be expected to follow, to obey? That prudent individual who governs his affairs with caution, who thinks before he jumps—that is the reasonable man of the common law and it is my wish to substitute that standing for the very complex determinates that are now used.

Having said that I hope I have made myself clear through you, sir, to the hon. members of the House. And I say again that in Great Britain nine years ago they uprooted the whole body of the law that had developed over a period of 200 years, and the common law when it is allowed to run rampant frequently takes on encrustations that do not serve any useful social purpose. The common law has to be disciplined, the use-

less outgrowths and excrescences that have appended themselves to the common law have to be torn out root and branch and disposed of. And the statute codifies and simplifies and revises the common law.

I want the members to appreciate that hundreds, perhaps thousands, of people are injured each year in going on other people's premises where they have a perfectly legal and lawful right to be. In fact, they are invited on there. My friend from Simcoe East invites people into his insurance office to sell them a $50,000 policy, and—

**Mr. G. Bukator** (Niagara Falls): To protect the diamonds?

**Mr. Sopha:** Yes, to protect the diamonds they bought from the hon. member for Scarborough Centre.

**Mr. Edwards:** What about morticians?

**Mr. Sopha:** The hon. member for Perth invites tens of thousands probably of the citizens of Palmerston into his premises in a year to purchase the potions and lotions and other things that he sells for the human health. Really the law should be brought up to date in this regard.

I am going to leave that, because other members who are more able than myself are going to speak on that and acquaint us with their views. I am going to turn very briefly to the other bill which is No. 59, An Act to amend The Fatal Accidents Act. I do not have to tarry very long with this one because now I turn to a round that all hon. members will appreciate. They all have the knowledge, as I do, that some day we are going to depart this life and will all have to make use of the services which are inherent in the amendment to this statute.

This is a bill to amend The Fatal Accidents Act, to increase the amount allowed for funeral expenses from the sum of $300 to $800. The Fatal Accidents Act deals and gives by statute a right to a person to bring an action—certain persons may bring an action to recover damages where death of a person is caused by the negligence, fault or indeed the intention of another. Dependants, next of kin, may bring an action to recover damages under that Act.

It is a statutory right of action and the statute provides that in respect of the funeral expenses only the sum of $300 may be recovered. Until a few years ago—and it is probably four or five, not more than four or five—the amount allowed to be recovered was $250. This Legislature, I think while I was a member, in its largesse, in a real exorcism of munificence and benevolence—the Legislature must really have taken leave of its senses that day—increased the amount by $50 and raised it to $300.

My point is, having had experience in a great many cases, I am sad to say, where death has resulted and particularly in motor vehicle accidents, the amount of $300 is unrealistically niggardly to account for the expenses that bereaved people, next of kin, must incur for the funeral of the deceased.

I am not going into Jessica Mitford's thesis in this regard but I am merely going to say that even the most modest and dignified funeral, as a mark of respect to a person who has been killed, costs well in excess of $300. And mark you, Mr. Speaker, that $300 allowed by this statute not only includes the mortician's services but also includes the headstone, the cost of the plot, digging the grave and arranging for its tending, any cost of a monument or any amount given by the bereaved to the clergyman—there is a word, honorarium—the honorarium paid to the clergyman or to the church. Every expense attendant upon the funeral of the deceased is encompassed in that $300.

Now, of course, this is nothing more, your honour, or less, than a gift to the insurance company. I think this reflects the tremendous influence that insurance companies have upon legislative enactments because really, in limiting the amount of recovery from the culpable defendant for the funeral expenses, we are relieving the insurance company in most cases from the obligation to pay what is fair and reasonable.

I ask you, sir, in the exercise of fairness, in the concept of justice between man and man! Let us take an extreme case.

Supposing the husband is killed at a pedestrian crosswalk by a drunken motorist who comes careening down the road oblivious to the dangers that he creates and he hits the husband and kills him. The drunken motorist in those cases is completely culpable, he is completely at fault. As the judges would say, his conduct was the cause of the loss that results.

Now, why, in fairness, should the financial burden of providing for the funeral of the husband descend upon the widow? If the modest funeral costs, let us say, $900 or $1,000—and I am told when everything is paid, headstone, cost of digging the grave, its tending, mortician services, that the modest funeral costs in the neighbourhood of $1,000—then why should we, as a Legislature, in effect say to the insurance companies: "We will impose the burden of $700 on the widow,

the next of kin, the father, mother; and we will require you to contribute only $300." Well, your honour, that seems to offend commonsense and decency.

**Mr. A. H. Cowling** (High Park): Mr. Speaker, on a point of order—

**Mr. Sopha:** There is no point of order.

**Mr. Cowling:** How does the member know? He has not even heard it yet. Just take a breather.

My point of order, Mr. Speaker, if I may: The hon. member for Sudbury continues to refer to you as your honour. Now, in this House you are known only as Mr. Speaker. I have noticed that he has used that term quite often and my point of order is that when he is addressing Mr. Speaker he use the term Mr. Speaker only, not any other name.

**Mr. Speaker:** The point of order is well taken by the member for High Park, but I imagine the member for Sudbury thinks that he is in court so I have allowed him to carry on.

**Mr. Sopha:** I will not stop to argue, the point is not well taken, because the address to you as your honour is perfectly proper and the Clerk has nodded his agreement to me. It is perfectly proper and Mr. Frost frequently used to refer to the Speaker as your honour. But I will not stop to comment further. I will just leave hon. members to reflect upon the foolish and ridiculous interjection that we had.

I have made my point and, of course, because I was referring to the insurance companies, that provoked their official spokesman, their official spokesman in the House, the lobbyist.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Sopha:** I have made my point, Mr. Speaker, and I merely suggest, for the edification of all members of the House, save one, that it is meet and just, it is no more and no less than that, meet and just that we should in the exercise of our discretion at some time amend this statute to bring the amount allowed for recovery from the culpable person, the blameworthy person, the person who caused the death, from the very unrealistic figure of $300 up to what I propounded in the bill, the modest figure of $800.

I commend that reasoning to my hon. colleagues in the House, Mr. Speaker, and looking at the clock and being aware of the presence of other honourable and able gentlemen who are going to speak in this matter, I delight in deferring to them.

**Mr. G. A. Kerr** (Halton): Mr. Speaker, I would like to comment very briefly on this bill. I feel in many respects that it is like a previous resolution that was presented during this particular hour of the week in that talking against it is really a difficult task for anyone who may be in the legal profession.

The main purpose of this bill is to put in statute form what is probably the most voluminous and complete sphere of our common law, that is, the relationship between master and servant, employer and employee, landlord and tenant, licensor and licensee. In short, a segment of tort law which is continuously utilized and as a result of *stare decisis*, up to date and consistently being modernized. I think those in the profession realize that on every county court and supreme court docket, in every jurisdiction in Canada, there are always numerous cases involving this area of tort.

Bill 26, as the explanatory note indicates, is The Occupants' Liability Act of 1957 of the United Kingdom with certain changes to suit our province. The proposed statute incorporates the common law in many of its sections. One of the worries, in attempting to write a statute of this kind, Mr. Speaker, is to include every type of person—a child, an old person, handicapped, the blind, and so on—so that their rights under tort and under the established common law would not be minimized in any way. This was one of the worries of the law reform committee of Great Britain.

It is important to establish whether or not a person has a right or permission to enter upon a structure and the onus of proving an implied permission rests upon that person who claims that it existed.

The problem would also exist in this regard as to a policeman, particularly where he is carrying out his duties although he has not received permission, specified or implied, to enter upon a person's property. As the law attaches great importance to the privacy of a man's premises, the exceptional circumstances in which it allows a policeman to enter premises is usually strictly limited.

One of the results of this bill would be to eliminate the distinction between licensee and invitee. The hon. member for Sudbury has very thoroughly, adequately and competently,

explained to the House the distinction between these two categories.

As a result of the approval of this bill, and the use of the word "invitor," the occupier of the premises would be required as a duty to every person coming upon the premises at his invitation or by permission, expressed or implied, to take such care as in the circumstances of the case is reasonable, to see that the premises are reasonably safe for use by the visitor for the purpose to which the invitation relates.

As I intended to say, Mr. Speaker, the distinction between "licensee" and "invitee" would be aboished and the term "visitor" would replace those categories in this bill. In short, a visitor is a person who in common law would be treated as an invitee or licensee.

Having incorporated this category in the statute, another problem arises in that it is important to distinguish a visitor from a trespasser. There is no problem, Mr. Speaker, when there has been an express invitation or permission given to the entrant, but the absence of such invitation or permission does not necessarily mean that the entrant is a trespasser. He may have the implied permission of the occupier or he may enter by authority of law.

Another category or status that is created by this bill is the one mentioned on a number of occasions, and that is one of occupancy. The occupant is the person in control of a structure or building. He is not necessarily the owner, and if the owner hires someone to look after the building and is not himself in possession, he is not generally liable.

I would suspect, therefore, Mr. Speaker, that this may set up a whole new relationship between principal and agent or master and servant, as it affects liability under an Act respecting the liability of occupiers of premises. It is not necessary that the occupier have any interest in the property nor is it necessary that the occupier have control of the whole structure. As I said, therefore, to establish what control or responsibility the occupier has will depend upon the particular facts of the case and especially upon the nature and extent of the occupation or control, in fact, enjoyed.

This again, Mr. Speaker, opens up more interpretation by the courts as to the extent of liability of the occupier as an occupier and thereby mitigates to some extent, the common law duty of care of the landlord or owner, or particularly a registered owner.

This bill also defines the common duty of care—as the hon. member for Sudbury has explained—and this is defined as a "duty to take such care as in the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purpose for which he is invited or permitted to be there."

Then, in this respect, subsection 3 of section 2, subsequently refers to children and the fact that an occupier must be prepared for children to be less careful than adults. How much less careful is something that will have to be decided by the courts and again, we would have to turn to common law decisions. If there was something on the premises, for example Mr. Speaker, that attracted children so that the child, although a trespasser, because of his or her innocence should expect some degree of care.

Another clause in this particular section says that an occupier may expect that a person in the exercise of his calling would appreciate and guard against any special risks ordinarily incidental to his calling so far as the occupier leaves him free to do so.

However, we have some rather important decisions in common law which say, for example, if we are a householder who employs an independent contractor to do work, be it cleaning or repairing on his premises, the contractor must satisfy himself as to the safety or condition of that part of the premises on which he has to work. Therefore, for example, if a window cleaner falls 15 storeys because the bolt on his safety belt slipped out of the side of a building or from the frame of a window, he may not recover from the occupier, but it would be otherwise if he was injured by a defect in the staircase when using the stairs in an ordinary way.

Now the hon. member for Sudbury dealt in some detail with the question of what constitutes safe premises. What about the situation, Mr. Speaker, where the owner or the occupier puts up a warning sign? In most cases, probably, a warning of the danger will be sufficient to enable the vistor to be reasonably safe and so amount to a discharge by the occupier of his duty of care but if for some reason a warning is not sufficient, then the occupier remains liable.

There are, after all, some situations in which a reasonable man incurs a known risk and the question, therefore, is whether such a situation existed on the particular facts of the case.

It is clear too, such a warning of the danger is not necessarily sufficient to constitute performance of the occupier's duty.

It is possible, Mr. Speaker, by approving this bill and abolishing the categories of "licensee" and "invitee" for "visitor," the

effect of the warning signs would now be interpreted to mean that the common law is not good enough.

The hon. member for Sudbury mentioned that the important thing is to codify or simplify the law. For the most part, I agree with that submission. However, in the field of tort, which is so viable and so changing, it may be difficult to simplify it.

Every time we pass a statute new situations arise that make amendments necessary or the law will become archaic and insufficient. This is a most active field of jurisprudence—that is, the field of tort law.

Many of the occupier's liabilities as defined by this bill may properly be left to the common law. There may be situations that in considering this bill we have not thought of and the situation mentioned involving children, would be a good example.

The hon. member for Sudbury mentioned magazine salesmen and peddlers and I was wondering about the situation, Mr. Speaker, where there is a sign prohibiting this type of solicitation. What if the sign had fallen down or a peddler could not show that it was not reasonable for him to have seen it? Does this bill provide for this, or will we rely on the common law? Is the common duty of care defined in this bill flexible enough and thorough enough to cover all such situations? The question is, Mr. Speaker, whether the common law would be the best remedy. Are we, in approving this bill, in some way possibly inhibiting equity, or that gloss of equity which is so important in defining the rights and duties of occupiers and visitors, so important in all fields of civil jurisprudence?

Possibly, Mr. Speaker, our remedy, or our procedure should be the same as in Great Britain, where we turn this matter over to our own law reform committee and ask that committee to give us their opinion.

The other Act dealt with this evening is Bill 59, An Act to amend The Fatal Accidents Act, and really there is not too much you can disagree with. The amendment is just increasing the amount for funeral expenses from $300 to $800.

I had an opportunity to discuss this matter with the hon. member for Ottawa East last evening, and he tells me that the average funeral is over $800 and he also mentioned that this does not necessarily include the headstone and digging the grave and tending the plot, and the honorarium.

On that basis, I find it very difficult not to support this particular amendment. However, not being versed in the type of caskets that are being used today and the relative cost of each one, I assume that in the area of eastern Ontario there is a particular type of wood that is used quite frequently and this, I understand, is a little more costly than may be available in this area.

However, I understand that in England, for example, the Act there provides for remuneration up to £300, and I would assume if we raise our amount by $500, we will be within a stone or two of that increase.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, I do not intend to take up very much time, because I would like the hon. member for Sudbury if he would, to reply to a couple of queries which are in my mind about the bill which he has introduced, No. 26, the bill intituled, An Act respecting the liability of occupiers of premises.

Before commenting on that bill, I would say that I would support the principle set out in Bill 59, relating to the amendment to The Fatal Accidents Act, to provide for an increase in the amount payable under that Act in connection with funeral expenses.

Mr. Speaker, turning again to Bill 26, I am sure that we are all interested in any enactment which will simplify ancient principles of law which have become so refined that it is almost impossible for anyone except a specialist in that particular field to know what the law means.

To some extent I think perhaps this bill does so, but I would draw your attention to one minor clause in the bill, in section 4, which I think we would all agree does nothing to simplify the law at all.

Subsection 1 of section 4, and I simply point this out as the difficulties which are involved in simplification and the problem of the English language, states that where premises are occupied by a person under a tenancy, which puts on the landlord an obligation to that person for the maintenance or repair of the premises:

> —the landlord shall owe to all persons who or whose goods may from time to time be lawfully on the premises the same duty in respect of dangers arising from any default by him in carrying out that obligation as if he were an occupier of the premises and those persons or their goods were there by his invitation and permision but without any contract.

Mr. Speaker, I think all of us would agree that is a reasonably intelligible section. But when you go on to subsection 2 of that section, you have this amazing paragraph:

> Where premises are occupied under a

> sub-tenancy, subsection one applies to any landlord of the premises whether the immediate or a superior landlord on whom an obligation to the occupier for the maintenance or repair of the premises is put by the sub-tenancy and for that purpose any obligation to the occupier which the sub-tenancy puts on a mesne landlord of the premises or is treated by virtue of this provision as putting on a mesne landlord shall be treated as put by it also on any landlord on whom the mesne landlord's tenancy puts the like obligation towards the mesne landlord.

I would suggest, Mr. Speaker, that certainly that particular clause if it were ever to be adopted in this House, would require substantial refinement to give it any meaning, even to a specialist in that particular field of law.

But that is not the main purport of my remarks. As I understand the bill it simply states that once it is decided that a person is not a trespasser on premises, the bill then states that that decision having been made, he is treated for all purposes as a visitor and there is a duty on the occupier of the premises, as stated in subsection 2 of section 2 of the bill to take such care as in all circumstances of the case is reasonable, to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited, or permitted by the occupier to be there.

However, and this is the first point I would like to raise with the hon. member for Sudbury, and ask him in the few moments that are left to us if he would comment upon. In subsection 1 of section 2, sir, there is a complete right bestowed on the occupier of the premises to exclude his total liability, to exclude any common duty to anyone on his premises, insofar as he is free to do and does extend, restrict, modify or exclude his duty to any visitor or visitors by agreement or otherwise.

I would like to ask the hon. member for Sudbury whether he thinks that if such a bill were to come before this Legislature it should contain such a wide power of exclusion of the comon duty of care which is to be imposed by this statute in lieu of the traditional common law duty of care.

The second comment I would like to make is that the member for Sudbury pointed out to us the two cases which are the common ones referred to on many occasions. That is, of the visitor to the supermarket who slips on the ice and the further case of the unfortunate visitor to the beverage premises in Chapleau and the resultant exclusion of liability by the courts on the occupier of the premises to recompense the person who is injured either on the supermarket property or in the beverage room, for any damage which is suffered in such cases. I would ask the member for Sudbury if he would comment on whether subsection 5 of section 2 is not in fact so stated that the bill would not accomplish the purpose which the member for Sudbury had in mind. I woud ask if he thinks that this bill would in fact remedy what to him is the defect of our law at the present time. I would suggest though I am not a specialist nor have any special knowledge in this field, that where you have a provision in this bill which states that:

> —the common duty of care does not impose on an occupier any obligation to a visitor in respect of risks willingly accepted as his by the visitor, the question of whether a risk was so accepted to be decided on the same principles as in other cases in which one person owes a duty of care to another—

would appear to me to perpetuate in this bill, the very evil that the hon. member for Sudbury thought that perhaps this bill would remedy. I would appreciate his comment on that aspect of the bill. Otherwise, Mr. Speaker, we would of course support the basic principle of the bill but I would appreciate his comments on those two points.

**Mr. Sopha:** I do not think the rules of the House permit me to reply. All I can say is that I will be pleased to discuss these privately with the hon. member. But I must confess that I do not understand the meaning of subsection 2 of section 4; I think that must apply to the situation in England and my colleague, the legislative counsel, should have left that one out when he assisted me to draft the bill.

**Mr. Renwick:** Mr. Speaker, I thought that the mover of a bill did have the opportunity of commenting in reply, if he chose to do so.

**Mr. Speaker:** I am informed by the Clerk, with the consent of the House, he may. Are there any objections?

You may.

**Mr. Sopha:** The only time left to address myself to subsection 5 of section 2, and I say to the hon. member for Riverdale, who makes very intelligent observations, that we would not want to take away the defence—if the House will permit me to speak to him in language he understands—I do not think it would be good public or legal policy to take

away the defence in negligence actions. But the question would then revolve around whether the injured person actually did accept the risk, and cogent evidence would have to be led by the defender-occupier to show that in fact there was an acceptance of the risk by the plaintiff. The mere assertion of a willingness to accept the risk *volenti non fit injuria* would not be enough but we should not preclude the setting up of that defence in these cases any more than we disallow it in automobile accidents or any other type of action where negligence is allowed. Subsection 5 merely preserves that defense where it is a valid one.

I would say to the hon. member for Riverdale that the two cases I cited, the two illustrations that I used for the edification of the members of the House, would in my opinion be covered by section 2 of the Act in the establishment of the common duty of care, and it would be for the jury to determine—that is the emphasis I make—that it is a simple determination for a jury to say whether the occupier in the particular circumstances fell short of the mark set for the reasonable man. Did he depart from that, and if they find he did, the plaintiff wins. If they find that he conducted himself as a reasonable man, then the plaintiff must lose. But at least it has the advantage of getting rid of all the mumbo jumbo and the jargon about the category and the standard of care that is attendant upon each of the categories as the law presently exists.

And I say finally, my concluding comments, that England having led the way, as they always do, the British always lead the way—the hon. Prime Minister was not in the House and I say it for him—that the English always lead the way in reform of the law and they are usually, I calculate, about a generation ahead of us until we catch up with them. Some day this legislation will be adopted in this province, it may take a year, three years, five years or ten years, but some government, some day is going to put this in statutory form, in better form than it is here, and adopt it as part of the law of this province.

It being 6 o'clock, p.m., the House took recess.

No. 141

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Tuesday, June 14, 1966

Evening Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO



The House resumed at 8 o'clock, p.m.

**Clerk of the House:** The 21st order: House in committee of supply; Mr. L. M. Reilly in the chair.

**Mr. Chairman:** Before calling on the vote, I know the members of the House would want me to say a word of welcome to the visitors in the Speaker's gallery and immediately below the Speaker's gallery. They are of particular interest to the member for Eglinton because these people are friends and members of the Progressive Conservative association of Eglinton riding.

## ESTIMATES, DEPARTMENT OF EDUCATION
*(continued)*

On vote 509:

**Mr. Chairman:** Office of the director, section agreed to.

We had decided to deal with these in classifications and we had overlapped from one to the other. Schools for retarded children, agreed to; correspondence courses, agreed to; the Ontario school for the blind, agreed to.

We dealt with both of these, the Ontario school for the deaf in Belleville and the Ontario school for the deaf in Milton—agreed to.

The last item under vote 509—the community programmes division.

**Mr. R. F. Nixon** (Brant): Mr. Chairman, on the community programmes division, I would like to ask the hon. Minister what arrangements have been made with the Indian bands across the province for providing them with the community programmes work that might be of some use to the requirements in these communities.

**Hon. W. G. Davis** (Minister of Education): Mr. Chairman, there are grants provided to the Indian bands. We also provide some leadership training courses for the Indian bands as well through the community programmes division.

**Mr. Nixon:** Will the hon. Minister assure me that the Six Nations reserve is taking part in this programme? For the last two years it has been brought to my attention by my own constituents that, although they have been in correspondence with the department, the thing has not carried on to fulfilment.

**Hon. Mr. Davis:** Mr. Chairman, I understand the regulation has been passed. It was passed in either the latter part of January or the early part of February, making this possible. We understand the Six Nations band is preparing to enter into the programmes with the community programmes division this coming year.

**Mr. Nixon:** Then the regulation passed in February of this year—

**Hon. Mr. Davis:** Of this year!

**Mr. Nixon:** —permits the bands across the province to take part?

**Hon. Mr. Davis:** No, this refers specifically to the Six Nations group.

**Mr. Nixon:** Well, why would they require specific regulations?

**Hon. Mr. Davis:** I am sorry, Mr. Chairman, the regulation was passed permitting the Indian bands to enter into this arrangement with the community programmes division.

**Mr. Nixon:** But before the regulation, the Indians did not take part. Have any of them in fact entered into the programme at this date?

**Hon. Mr. Davis:** There have been five bands, Mr. Chairman, that have entered into arrangements with the community programmes division.

**Mr. Nixon:** Does this include the Six Nations?

**Hon. Mr. Davis:** Mr. Chairman, apparently the Indian bands must pass a resolution and the Six Nations group has not as yet passed the resolution; so I would think if the hon. member might give them some

encouragement to do so, the community programmes branch would then be prepared to enter into arrangements with them. Apparently it requires a resolution on the part of the bands.

**Mr. Nixon:** Yes. The Minister's suggestion that I give them some encouragement encourages me to make some comment about this matter, because as their member for the past two years I have brought this to the attention of the department. I would feel that the onus lies on the hon. Minister and his advisors to get in touch with them and say that you are now prepared to allow them to enter into the community programmes activity and that you would offer them every assistance in so doing.

**Hon. Mr. Davis:** Mr. Chairman, the director of the branch has actually been down to visit with them and has had personnel there.

**Mr. Nixon:** Good; that is very good. Thank you.

**Mr. Chairman:** On leadership camps, agreed to.

Shall vote 509 carry?

**Mr. Nixon:** Mr. Chairman, dealing with vote 509 in general there is one aspect of this matter that I would like to bring to your attention. It does not follow directly on the provision of schools for those for whom other provision is not available, but I do want to bring to your attention, sir, the fact that from time to time in rural areas specific students are singled out for which the provisions of auxiliary classes are not sufficient and yet who are not victimized by the difficulties that would require them to be sent to perhaps an Ontario Hospital school. In the past it has been the practice for the Minister's advisors, through their inspectors perhaps, to visit these individuals and the school boards concerned and make recommendations that would require the local school board to hire an individual teacher or a skilled person in the community who might be able to give some assistance. The onus appears to be on the school board to make some special provision for the type of student that I have described. It seems to me that the responsibility for these special students should be accepted entirely by the provincial Treasury rather than being left to fall in the local tax area where sometimes the jurisdictional division between public and separate schools complicates the matter even further.

I would strongly urge the Minister to see to it that the funds that are listed in this vote, under services for handicapped persons for whom no other provision can be made, are expanded to the point where the local school board does not have to assume the heavy financial responsibility of caring for students with individual difficulties.

I wonder if the Minister has some comments to make on this?

**Hon. Mr. Davis:** Mr. Chairman, we do pay—I cannot go into all the various classifications; but take for example the deaf youngster who is being educated by the individual board. The department pays a grant up to $1,000, which on a provincial average at the elementary level would be perhaps two or three times what the normal grant would be. So in fact we are in many instances paying more than we normally do for these students, and the payments go directly to the board.

**Mr. Nixon:** In the case of a student who has a physical handicap rather than a mental handicap—I am thinking of a crippled student, even in the jurisdiction of Metropolitan Toronto, what accommodation is made if the student's parents are normally supporters of the separate system? Does our school for crippled children in the metropolitan area accept students from both of these systems?

**Hon. Mr. Davis:** Mr. Chairman, it is my understanding, and I will check this specifically, that the school for crippled children is administered under section 12 of the Act. I will check specifically but it is my recollection that they do accept students whose families are separate school supporters. We pay a special grant under that section to the crippled children's association, I believe it is.

**Mr. Nixon:** I would appreciate hearing perhaps at a later date more specifically from the Minister because I have had information that would indicate that separate school supporters are put at a definite disadvantage in this connection.

**Hon. Mr. Davis:** I will check this out specifically.

**Mr. Nixon:** Just in closing my comments on this vote, I wonder if the Minister would agree with me that in the rural areas particularly, or anywhere else across the province of Ontario that does not have the advantage of heavy assistance for schooling from industrial assessment and commercial assessment, I wonder if the Minister would agree that the department might take more of the financial responsibility for the provision of special classes and special teachers?

I would think that the township school boards as they are at present organized can accept the responsibility for providing the normal auxiliary classes, if that is the correct adjective that I am employing. But there are still individual students who can be assisted to a great extent. However, the financial responsibility for this is really too heavy to be carried by the assessment in a good many of these areas.

I would suggest to the hon. Minister much more could be done to provide assistance for the school boards under these circumstances.

Vote 509 agreed to.

On vote 510:

**Mr. Chairman:** With reference to vote 510; rather than deal with it under the classifications, it might be advisable if the members of the House would like to deal with it under a sequence of items, because there is a duplicate of the same type of technological institute and vocational centre. So would you like to deal with them item by item under vote 510?

On item 1:

**Mr. Nixon:** It might be under item 1 that the Minister could give us some further information about which of the institutions listed under this vote would eventually come under the jurisdiction of the community college boards?

**Hon. Mr. Davis:** Mr. Chairman, I think I could state probably all of them will eventually come under the jurisdiction of the boards of governors of colleges of applied arts and technology. I cannot give members the specific timing but I think over a period of time all the institutions will come under the college boards.

**Mr. Nixon:** And in fact the technological and trades training branch could be done away with as the community college responsibility increases?

**Hon. Mr. Davis:** Actually, Mr. Chairman, the name of the branch has been changed now to the applied arts and technology branch.

**Mr. D. C. MacDonald** (York South): I would ask the Minister, is there any community college that will be open this fall that will be anything other than a new name for an existing institution?

**Hon. Mr. Davis:** Mr. Chairman, I assumed we would get into the discussion of the college of applied arts and technology programme perhaps under vote 519. I would say though in answer to the hon. member's question, yes, we anticipate or we are very hopeful that perhaps two or even three colleges will be starting this year that are not dependent on existing facilities. We feel that we can accomplish this.

**Mr. E. W. Sopha** (Sudbury): Mr. Chairman, I would like to address a comment or two to the Minister about the provincial institute of mining at Haileybury. I want to tell him that the mining committee was rather disturbed when it visited that provincial institute, which has been in existence for many years. I recall as a boy in the '30s, the institute was functioning at that time and still functions today under the very able direction of Principal Walley, who has devoted a good number of years toward trying to achieve the success of that institution in its proper field.

The select committee on mining of this House was far from satisfied and I think that feeling obtained with members of all political shades and beliefs about the success of that institution in attracting young men to our north country into the mining industry. We learned that there are fewer and fewer of our youths seeking a vocational in mining, an industry which certainly opens up wide horizons of opportunity for any who want to engage in it.

Now I look at the expenditure for that school for this year, $172,400, and it seems to me, indeed, to be a very modest sum for the institution and does not testify to a great deal of activity or anticipate much expansion in it.

I happen to know that young men come from all over the province. This institution is by no means reserved for the youth north of the French river, but attracts young people from all parts of Ontario who would seek a career in the mining industry and I cannot be otherwise than gloomy about the government's attitude toward that institute. I do not see any verve or determination in the government to make the field more attractive. Certainly in the higher levels of education, the technology of mining is a very sophisticated and elaborate art. I might say that we in Ontario are among the world leaders in mining techniques.

In the higher levels of education, very few young men are going into the field of mining engineering and the hon. member for Cochrane North, the chairman of the committee, will correct me, I am sure, if I am wrong when I say that scarcely a dozen young people graduated as mining engineers in all of Canada last year. That is a very depressing statistic when one considers the vast

amount of money that we produce from our mineral wealth in this province and contemplate the enormous number of jobs that are created in other parts of Ontario and Canada by the industry. Almost any statistic is available and it is said that for every man working underground in a mine, 8 or 11 or 14 Canadians are employed elsewhere in supplying that man.

To live in the north country acquaints one with the knowledge that the mining companies are rather desperate for skilled or semiskilled people in the mining arts. I imagine the large company in my own constituency would absorb the whole crop of the provincial institute of mining in any single year, leaving nothing for the rest of the industry, if we could attract them.

By way of comparison, and comparisons are often odious it is said, I observed that every one of the other several institutes in this province—there are 13 here in this vote, of which the provincial institute of mining is one and it gets the least amount, certainly a very niggardly amount compared to the provincial institute of trades, Toronto. But I must not dwell upon that. But then my friend the hon. member for Brant, perhaps if I mentioned something about Toronto—

**Mr. Nixon:** I do not run here.

**Mr. Sopha:** It demands $2,084,300. Probably every cent of it is well spent; but the mining institute at Haileybury can garner as largesse from this $850 million, only $172,000.

Now, probably there are good reasons for it and probably he can expostulate them to us, but I say that against this context that this institution—it is well known to the mining committee at least—has not expanded in the way that the prinicpal and those connected with it would hope that it would expand and attract ever-increasing numbers of young Canadians into the mining industry.

**Hon. Mr. Davis:** Mr. Chairman, I think I can give some explanation. I want to assure the hon. member for Sudbury that it is our desire to expand the facility at Haileybury, but it is difficult to attract as many people as we would like into the mining industry. I believe—and I am going from memory here—that the engineering and mining engineering courses at the university have had great difficulty attracting enough students to the extent—and I am open to correction here, but I believe they have contemplated, or are in the process at the University of Toronto, of discontinuing the mining engineering course. I will check this out specifically, but I think this is correct. I cannot tell the hon. member the reasons why young people are not as interested as one would feel that they would be in this particular course.

As far as the department is concerned we believe that we will have an increase in enrolment this coming September. We anticipate there may be 60 more students and we have approval for a rather substantial addition in the neighbourhood of $800,000 to $1 million for the institute at Haileybury, which will perhaps give some impetus to the programme.

The regrettable part, Mr. Chairman, is that the programme itself is well-recognized, not only in Ontario but we have had students from some portions of Africa on exchange. There was some interest a few months ago in sending some students from Ireland, I believe, to the institute at Haileybury. The course itself is well-recognized and as far as the department is concerned, Mr. Chairman, we would be more than pleased if we could interest more students. At the same time we cannot build a facility if we feel that the student interest is not there, but we are planning this addition of something close to $1 million and this may give, in fact I am sure that it will, some impetus to the programme. It will give roughly 130 additional pupil places, bringing the total capacity of the institute up to the figure of around 280 students.

**Mr. Chairman:** Vote 510, item 1.

**Mr. Nixon:** Mr. Chairman, item 1 dealing with salaries must surely involve the policy matter concerning federal participation in the continuing costs of the vocational schools that have been built in this province since the beginning of the federal-provincial programme some years ago.

**Hon. Mr. Davis:** Mr. Chairman, I do not want to interrupt the hon. member, but it would all depend on which vocational school he is referring to. If it is post-secondary it would come under a portion of this vote. If he were referring to, say programme 1, the admission to the high school programme, it would more properly be discussed, I would think, under vote 514, the federal-provincial agreements.

**Mr. Nixon:** It was in connection with the vocational schools and so I will leave that for a few moments and ask my hon. friend which of the federal programmes are administered by his department. Does the responsibility for all five programmes, as well as

the additions since, come under the hon. Minister's department; or does he, in fact, share this with the Minister of Labour to some extent?

**Hon. Mr. Davis:** Mr. Chairman, there are actually ten programmes under federal-provincial agreement. We administer, as I recall, eight out of the ten. Programme 6 for the handicapped is a shared programme, and programme 4 we share with The Department of Labour, and perhaps programme 7. Because programme 10 is research, which is also shared to a degree with The Department of Labour, and we would hope with other branches or institutions as we bring them into the programme 10 field. We have not fully utilized, in my view, the facilities or the part of the programme which deals with research.

**Mr. Nixon:** Does The Department of Education have any shared responsibility in the on-the-job training programme that has been inaugurated in the last few months?

**Hon. Mr. Davis:** Mr. Chairman, if we can explain it this way: If the training is on the job in the factory itself and is related to the acutal production techniques, that is, just the skill part of it, this is done by The Dement of Labour. Where it is a combined programme of both skill training and also some academic background or academic material, this is shared with The Department of Education.

Generally speaking, The Department of Education has the responsibility for the academic nature of the on-the-job or skill training; The Department of Labour administers the specific skill situation.

**Mr. Nixon:** I was interested in the hon. Minister's report, at least in his introductory remarks which takes the place of the Minister's report.

**Hon. Mr. Davis:** I will have it for you tomorrow, perhaps.

**Mr. Nixon:** Perhaps there will be some remnant of the estimates with which the Minister's report will have some significance; but I was interested that he has reported the number of people participating in programme 5 has grown very large over the last year, even though our employment rate is also very satisfactory. Particularly in the city of Toronto there has been some considerable handicap with the development of programme 5 because of the unfortunate lack of facility and the slowness of the government to provide these facilities.

I believe it has been for the last two years that we have had announcements by the Minister that the adult education centre would be in the works during the following year. He now announces this again and says that planning is proceeding actively. I wonder if he can give us a more definite statement as to the acquisition of the site, how far the plans have proceeded and when the programme 5 students may have an opportunity to use these facilities?

**Mr. Chairman:** Before the Minister answers this question, I was wondering if programme 5, Mr. Minister, would then come under the federal-provincial agreement under vote 514?

**Hon. Mr. Davis:** Mr. Chairman, I think technically it does. I would be quite prepared to answer the question now.

**Mr. Chairman:** I thought there may be other questions under that particular vote at a later time, if the member would defer it until then.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I wonder if I could follow up on my colleague from Sudbury.

As I think the hon. Minister knows, I have just been visiting a number of mines in the north and I would like to reiterate the desperation on the part of a number of the mine managers to get help. In talking to them there was a concern that the attitude of people who do not know mining, and I include myself in this, is that mining is going down into a dark pit, and I think of such novels as *How Green Was My Valley*, and this type of thing. It is a very tough, dreary existence.

Yet, in talking to some of the miners there is a certain love for this kind of life. I had wondered if the mining industry itself is doing any proper promotion with young people through the schools prior to going to the provincial institute of mining or through the educational system, whether there are any suggestions of trying to clarify at least what the work conditions would be in a mine.

**Hon. Mr. Davis:** Mr. Chairman, the advisory committee of the institute at Haileybury is composed primarily of personnel from the mining industry. This advisory committee has on its own initiative to a substantial degree introduced scholarships for students wishing to, or proposing to attend the institute. They also have visitations to the schools but while I am not an expert on the mining field myself, I think perhaps we are talking about different categories of personnel.

I understand there is a shortage of personnel in the mining field, perhaps not more than at the technological or technician level, and this is the type of student that is being educated at the provincial institute of mining at Haileybury. I am not sure but I think the information that the hon. leader of the Opposition has, refers also to the other group of employees who are so necessary, and I understand the mining industry is having difficulty in obtaining this type of personnel. But the advisory committee itself is making a concerted effort to attract people into the technology or technician level of the institute of mining.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman** (Windsor-Walkerville): May I ask the hon. Minister, Mr. Chairman, if bursaries and financial aid would come under this vote in respect to students attending institutes of technology, or under another vote?

**Hon. Mr. Davis:** No, they will come under the vote in The Department of University Affairs—the award of student aid programme.

**Mr. Newman:** Mr. Chairman, may I ask the Minister then, the present status of the educational complex in the city of Windsor?

**Hon. Mr. Davis:** Yes, Mr. Chairman, the site has been purchased, and approval has been given for the planning of the vocational centre portion of the complex in Windsor. But it is anticipated that the whole programme will be turned over some time in the very near future to the college board.

**Mr. Newman:** May I ask when we can expect tenders to be let for the programme or is that going to be the board's responsibility?

**Hon. Mr. Davis:** This is a matter which will be discussed with the board just as soon as it is in operation. The board has been appointed, as the hon. member knows. I understand they are to have their inaugural meeting within the next few days and this will be one of the matters raised with them, whether the board will carry on the physical construction of the facility or whether they will wish the government to continue on under their present plans.

**Mr. Newman:** May I ask the Minister when he contemplates the use of the school for students? Has he suggested to the board a target date as to when it should be opened and should be admitting its first student?

**Hon. Mr. Davis:** Mr. Chairman, we have not had any discussions of this nature yet with the board. Incidentally, we have just a slight delay at the moment. We are waiting for the appointees from the city of Windsor to the college of applied arts and technology board. This is one slight hitch which I am sure will be cleared up very shortly but we are waiting.

**Mr. Newman:** Mr. Chairman, may I tell the hon. Minister that we have been waiting for these things from this department for well over three years and there always seems to have been a hitch. He always seems to find someone to lay the blame on.

**Hon. Mr. Davis:** Not at all, not at all.

**Mr. Newman:** Not actually on his own shoulders, because he knew the facility was needed in the community, and he knows the condition of the facility that is in there at present. There certainly was a lot of foot dragging on the part of this department when it came to providing the municipality with this much needed facility. The fact that there is a skill shortage in the community today is a responsibility of this government.

**Mr. Chairman:** Vote 510, item 1, item 2—

**Mr. Nixon:** Mr. Chairman, the Minister has said in the foreseeable future most of the schools listed under this heading will have been absorbed into the community college system. Some of these facilities are used by people in trades training from all parts of the province. I think particularly of the automotive and allied trades and there are others. It is necessary for the students to come from some considerable distance to avail themselves of these facilities if they are going to get certificates that are valid and permanent.

Does the hon. Minister feel that by putting these together in a school here in Toronto, he will fill the need for, let us say, automotive and allied trades training for certification purposes across the large area that is at present served by these schools?

**Hon. Mr. Davis:** Mr. Chairman, perhaps the hon. member does not fully appreciate that we have the same courses available in Ottawa, and at the vocational centre at Sault Ste. Marie. These courses that you refer to here, and I believe in London as well, will be offered in these various centres as they are developed. They will not all be concentrated by any means in the city of Toronto.

**Mr. Nixon:** But I understood the hon. Minister to say in his remarks some days ago

that some of them would be put together in an institution that would not be completely comparable to the community colleges as we are growing to understand them, but that they would be in a somewhat different type of institution centred in this city. I believe he called it a city college, as if it would have some different purpose.

**Hon. Mr. Davis:** Mr. Chairman, I do not know that we suggested it was different. I think, as I recall my remarks, I suggested that the council of regents was now studying the advisability of putting together the existing facilities here in the city of Toronto, including the proposed adult education centre into a city college. When I say a city college, I mean a college of applied arts and technology, for the city of Toronto.

**Mr. Nixon:** With a programme 5 emphasis?

**Hon. Mr. Davis:** Yes, and an expanded programme.

Items 2 to 6, inclusive, agreed to.

On item 7:

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, just before you pass this—I gather item 7 will pass the vote according to your pervious indication—might I ask the hon. Minister what plans he has for expansion of the provincial institute of trades in Toronto?

**Hon. Mr. Davis:** Mr. Chairman, this is the area that I referred to earlier in my remarks to the hon. member for Brant. It is at present being studied by the council of regents—the possibility of putting all these facilities under one college board. Then the decision would be whether to expand the facilities, say at the existing Nassau street school, or whether to incorporate some of the facilities into the new centre on Christie street. I cannot tell the hon. member specifically what provisions will be made for expansion at this stage.

**Mr. S. Lewis:** Mr. Chairman, I do not know when the Minister was last at the provincial institute of trades.

**Hon. Mr. Davis:** Not too long ago.

**Mr. S. Lewis:** Frankly, I was at the provincial institute of trades not too long ago, and I admit that it was an exhilarating experience, because it is a most impressive educational plant. But the pressures on the provincial institute of trades, I suggest, Mr. Chairman, are nearly intolerable. The pressures on the students and on the staff are nearly intolerable. It would serve well for hon. members of the Legislature to view what is unquestionably one of the finest plants of its kind, and recognize that we have overburdened it to the point where it is very difficult indeed to cope.

One is reminded, as one looks in the vice-principal's office to the programming schedule for classes and courses, of a computer for a war game, because it is absolutely impossible at this point to intelligently plan and work through the schedules and the classes involved.

It is also worth noting, Mr. Chairman, that in some of the most important areas of trades training—I can think of the electrical section, the bricklaying section, the plumbing section, and several others—the pressures of overcrowding on the students and the pressures therefore just in sheer time and atmosphere of the class were not conducive to the kind of trades training development which one would wish.

I know that the hon. Minister feels strongly about this, but I think I am conveying the feeling of many of the staff, and certainly large numbers of the students, when I say that a goodly number cannot enter because of the pressures, that those there are working under, conditions which should not be permitted to exist very much longer, and that something rather urgent needs be done, and needs be done in the immediate future.

I really suggest to the Minister that it is not sufficient to wait for a review, to see whether the provincial institute of trades is incorporated into a college board, and what kind of board, and where the plant will be extended. It may not be possible to extend the physical plant now on Nassau street, in which case I suggest to him that there must be some kind of temporary arrangement in another part of the city, because the present circumstances are simply not acceptable to any kind of reasonable trades training.

**Hon. Mr. Davis:** Mr. Chairman, as I stated, this is under study and I can assure the hon. member the study will not take too long. I think it is obvious, and the hon. member has visited the institute, that one would think very carefully before you put any substantial addition to that existing facility, and that it might make greater sense to develop a more comprehensive facility in some other geographic location.

Actually, we are in the process of renovating both the institute and the existing automotive section, so that we can have greater flexibility and also greater accommodation, but we do not regard this as a permanent solution to the problem.

**Mr. S. Lewis:** I appreciate that.

Mr. Chairman, I have another matter in relation to the provincial institute of trades, which I tell the Minister I am quite frankly raising on behalf of my colleague from Woodbine, who is not able to be in the House for the next little while. It was the matter that he raised with the Minister earlier in the session, I believe it was in the month of February, relating to the parking facilities in the immediate viciinty and the fact that a distinguished group, known as the Kensington market businessmen's association, has been almost forced out of business—some of its members—by the absence of any parking facilities.

As I understand it, two municipal parking lots were built, financed in large measure by this association and the city of Toronto, and then those municipal parking lots were filled with student cars. I am not one to point a finger of blame, because I am not really that familiar with the situation, but I gather that the Minister was apprised of it.

A letter went to the Minister of Reform Institutions, a rather urgently worded letter, referring to a terrible situation of overcrowding and the destruction of business on the part of a large number of merchants. At the time, the Minister suggested that he might have some alternative in mind. Has he come to any conclusion?

**Hon. Mr. Davis:** Mr. Chairman, there has been no final conclusion, but I understand there have been negotiations with the metropolitan authority to use some of the land that is at present owned by The Department of Public Works, but is used by The Department of Education, to develop a parking facility there. The negotiations have not been completed, but we anticipate this could be an answer to the problem. It is just as great a concern to us in that we have staff who want places to park. We now have a number of students who are anxious for parking accommodation as well, so we are quite anxious to have the matter rectified.

**Mr. S. Lewis:** I would just echo it, Mr. Chairman, because it is pleasing that students have cars.

**Hon. Mr. Davis:** Apparently a lot of them do.

**Mr. S. Lewis:** Those of us who reflect on past experience will find that pleasing, but I will read one paragraph into the record, just to convey the urgency. I quote:

> However, the time has come for this association to say to you that the 200 merchants in the area are being forced out of business by the fact that the provincial government has taken no concrete action to alleviate this terrible situation.

Mr. Chairman, as a small businessman, you will appreciate the import of this more perhaps than any member in this House. This is a Tory government, which identifies with merchants and the merchant class, and I suggest strongly to the hon. Minister that he take some action.

**Mr. Sopha:** Mr. Chairman, I have made an inquiry about where the Ontario college of art is, and besides being down below Dundas street, I am told it is in University Affairs, but I see that it is not listed there either.

**Hon. Mr. Davis:** Mr. Chairman, the Ontario college of art does come under The Department of University Affairs.

**Mr. Sopha:** My friend from Brant tells me in former years it was listed, but if the hon. Minister tells me we can discuss it there, Mr. Chairman, that is fine.

**Mr. Chairman:** Is vote 510 agreed to?

**Mr. H. S. Racine** (Ottawa East): Mr. Chairman, on vote 510, it seems to me I asked the hon. Minister a question about certain areas, particularly the Ottawa area, and particularly with the vocational centre, and I mentioned the fact that a lot of French-speaking students had difficulty in following those courses. It seems to me I asked the Minister whether he intended to have part of that course bilingual and I think we could add to the Ottawa vocational centre possibly the northern Ontario institute of technology at Kirkland Lake where there must be a large number of French-speaking students who would have the same language difficulties. I wonder whether the Minister might have some comment on that.

**Hon. Mr. Davis:** Mr. Chairman, the matter is under consideration by the department. It applies, we find, primarily in the Ottawa area. We have not run into this to any substantial degree but we are assessing it as well in the Kirkland Lake area.

It is primarily in the Ottawa situation and I cannot give, once again, specifics to the hon. member. I can only assure him that we recognize the problem and it is not easy to work out bilingual classes in many of the technical subjects, but we are studying it and I think we can come up with some solution to the problem.

Vote 510 agreed to.

On vote 511:

**Mr. Nixon:** Mr. Chairman, this branch has been in operation for some years now and in my view it is not up to the expectations so glowingly put before the Legislature when it was inaugurated. No doubt the work of the branch has been suspended considerably, awaiting the report of the select committee on youth at which time it is even rumoured that it will be upgraded to the position of a full ministry on its own. I have no information on this but, of course, this has been proposed in the past and many times.

Mr. Chairman, I know that you will agree with me that the problems associated with youth in general are very great and a good many of them are of the type that cannot be handled by the formal school system. Each day we read of the problems of unreached youth; we hear of the difficulties in providing facilities for the training of those with special difficulties, and certainly it is apparent to all of us that those in the younger generation who might come under the jurisdiction of this particular branch are considerably out of touch with those in the direction of the affairs of government, and education in particular.

I wonder if the hon. Minister could justify the expenditure of $136,000 on this branch while we await the report of the select committee. I know he has referred previously to the fact that some conferences would be sponsored by the branch, but I would say to him that over the period of two years we have been disappointed by the results of the branch.

He began with a good staff and I feel that the people are competent, and yet as far as we on the outside are concerned the money has achieved little or nothing of benefit. I wonder if he might justify the further expenditure that is called for here.

**Hon. Mr. Davis:** Mr. Chairman, as the hon. member knows, we explained last year the purpose of this branch. Certainly to date, the hon. member is correct, we are eagerly awaiting the report from the youth committee.

In fact I recall that the member for Scarborough West was a little disconcerted that a grant was made, and it is included in this vote, to the Metropolitan Toronto committee on unreached youth, I think some $40,000, to further surveys until such time as the report came in. But at the same time the youth branch has continued its operation, and we feel with some genuine success.

The purpose of the branch as originally envisaged, and it really led to the creation of the youth committee, is to do research and to create some public discussion into the problems of youth not directly related to the school programme.

The director has, in conjunction with research officers, had a number of assessments made. I outlined to the House in my opening remarks on the introduction of my estimates the programme they are planning in the northern part of the province, which I think is a very important one and which will obviously have some influence on projected programmes elsewhere in the province. A good portion of this sum, Mr. Chairman, is devoted toward the programme that will be conducted in the northwestern part of Ontario this coming year.

Included in the $75,000 for the surveys and investigations is the amount of roughly $40,000. It has been allocated to the social planning council or the group that has been established here in the Metro area to look at the Metro situation in particular.

The youth branch, Mr. Chairman, is primarily an agency of research to endeavour to look into and relate the programmes as they are being established or contemplated for the young people of this province. It is still a relatively young branch, and as I said we do anticipate with eagerness the recommendations of the youth committee. But I would say in fairness, Mr. Chairman, the youth branch has made a very solid contribution to date.

**Mr. Nixon:** I wonder if the Minister could tell us what the professional staff is that serves this branch?

**Hon. Mr. Davis:** Mr. Chairman, the director of course, is Mr. Thomas. There is complement for a research officer in education, Dr. Nazami. We have approval for a research officer in both economics and sociology, and these two positions we anticipate will be filled in the very near future. So there will be three research officers, together with the director, in the branch.

**Mr. J. P. Spence** (Kent East): Mr. Chairman, under this heading "youth enterprises," in some of our communities and towns and villages across the province of Ontario community leaders and recreational directors have carried on a youth enterprise organization and they are doing a tremendous job for those high school students, girls and boys,

who want summertime employment. Of course the girls are given instructions as to what is expected of them as waitresses in restaurants, clerks in stores and babysitting; the boys are trained in operating farm equipment and also as gasoline station attendants and many other lines of endeavour.

I wonder if The Department of Education gives any grant toward these groups which are carrying on such fine work in giving training to young people along certain lines to enable them to earn a few dollars in the summer months.

**Hon. Mr. Davis:** Mr. Chairman, there are no grants under this section of the estimates. I think that there is a possibility that these groups receive some assistance through the grants to the recreation commissions. I cannot say this for sure, because I am not sure from the hon. member's question whether he is referring directly to recreation commissions, but there are grants available from the department through the community programmes division for recreation commissions in the various municipalities and I would assume that these are the agencies that are doing this work. So while there is no direct grant, more than likely for the individual programme there is the general grant to assist the recreation commissions in the various municipalities.

**Mr. Nixon:** Mr. Chairman, there has been some considerable interest expressed in a co-ordinated approach to the provision of jobs in community service for our young people, particularly during the summer holiday. Many of these young people have sufficient initiative to go out and get jobs to provide themselves with money to help them with their education, but much of their enthusiasm and idealism could be harnessed, I suppose, more efficiently in the service of the community.

The hon. Minister knows that this has been suggested from this side before, but it seems to me that the youth branch might very well embark on a programme whereby they co-ordinate the opportunities available in the government departments as well as at the municipal level in recreation and camping so that the young people in communities right across Ontario might come to this branch, or offices maintained by The Department of Education in this connection, and have an opportunity to serve the community and serve themselves at the same time.

I would strongly urge that the hon. Minister instruct his advisors in the youth branch to look into this, and I wonder if he feels that it would have some value as a project that the branch might take on.

**Hon. Mr. Davis:** Mr. Chairman, the hon. member actually made this suggestion a year ago, as I recall, or a somewhat related suggestion. In the programme that is being initiated in northwestern Ontario this year there will be discussions along somewhat similar lines.

Interest has been created, we understand, in southern Ontario as well for some such programme; but our studies, our discussions in the phased programme in northwestern Ontario, will consider this aspect the hon. member has suggested. I am not in a position at this point to state whether in fact it is practical, but certainly Mr. Chairman, it is worthy of consideration and it is planned to bring about these discussions when the northwestern programme gets under way.

**Mr. Sopha:** Mr. Chairman, I listened with considerable interest to this discussion and I am sure that, as a result of it, my friend the hon. member for Brant, who is much more acquainted with the workings of this department than I am, is in a state of quandary as to what this branch is supposed to do. In fact in that regard I have proof, because he told me so.

**Mr. Nixon:** Right!

**Mr. Sopha:** That he is still in a conundrum; and perhaps the Minister is too, as the member for Windsor-Walkerville has averred behind me.

Now it strikes me that something very useful might be accomplished in this branch. I would prefer any positive steps toward assisting our youth to order themselves to live in a civilized community from this branch; more than I like to see the harangues of a magistrate appointed by the hon. Attorney General about the Yorkville incident and what he is going to do to the malefactors when they come up before him.

These, after all, are our young people, in whom will reside the future of this country. It strikes me as a layman, and with no expert knowledge at all, that it might be very useful to co-ordinate all the programmes within the government directed towards fostering the best development of our youth. I can see no reason for the life of me that the hon. Minister of Labour should have within his department a little bit of largesse for dishing out hockey sticks if you happen to be a friend of the Minister of Labour or you can get his ear or you know somebody

in the department and you have a scrub team on some pond somewhere back at Kenora, he will give you $29 to purchase 15 hockey sticks if he is in a good mood that day. I see no sense in that at all, because the development of the best qualities in adolescents has nothing to do with The Department of Labour at all.

I do not think we are very fit in this province; if we are over 35 we are probably terribly unfit for any strenuous exercise. Look at our friends to the left if you want proof of that proposition; they are out of shape, you can tell by looking at them they are out of shape.

**Mr. Chairman:** On vote 511, please.

**Mr. Sopha:** It would seem to me that if we are concerned about fitness, it is the physical fitness of our youth that we ought to be concerned about, people in the teens. Then I say to the Minister through you, Mr. Chairman—

**Hon. Mr. Davis:** We do that during the school programme, Mr. Chairman.

**Mr. Sopha:** They are supposed to, but they are so busy with so many things in their curriculum, they have no time.

**Hon. Mr. Davis:** Oh yes, they do.

**Mr. Sopha:** Now there are members of this House who want to put car driving on the curriculum to further fill up the day.

**Mr. MacDonald:** It might be a good way to save your life.

**Mr. Sopha:** It might be. It might be a social purpose to put bridge playing on too, or basket weaving or all sorts of things, if there were the time.

But I think it would be the better part of good sense to put the fitness programme in this youth branch and make the branch meaningful, have it do something really constructive and attempt to develop some sort of verve that indicates that the government wants to do something positive toward the development of our youth. I see no sense at all in spending $136,000—a minimum amount, considering the hundreds of thousands of young people there are in this province—on some half-baked scheme designed to foster the qualities that we want to instil in our youth. If we mean business in this big department, that is small change—and certainly I do not think it is unfair to the hon. gentleman to say that in a department spending $850 million, $136,000 probably gets lost.

**Hon. Mr. Davis:** We do not lose track of it.

**Mr. Sopha:** The ninth door down the hall has charge of that. I merely plead—and I am disturbed, as a good many fathers are disturbed in this province—about some of the tendencies among our youth and some of the behaviour they seem to be indulging themselves in. But I am not going to be a pessimist either and think that every new generation is going to the dogs because every senior generation thinks that about the younger generation at any particular point in time. But now having passed the forty-second mark I am disturbed with a lot of people about some of the activities, and particularly this Yorkville business, that seems to be a bit aberrational and erratic on the part of our young people.

In this day of positive government where we use government to its very best ends in ameliorating the condition of our people, it strikes me that here is an area where government can take a tremendous lead to foster the things that we want to foster in the young people of this province. So I add my plea to that of my friend, the hon. member for Brant, who says that in two years it apparently has not achieved much in the way of results. Let the Minister come back next year, if this Parliament lasts another year, and report to us that here are the things that we have done with the $136,000, and if in the interval he thinks of something else that might be done or he receives suggestions from members of the House for the use of these moneys, then he can go to the hon. Minister of Municipal Affairs on the Treasury board—and he really runs the Treasury board—and say to him, "Give me some more."

For example, an illustration: I went to the government, and I am not very successful in getting coin of the realm out of the government, but I went to the government and I said, "Here is a school band that is projecting a trip to Mexico during the summer holidays. It is a very good band and 80 people play in this band—"

**Mr. MacDonald:** From Sudbury?

**Mr. Sopha:** Oh yes, in Sudbury; you would not expect me to be looking for largesse for a band from Duntroon, would you? I went to the government and I said, "Is there any financial assistance available to assist these people? It is going to cost X thousands of dollars for these young people to go to Mexico to establish cordial relations with their Mexican counterparts and the Mexican

people will enjoy the music this band plays, because it is a very fine band." I was given the cold shoulder; I was treated courteously but turned down. "No, there is no money."

Well, here is the very vote and here is the very branch of the department that likes to call itself progressive and looks over the horizon at new developments. Here is the very vehicle that could handle such projects, consider whether they are worthy and make the decision, and some of these funds could be used to foster activities of this nature. I do not think in saying all that that I am occupying the time of the House unnecessarily. I am echoing the concern of a good many people outside this House about what our youth are doing.

They were not concerned when this nation went through a period of war because we had something for our youth to do that instilled the very best qualities in them and they came out of it perhaps better off than when this nation went into that war. But we have no national crisis of that nature now and we live in a time of great affluence where many houses have two cars and father has the extra $10 bill to hand to the son to go out on a social evening. A lot of people outside this House wonder if the same resilience and fortitude exists in our youth as in yesteryear.

I say let the government take the lead and show the paths along which these immature and developing personalities can develop. That is my simple plea put as simply as I can.

**Hon. Mr. Davis:** Mr. Chairman, may I just very briefly reply? I regret the hon. member did not receive any financial support for his band going from Sudbury to Mexico, but I sincerely doubt that this would be the appropriate spot to allocate sums for this specific purpose.

I am also delighted to hear the hon. member for Sudbury express some optimism about the young people of this province, because I share this optimism, in spite of some of the criticisms we hear from time to time. But I would suggest to him, if I can put it in these simple terms, I think there is a general awareness of what the young people are doing, and I think the prime purpose of the youth branch, and it is very hard to identify and explain, is not to discover what the young people are doing, but why the young people are doing it. Why are the young people going to Yorkville; why are there problems?

We know that there are problems but the difficulty is to find out why, and this, if I can put it in these very simple terms, Mr. Chairman, is the function of the youth branch, and it is a very difficult problem to resolve. I am sure the hon. members here have discussed it with social workers and so on. This is not a programme to stimulate activities that could be part of the regular school programme, or with groups like you have, say in your band. I would suggest these are not the young people that need to be reached.

We are concerned about the youngsters who are, as we say, at Yorkville or other such places here in the Metro area and elsewhere throughout the province. Mr. Chairman, if I can put it in that very simply language, we are trying to find out why the young people think as they do and what they are doing.

**Mr. A. H. Cowling** (High Park): Mr. Chairman, on that—

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** I never saw anybody sit down so reluctantly in my life.

Mr. Chairman, it was not my intention to make any comment on this branch, because I did not think I had anything of significance to say, but after that Niagara of words flowed over me, from the hon. member for Sudbury, I found that my physical fitness was challenged and I am going to rise to make a brief comment with regard to it.

His colleague is in a quandary and he is in a conundrum with regard to what this department is doing. I want to make a rather critical suggestion as to what this department is doing. It is trying to rescue itself from a pre-election promise and find a purpose.

**Hon. Mr. Davis:** Not at all.

**Mr. MacDonald:** This department first came into being in its embryonic stage as an idea before the last provincial election, and quite frankly I think it has had considerable difficulty in finding out exactly what would be its most useful role. Certainly I have heard statements and speeches made with regard to the youth branch which envisaged a much broader programme of activities than one of research.

Now, I would agree with the hon. Minister, as he has just spelled out, that this is a very useful thing. I think it can provide some useful guidance to people who are a little confused and disillusioned and sometimes a bit terrified as to what the younger generation is doing. But the hon. Minister himself said, a moment ago, that he is waiting anxiously for the report from the select committee, because I think the report from the select committee is finally going to provide a programme of some breadth that

would be worthy of a separate branch. The fact of the matter is you have a branch with a budget of $136,000 and $75,000 of it is for surveys of various things. Grants for surveys could have been put in half a dozen other branches of this department just as readily, they just happened to be fitted in here.

I repeat, and just try to sum up that I think this branch started on its way without too much purpose, it has achieved at least the temporary purpose of research. It is seeking for its full purpose when it gets the report from the select committee, but it all began that little course back at the time of the last appeal to the people of the province of Ontario.

**Hon. Mr. Davis:** Mr. Chairman, I do not want to argue with the member for York South, but my recollection is, and I can even recall the speech, it was not related to the election. It was made at youth day, or young Canada day at the CNE. The objectives of the branch were set out, perhaps not in great detail, at that time. I would say very sincerely, Mr. Chairman, it was not related to any election promises.

The speech was made, and I cannot give you the specific date—

**Mr. MacDonald:** What was the year?

**Hon. Mr. Davis:** Well, it was in August, I cannot give you—

**Mr. MacDonald:** It was in August of 1963, right in the middle of the election campaign.

**An hon. member:** 1964!

**Hon. Mr. Davis:** No, it was in 1963. My officials are debating whether it was 1963 or 1964. My recollection was 1963.

**Mr. MacDonald:** It was in 1963, and the first two weeks of the election campaign.

**Hon. Mr. Davis:** Mr. Chairman, the programme and the decision were made well before the Minister knew anything about any election; and the speech was prepared, Mr. Chairman, the early part of July and the programme was approved by Treasury the early part of July.

**Mr. MacDonald:** Well, it is rather remarkable that the speech was prepared the early part of July. The election was called on August 15, and the speech was delivered the last two weeks of August, within a month of voting day in September.

**Hon. Mr. Davis:** I should not say the last two weeks, whenever young Canada day was at the CNE that year. I assume it was the last two weeks in August.

**Mr. Cowling:** Now, Mr. Chairman—

**Mr. MacDonald:** How does this fit into the insurance company business?

**Mr. Cowling:** Mr. Chairman, I sat down reluctantly because you do get in the habit when you are sitting in that chair—I have had the experience myself—of looking to that side all the time, expecting somebody to pop up and make a speech and you leave our side in limbo, not expecting them to say anything, I guess.

But the hon. member for Sudbury said something in his gush of words there that reminded me of something that I should say.

He mentioned that during the war years we did not have so much of a problem with our youth because they had something else to do, and I think that in this youth branch the hon. Minister mentioned that they have a research department. I think they ought to give a little research to the re-establishing of the cadet corps.

In many of the schools and the high schools in Toronto it is almost a thing of the past. I always thought the cadet corps was something very important, a very important part of the educational system. But there have been some changes made in recent years and I do not agree with it. So, I think I would like to suggest to the hon. Minister, Mr. Chairman, that he direct the researchers to look into this situation.

As a matter of fact, when we talk about our youth and we talk about the problems in the plazas and Yorkville and what not, I think if we had compulsory military training in Canada, as they have in some other countries, that we could certainly find a place to assist our unreached youth.

**Mr. MacDonald:** That is a good Tory solution.

**Mr. Cowling:** Sure, it is a good Tory speech. It is a good speech, too.

I think it is one of the solutions. I do not say it is the solution.

**Mr. MacDonald:** Do you want—

**Mr. Sopha:** The hon. member—

**Mr. Cowling:** Now, wait until I finish on what I am talking about. You know you have a great habit over there of sitting in the seat

but getting in the jibes. I noticed this afternoon when your leader wanted to say something and he was on his feet, you were seated but you were making more noise than he was. So if you are going to speak, get up.

**Mr. Chairman:** Order!

**Mr. Sopha:** Mr. Chairman, would you tell him—

**Mr. Cowling:** Wait a minute, is this a point of order? Who is making this speech?

Interjections by hon. members.

**Mr. Chairman:** Order! Will you address the remarks, the questions and answers, through the chair, please?

**Mr. Cowling:** Thank you, sir.

**Mr. Sopha:** I do not want to speak anyway.

**Mr. Cowling:** That is good, we have just about had enough of you for today anyway.

**Mr. Chairman:** On vote 511, please.

**Mr. Cowling:** I will just finish on this point, Mr. Chairman. I think that cadet training is something that the researchers could look into and I am an advocate of giving our youth an opportunity to participate in army training.

**Mr. MacDonald:** Does the hon. Minister consider this a high priority?

**Mr. Chairman:** Shall vote 511 carry?

**Mr. Thompson:** I am interested in this, Mr. Chairman. There are ideas being thrown to the hon. Minister, for example one which I think you are taking seriously in your party from the hon. member for High Park, and he has raised the point with a great deal of fervour, of compulsory military training as a solution to the problem of our youth today. It is a question should you give this priority. Could we have an answer from you on that?

**Hon. Mr. Davis:** Mr. Chairman, I did not really know that the hon. member for High Park was interested in compulsory military training. This is obviously something that would fall within the jurisdiction of the federal government. It has nothing to do with the school system at all, Mr. Chairman.

**Mr. MacDonald:** Mr. Chairman, I suggest you deal with this on the next agenda of the Conservative caucus. Obviously this has to be settled in secret before we can discuss it here.

**Mr. Thompson:** I apologize for asking this question, but what research projects are you doing and what is the qualification of the staff to carry out the research projects?

**Hon. Mr. Davis:** Mr. Chairman, we have complement for three research officers, the first one is Dr. Nazami. We have complement for a research officer specializing in economics and one in sociology.

There are three studies that we are contemplating, one that will actually be done by the social planning council of the city of Toronto with moneys provided by The Department of Education. I gave to the House some months ago the specific personnel, I do not have it here with me tonight. I could get it for the hon. member. But there is a very qualified individual, as I recall, who was a former resident of Toronto, coming from the University, I believe, of Kansas, but I am not sure. I gave this information prior to this in the House. The other study—

**Mr. Thompson:** This is being done by the social planning council, what will the study be?

**Hon. Mr. Davis:** This will be "Unreached Youth"—this is the term they are using in the Metro area.

The second study—and this will be done by the branch itself—will be a six-phase project and a six-community study in northwestern Ontario in co-operation with the Quetico conference and training centre. The study will extend over a two-year period and includes investigation and interpretation and evaluation. The first phase, which will take six months, includes visitations to communities for interviews with key persons in education, industry, labour, recreation, police, welfare and youth, to discuss problems and to invite participation in the project.

The second phase, which will take place in the fall of 1966, will be a five-day seminar at the Quetico conference and training centre for the study team members to gain understanding of the economic and social trends in the society of which youth is a part. A seminar document providing information about population, education and social and economic conditions and trends in northwestern Ontario will be prepared in advance of the seminar to take place this coming fall. During the seminar, we hope that commitments to community study by community study teams will be sought, and research instruments developed.

The third phase which will cover roughly three months, will be community study teams

collecting data relative to their respective communities in northwestern Ontario.

The fourth phase, Mr. Chairman, which will be roughly the winter of 1967, will be a further four-day seminar at the Quetico conference and training centre, which will be held so that the community study teams may interpret the data collected. The extension, expansion and innovation of programmes of education and recreation and employment—and this is the part the hon. member for Brant asked to be considered—will be considered during this fourth phase.

The fifth phase, Mr. Chairman, will include follow-up visits made to the communities and seminars arranged where necessary to evaluate what progress has been made. It also felt that we might develop a similar type of research project for northeastern Ontario. We are also considering—and I say this, Mr. Chairman, just as consideration—studies based in Walpole Island, the Smiths Falls area, and perhaps in Sarnia, and it is expected this whole area of research will be expanded by the youth branch as the year progresses.

This, roughly, Mr. Chairman, is what the branch is contemplating.

**Mr. Thompson:** Mr. Chairman, through you I thank the hon. Minister for clarification on this. I am curious to know that the community programmes division, which works on projects of community development and recreation with youth, has not done studies—

**Hon. Mr. Davis:** Not just with youth. The community programmes division works with the community.

**Mr. Thompson:** I said that, Mr. Chairman, but I also suggest that there is a concentration on youth and I am thinking of a number of the groups which they have—for example, square dancing—and I believe that goes into many age levels. The number of conferences that I have seen of the community programmes division have been on youth. When I say youth, I mean 30 years or under.

The other thing is that I notice you will get under The Department of Agriculture the 4-H clubs, and you will have at Couchiching, the junior farmers' programmes, and a conference on leadership. In other words, dotted throughout the whole of the government there seem to be different departments that go in for youth leadership and conferences and studies on recreation and development of community recreation areas. Surely there comes a point when this should be tightened in and co-ordinated under one branch.

I would suggest to the Minister that I imagine this department called youth branch, is all-embracing and covers rural youth and urban youth and so on, so that they should really give consideration to giving some co-ordination with the other departments which are also working with this one and which have done such studies as the Minister mentions his youth branch will do.

**Hon. Mr. Davis:** Mr. Chairman, I cannot speak for the other departments but I doubt whether studies of this nature have in fact been done. And I think we are talking really about two, shall we say, different situations. At the leadership camp the department runs at Lake Couchiching and Park lake, we take students—usually good students—usually good students with some athletic interest and so on—who move from the grade 12 or 13 area into two or three weeks at these various camps. Mr. Chairman, we are not really seeking out answers with respect to this group of our young people. We are looking at unreached youth or how best you want to describe it. I think they are really serving two different functions.

**Mr. Thompson:** Mr. Chairman, I would still like to emphasize to the Minister I think it would be a very good idea to have a look at what these other departments are doing because there are grants to YMCAs, there are grants to a number of groups who are trying to work with so-called unreached youth and draw them into community activities.

Vote 511 agreed to.

On vote 512:

**Mr. MacDonald:** Mr. Chairman, I am a little sore put to know where one divides a discussion of libraries this year when we have the Act that is before the House and we have this particular vote in The Department of Education.

But I would like to deal with some of the points that were raised in the St. John report which I do not think have been given very much publicity up until now, and then put the question to the Minister as to whether or not this government is really rising to the challenge and moving with sufficient vigour to cope with the deplorable situation which the St. John report indicates for the province of Ontario. If I may just hit a few of the highlights in the St. John report, Mr. Chairman, I would like to bring this issue back to the consideration of the House.

**Hon. Mr. Davis:** Mr. Chairman, I am just a little bit interested. Actually, the section that would deal with elementary and secondary libraries comes under the curriculum division which was passed, but I assume the hon. member wishes to touch on this aspect as well. Really, it has been approved by the House, it was under the curriculum section. Also, I would suggest that if the hon. member wishes to get into discussion, say, as to the supply of librarians for public libraries, this would be appropriately dealt with in The Department of University Affairs. This is a suggestion that I would make. It does not really come under the provincial library service.

But, Mr. Chairman, as far as I am concerned, if the hon. member wishes to cover both elementary and secondary, and public libraries, perhaps this would be as appropriate a time to do it as any. But I just point out that the secondary and elementary library system really was in an earlier vote.

**Mr. MacDonald:** Undoubtedly the Minister is technically correct. I do not think anything on libraries has been discussed up to this point.

**Hon. Mr. Davis:** No, it has not.

**Mr. MacDonald:** It may be wiser that we deal with it all in one unit rather than trying to break it up into a number of its component parts.

The St. John report pointed out, for example, that in the province of Ontario, with 978 municipalities and 163 police villages, public libraries are located in less than one-half of them. Mr. Chairman, if one went no further than that, I think one has some indication of the paucity of services in terms of modern needs in a society where there is a great deal of interest in continuing education. He points out that the number of librarians in the 65 libraries serving populations of over 10,000 seems small; 34 have A certificates, 410 B certificates, 69 have C certificates, 30 have D certificates, for a total of 543 certified librarians. But 31 per cent of them were in the Toronto public library system.

So, once again, the kind of situation that you have across the province is one with very little professional guidance. In fact, the report states the situation in relation to the number of trained librarians in libraries of municipalities and police villages of less than 10,000 is dismal. In the 231 libraries in this population category, there are only 19 librarians with certificates. There are none with A certificates, ten with B certificates, four with C, and five with D. He points that average per capita expenditure for libraries in the province of Ontario in 1964 was $2.50 and it is suggested that the kind of per capita expenditure we should be aiming at, and which is established generally across the North American continent, is in the range of $4.47 per capita. This kind of discrepancy in itself is an indication of how difficult it is going to be to fulfil the services that we need.

Later, on page 97, he moves to the school library services, and his comment was that the school library situation in Ontario is dark at the present time. There are signs of progress within the past few years. Some of the larger cities especially have developed excellent school library systems. It is unrealistic to believe that adequately staffed and stocked libraries can be developed overnight. The trained staff is not available and education of school administrators and the importance of good centralized school libraries and their educational pattern will take time.

Again, on page 126, the report points out that if the experience of the University of Toronto can be considered typical, there are more than twice as many positions offered each year as there are graduates, a topic that we will take a look at when we get into the University Affairs estimates.

He also points out that there were three times as many applications for entrance to the University of Toronto school of library science, as they could accept for the school year of 1965-66. So that not only do we have a shortage of librarians, but we have inadequate facilities to train the librarians we are in such desperate need of.

Finally, on page 171, the observation that it would be unrealistic to conclude—or if I may:

> During the course of this survey we visited many fine libraries of various types but when library service in the province is viewed as an entity it would be unrealistic to conclude that the service is anything but below average in most parts of Ontario.

Without going into any further detail, Mr. Chairman, this is a pretty deplorable assessment from a professional. We have talked in this House, on the Opposition side, for a number of years about the state of our library services in the province of Ontario, but befor I move on to what the government is planning to do and pose a question or so to them, there are one or two things in the St. John report which I think are a little puzzling.

For example, I was struck in a newspaper story with regard to a speech by the parliamentary librarian, Eric J. Spicer, and I took the trouble to get a copy of his speech. He pointed out that the terms of reference of the St. John investigation were, and I quote:

> —to survey libraries of all types in the province and to prepare a long-term plan so that full library service could be made available to any citizen according to his needs.

Then he went on to point out that the biggest single library in the province of Ontario, namely, the national library, and various libraries around Ottawa, were not considered at all. They were not brought into the whole picture.

In both quantity and quality the federal government library resources are the greatest single source of library riches available in this province and in this country. You have the two national libraries, the national science library and the national research council. You have other libraries that back them up in the various departments, particularly The Department of Agriculture, and the 500,000 volumes in the parliamentary library, and other smaller but rather invaluable specialized collections.

Yet, none of these were taken into consideration in the assessment of the whole library service and what might be done and, therefore, Mr. Spicer asked a few questions. He said:

> Is Mr. St. John saying that federal aid is not required or is too slight to merit detailed examination? Can the provincial government really go it alone, and if it can, why has it been so niggardly for so long?

This seems to me a rather good question. He goes on to point out, and I hesitate to draw this to our attention because it is rather depressing, that if one moves to the American scene, you can go to the American library of Congress where they will have as many books as we have in all the libraries of Canada put together. He suggests that it is going to be impossible for us to match the kind of thing that has been done in the United States, either quantitatively or qualitatively, but suggests that surely we can improve over what we have now, if we plan co-operatively and do not compete with each other.

Therefore his concluding proposal was that librarians of the major research libraries in this province and throughout Canada should meet, accompanied by the executive heads of their institutions, as soon as possible to plan the future growth of Canada's critical library service.

One of the questions I would just like to list for the moment, for the hon. Minister's comment later, is: What is the explanation for a report that was to do this kind of comprehensive survey of libraries in the province of Ontario, and yet omits any consideration of, or even more important, any future integration of the largest single libraries in the province of Ontario, namely, at Ottawa, and the possibilities of their integration with a fuller library service in this province?

I was also interested in a couple of comments that were made in one of the teachers' publications in a couple of articles, one by Mr. M. H. D. Mogan, in comment on the St. John report. He notes that on page 130, the report implies that if a centralized processing in books was attained and enough clerical help was provided in the secondary school libraries, the number of trained professionals could be reduced. Then he adds that it is precisely at this point that a teacher-librarian will part company with Mr. St. John.

If I may just digress here, they have "Mr. Bascom St. John." That name apparently pre-empted the name "St. John" for so long that it has not got sorted out in many of the educational fields.

The teacher-librarian will consider that the professional work is just beginning at the very point where all technical data has been taken care of for him. It is in his knowledge of the courses of study in the schools and the realistic handling of the pupil in the school library that the teacher-librarian will consider his professional work to be on the educational level, rather than on the service level.

This particular teacher, Mr. Mogan, makes the comment that while the report states that in a 1,000-pupil school, the report calls for three or more librarians—an interesting lineup after having said earlier that at this point the professional needs would not become so great—there is a proposal for three or more librarians. His comment is, "This is expensive and it is also wasteful of teacher subject knowledge."

Two full-time librarians are sufficient if one teacher from each department was assigned two periods a month to the school library to examine his subject area, report back to his department on what is already there, and advise the librarian in duplicate

copies and on the areas in the collection that should be strengthened in the light of changing courses of study in his department.

Again I draw that particularly to the hon. Minister's attention, because it seems to me that here you have what strikes me to be a pretty sensible, critical comment on the proposals of the St. John report, within the specific context of education—namely, libraries in the schools themselves.

However, Mr. Chairman, my final comment, before I put the questions to the hon. Minister, is that the whole handling of this report, I must say to the hon. Minister, is a tribute to his adeptness when he has got a hot potato to deal with. This report, as I think most people know, was first commissioned by the Ontario library association. The report came back to them and presumably they felt that they should give it to the government, since the government was rather intimately involved in the financing and the provision of library services.

**Hon. Mr. Davis:** And in the financing of the report.

**Mr. MacDonald:** And in the financing of the report, too? I was not aware of that.

**Hon. Mr. Davis:** All of it.

**Mr. MacDonald:** In any case, before the report is made public, the hon. Minister has in effect launched his campaign to cope with the political consequences of its rather devastating revelation and critique of the library service.

I was interested in a comment of a person who is very knowledgeable in this field, namely, Douglas Fisher, writing in as imaginative a little publication in the library field as I have been able to come across, *The Northwestern Regional Library Co-operative.* His comment was:

> One could hardly have a better illustration of captive positions of librarians than the fact that the report which the association of librarians and trustees sought was converted on the instant into a ministerial lever; thus what was largely an indictment of The Department of Education and the government, became a PR triumph which has brought gushes of editorial approval to the Minister. Smart politics!

So much for acknowledging the political footwork of the Minister, but now if I understand correctly, grants up until this year were in the range of some $3,250,000 to libraries across the province of Ontario. The proposal now for this year for grants is going to be in the range of $5 million.

Mr. Chairman, as a citizen who is interested in this rather vital lifeblood of the whole educational process in its broadest sense today, when one has as devastating an indictment as you have of our library services, how can the Minister for one moment pretend that he is seriously seeking to improve them with that limited increase in library grants? I put that basic question to him, along with two or three others along the way. I trust he has made a note of them; I would like a comment on them.

**Hon. Mr. Davis:** I wonder, Mr. Chairman, if the hon. member for Brant has any observations he would like to make on libraries and then I might endeavour to answer them all at the same time.

**Mr. Nixon:** Mr. Chairman, the bill to reorganize the system was before us this afternoon and we will be dealing with it again Thursday morning, I understand, if the committee on education meets at that time.

The recommendations of the report call for reorganization of the library system in the general terms as put by my friend, the hon. leader of the NDP, and also for some reorganization within the department itself. The Minister has already announced that many of these reorganizational requirements have been met. Nevertheless, as I mentioned very briefly this afternoon, the overall programme of co-ordinating our library efforts has not been met even by the legislation that has been put before us.

The very elaborate system that has been developing over the past, let us say, seven years, in the schools, is still considerably inadequate according to the St. John report. He calls for adequate libraries in schools with an average daily attendance of 150 or more, whether they be elementary or secondary. It it obvious that these schools then must have their library efforts co-ordinated centrally and surely the provincial library service will have to assume considerable responsibility for this.

The St. John report, however, indicated that the overall control of our library efforts should be centralized in one branch of the department. I would assume that this would mean control of the legislative grants as well as the direction for cataloguing and processing, the liaison between the library schools and the employment services. All of these require considerably more co-ordination than has been made apparent by the estimates as they are before us.

I wonder if the Minister then would indicate whether in the next estimates that come before this House there will be a change in the organization as it appears here. Will the Minister indicate whether grants will be stepped up so that libraries can be put in economically in schools having an average daily attendance of 150 or more, and whether or not he will accede to the requirements set out in the report that grants for libraries in the less heavily populated areas are going to have to be based on square mileage as well as the number of people involved?

I understand from my reading of the report that it does recommend that when we consider the areas that have to be served by the library system in rural areas and in the northern areas of the province as well as a grant based on a per capita requirement, an extra $1 per square mile be allotted because of the sparseness of the populaton. It indicates the level of the support of the libraries, up until the estimates that we now have before us, was about 40 cents per capita and that in the years that lie immediately ahead—I believe he mentioned ten years—this would have to rise to $1 per capita. We have made a big jump in that direction already. I would assume that the Minister would expect this to be improved even more in subsequent budgets.

As far as public libraries themselves are concerned and their operating grants of $5 million, this comes in vote 515, but one thing that has always puzzled me is where the funds come from for the institution of a library from scratch. What is the responsibility at the local level; will the department assume more of the capital cost requirements than have been met in the past? It has already been pointed out that the number of libraries has been inadequate. I know all the members on both sides of the House favour the expenditure of sufficient sums to give us an adequate and correlated library service in this province.

According to the chief librarian for the metropolitan system—a man probably at the top of the profession—in news reports, if I understood them correctly, he still considers the legislation that has been presented to us as a patchwork in the development of libraries. I believe his view is that the emphasis must surely be on the development of the regional library and I have no doubt that those with responsibility in the metropolitan system feel that they should have some overriding responsibility in the cataloguing and processing of the books as they are purchased, through this grant, by the library system across the province.

I agree with the leader of the NDP that the Minister has handled the report well from his standpoint. I know we heard his comments as to the improvement of the library system well before the report was available to us as members of this House. I do not know whether this announcement was made before the report was available to those who had commissioned it or not. This is beside the point.

I, for one, am delighted that the Minister has seen fit to raise the vote to libraries to the considerable extent we see here. I do not suppose we would agree that it was sufficient with the circumstances being as they are. I do feel that many of the present organizations which were started many years ago and have not progressed as the years have gone by, have been bypassed by development in the library science and by the requirements of the community.

It is with these thoughts that I commend the action of the Minister based on the report. I would in one sense regret that it did not take place following debate of the report rather than before the report came before this House. The report itself, of course, calls for the Minister to be advised by a committee representing those interested in the library responsibilities at many levels. He did not see fit to acquiesce to this requirement but went ahead, as has been his custom, with the advice that he sees fit to take rather than consulting in detail with all those who are concerned. It is with these criticisms but with general approval that I would ask the Minister for his comments.

**Hon. Mr. Davis:** Mr. Chairman, I will try to recall the various observations that were in fact made.

**Mr. Chairman:** We have allowed considerable flexibility under this vote.

**Hon. Mr. Davis:** Yes, I think perhaps we have covered two or three votes in this discussion.

**Mr. Nixon:** On a point of order, was it not the Minister's desire that we do that?

**Hon. Mr. Davis:** Yes.

Dealing with the remarks made by the hon. member for York South about the report generally, I think I can make this observation that the report was envisaged to cover primarily public libraries. It was commissioned by the Ontario library association. The funds used for the preparation of the report came about as a result of a grant from The Department of Education but the

report also—and I think it has been helpful—moved into the elementary, secondary and, to a degree, the university library situation.

Mr. Chairman, very briefly during the estimates of The Department of University Affairs I will have something to say about the library aspect at the university level, because I think it was a somewhat cursory study and perhaps does not truly reflect the picture as far as university libraries are concerned. I think that, to a degree, Mr. St. John did go into the university field but he did not extend his remarks at least to the national library situation as well.

I can only say that, from our standpoint here in this province, if the director of the library in Ottawa feels he can obtain some federal financial assistance for library development in this province, I would be delighted to have discussions with Mr. Spicer. I would not discourage this development whatsoever, but I can assure hon. members that we do not plan to duplicate, in any way, the facilities that are provided by the national library. I think that this is not in the thinking whatsoever.

While it is difficult to envisage exactly what the library system will be like in this province, say, ten years hence, I think it is obvious that we are moving, and must move, toward a highly integrated system.

**Mr. MacDonald:** What is the machinery for co-ordination—

**Hon. Mr. Davis:** Mr. Chairman, there is no specific machinery as it relates to the national library. I think that this will be brought about through consultations and discussions with the people who are responsible. We have no legislative capacity as far as that particular library is concerned. I think this will be brought about and I am sure that we can be optimistic about this through discussions and negotiations with those people responsible.

I would say also, Mr. Chairman, that while the report does indicate that Ontario is not spending what Mr. St. John feels it should spend, if the hon. member reads the report carefully, he will find that close to 97 per cent of the United States does not meet this figure of $4 and something. He actually specifies this in his report as well. I can recall that just two or three days after Mr. St. John made his report available, I read in the *Christian Science Monitor*—which has some very excellent editorials on education, as I am sure the hon. members know—an editorial reading that 50 per cent or 40 per cent of American students do not have library facilities available. I took the liberty of sending this editorial to Mr. St. John, not that I was in any way defending the situation here. But really, Mr. Chairman, I guess this is how people evaluate school systems and library systems and what have you, usually by comparison, which I suggest is on occasion unfortunate.

Actually, as far as financial support is concerned, particularly with the introduction of the new grants which he referred to very briefly, at the elementary school level and which have now been extended to the secondary level, the dollar support for elementary and secondary education, I think, will compare quite favourably with other jurisdictions in this country. This is not involved, incidentally, in the $5 million, so that we cannot give you the exact figure of the total being expended because we do not know to what extent the boards will avail themselves of these new grant regulations. But the total will be considerably higher, of course, than the $5 million.

I will not dwell on the announcements that were made at the time the report was presented. I can only tell the hon. members—as I indicated a year ago, as a matter of fact, when discussing libraries—that we were holding up possible legislation pending the report. Actually, much of this legislation has been considered, roughly for the past year and a half, so that much of it was on all fours with that which Mr. St. John recommended.

I recognize that there are some in the city of Toronto—the hon. member for Brant referred to this—who would like to see a centralized library almost immediately and, Mr. Chairman, there are many economies to be effected in centralized purchasing and cataloguing. I think we amply illustrated this in the co-operative library project that was instituted under The Department of University Affairs, but this is something that is receiving consideration.

As to the old question of the agency or the alteration of the function of the library branch within The Department of Education, I can only tell the hon. member for Brant that this is under consideration now and I anticipate that by the time the estimates are again available for discussion in this House, we will have something of a specific nature, Mr. Chairman.

In fact, I would have to say that it is quite possible that this change will have taken place during the intervening period of time, but I am sure, once again, that if it does not suit the hon. members I will hear about it.

Mr. Chairman, this is one aspect of the report that is still under discussion. I would point out that we have followed the report with the establishment of this advisory council. This is really recommended in the report and it is included in the legislation—

**Mr. Nixon:** Of course, they recommended it before the legislation.

**Hon. Mr. Davis:** —that there be some discussions. Mr. Chairman, there were no, shall we say, specific discussions, but I do not want to read again the information that I received from the Ontario library association. As I say, I will not read the first paragraph because it is a shade embarrassing but I will repeat once again:

> The government in introducing the new legislation has responded to the criticism of the Ontario library association's St. John report with understanding and with speed.

So that while the specific discussions did not take place, the reaction from the library association would indicate that, in a general way, they support the legislation that has been introduced.

**Mr. S. Lewis:** Is that first paragraph critical? Is that why you do not want to read it?

**Hon. Mr. Davis:** No, Mr. Chairman, it is not critical.

I was interested, too, in one or two aspects of the report, and I just throw these out for comment. Mr. St. John recommends—and I am not sure that the officials of the department and myself agree, and this is just for discussion—that there be a very distinct division between school libraries and public libraries. I have been of the opinion over a period of time that perhaps we could utilize to a greater extent the joint facility, but Mr. St. John makes a very specific recommendation that they be two separate facilities and this, in turn, will cause us to reflect in the department as to whether or not we accept this specific recommendation.

I am not sure whether I have dealt with all the—

**Mr. MacDonald:** There was one, if I may remind the hon. Minister, that dealt with the apparent contradiction of the report where it cited that in view of the shortage of professional personnel, the number required in the school could be reduced, and later it said that in a school of over 1,000, you will need two to three professional librarians; and then it made a counter proposal that you would not need more than two and you can get more effective service by having somebody from each department working a couple of periods a month so that they can become familiar with the library and take the information back to the department and vice versa with new courses in the department. That struck me as being rather a sensible kind of comment and I wonder, since it relates directly to the schools, whether the Minister had given any thought to it.

**Hon. Mr. Davis:** Mr. Chairman, this has been discussed but there has been no determination of it. This may be one possible answer, because obviously in a programme in the elementary and secondary schools of this significance, personnel will be a problem. We have done some evaluation of this and, for instance, in the summer course this year at the elementary level, we have some 400 registrations whereas last year we had only 280. We are moving into the secondary school field, and after rather serious discussions, we feel through the summer course programme we can develop sufficient school librarians to look after the secondary level as well.

I also should point out that we have added two additional supervisors and inspectors in the department at the secondary level to assist in this development. We are also assessing at the moment—and as I say, this really was back in the curriculum section—the size of the elementary libraries, the number of classrooms that are related to them and, as Mr. St. John very properly pointed out in his report, that the consolidation and the centralization of the schools in the rural areas will make it possible for us to do far more with the elementary school libraries than was possible heretofore.

**Mr. Nixon:** Mr. Chairman, there are a couple of questions that the hon. Minister did not answer, as far as I am concerned. Is he prepared to require that a school of average daily attendance of 150 have a library of certain minimum standards, or does he at present require this?

**Hon. Mr. Davis:** Mr. Chairman, we are not prepared to state at this time that this will be the policy say, next year. I would say this, that this is a very desirable goal, but I cannot state at this time when we can in fact bring this about. We have to assess the librarian supply, and as I say, the results of the interest in the summer course to date have been very encouraging.

We are also assessing, as I say, the size of the library facility that should be provided in say, a 10- to 12-room school. I

can only say, Mr. Chairman, this is the desirable end goal, but I cannot say here this evening that this will be a specific requirement, say by 1967.

**Mr. Nixon:** Are the grants made by formula having to do with a per-capita service?

**Hon. Mr. Davis:** Mr. Chairman, the grants for the public libraries generally are based on assessment. The grants for books as far as the elementary and secondary libraries are concerned are made on the basis of $2 or $9 per student, and the rate of grant for the classroom accommodation itself is the same rate of grant they would receive for normal construction.

**Mr. Nixon:** Would the hon. Minister give us some sort of an indication whether or not he agrees with the St. John recommendation that in the less densely populated areas an additional grant, based on $1 per square mile, be included in a formula, if that is what he does go on?

**Hon. Mr Davis:** Mr. Chairman, I do not say we agree or disagree, and I am not sitting the fence. The regulations as we envisage them, and the whole concept behind the legislation, is toward the regional, or the county, or the larger library unit, so I would think that progressively larger portions of the funds available for library service would go to, say, the regional unit, which in turn will be responsible for the provision of the facilities in the remote sections within the region. I think perhaps, this is a more appropriate way of dealing with it, although I say this has not been finally determined.

**Mr. Nixon:** What programme does the hon. Minister have, or does the provincial library service have, to assist municipalities that are not at present served by libraries, to start such a service? Is it necessary to wait for local initiative, and if not, what sort of a system is provided for the original capital expenditure?

**Hon. Mr. Davis:** Mr. Chairman, we pay a grant on the original capital expenditure that is a shade lower perhaps than the percentage grant for operating. There are capital grants available and the people who are responsible, the regional directors, are the ones who are encouraging the development, say, of a physical plant within a community within the region. We do make capital grants available to a new library.

**Mr. Nixon:** How big; what percentage would they be?

**Hon. Mr. Davis:** It would vary, Mr. Chairman, from one community to another. I can get some specific illustrations for the hon. member, perhaps by tomorrow or Thursday. It varies on the basis, once again, of assessment; not too dissimilar to the foundation scheme for the regular operations of the elementary and secondary school. I do not want to get into detail on that, because I am not sure I can explain it.

**Mr. Nixon:** If it is the same as that, it is very complicated.

**Hon. Mr. Davis:** It is not quite that complicated.

Vote 512 agreed to.

On vote 513:

**Mr. Newman:** Mr. Chairman, in speaking to vote 513, I think the criticism that I levied against this vote seven years ago still holds valid today.

May I ask the hon. Minister if he has considered taking over the office of the athletics commissioner, so that all of the grants given to both programmes would be under one department?

**Hon. Mr. Davis:** No, Mr. Chairman, The Department of Education has not considered taking over the athletics commissioner's office within The Department of Education.

**Mr. Newman:** Mr. Chairman, may I then bring to the hon. Minister's attention that in the grants given to the central Ontario branch of the AAU of C, there are grants given by both departments—a grant from The Department of Labour and another grant from The Department of Education.

Mind you, the organization is worthy of both the grants; in fact I would say that the amount of grant given to the organization is really not sufficient for the amount of work that it does do in relation to grants given to other organizations who do not really perform the same service, as does the central Ontario branch of the amateur athletic union of Canada. I think you would get over this, if all of this was consolidated in the one department.

The group's bulletin states that more than 80 per cent of its budget is spent in the promotion of amateur sport, so surely if it is going to be spent in amateur sport, which has direct bearing with the fitness programme, then this whole vote from The Department of Labour should be put into the Ontario fitness programme and the ath-

letics commissioner should have as his duties then, only the controlling of the professional boxing and wrestling. The amateurs take care of boxing and wrestling without his assistance.

**Mr. Chairman:** Shall this item carry?

Vote 513 agreed to.

On vote 514:

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, I received, I assume from The Department of Education, a small leaflet, a summary of the three-day conference held by The Department of Education and The Department of Labour establishing the training programme 5 at Elliot Lake. As the hon. member for Brant has mentioned, it shows briefly the increase in those participating in programme 5, going to 35,354 in the 1965 period, from 23,136 in 1964-65.

If the hon. Minister will recall, there were two fundamental points in the manpower training select committee report brought down two years ago. One was the very necessity for research to project what would be needed in the next five years in the field of the various skills, and the other important point was to establish a system to follow up and ascertain the results from any kind of programme established.

I wonder if the Minister could tell us just what is happening in regard to the graduates from programme 5? We know that there was a very elaborate and extensive conference in this regard in Ottawa not long ago, and reports from that conference were quite disappointing as to the success of programme 5, inasmuch as there were a lot of dropouts. One of the main reasons was they were not paying enough allowances, and they have now raised the allowances I see. But in Hamilton I am sure we are not satisfied with the programme.

I tried to get information as to what was happening to the graduates, if anyone could say that the programme was being successful. Sure we may graduate a number of those that are taking the programme, but we seem to have no system of ascertaining just what has happened to them. Are they going into the occupations they trained for, or are they drifting off into what might be considered a higher-paying occupation now that there is lots of work?

I wonder if the Minister would comment on these two phases of the report.

**Hon. Mr. Davis:** Mr. Chairman, it is not easy to state exact percentages as to the success of the programme 5 course. We can go on general figures that we have, which would indicate that a very high percentage of them who complete the course, do go into roughly the fields in which they received training and into gainful employment.

It is difficult for the department. We have had some discussions with NES, to try to keep some record as to what happened after, say five or six months, whether they still have the particular job. There are certain studies, one being done by the Ontario economic council, as a matter of fact, that we anticipate will be available within two or three weeks, which should give us a clear indication as to what the progress of these people has been over a period of time.

I think I can say to the House that the initial employment factor, if we can use this term, is really quite high. I am not in a position to say what the percentage would be, say six or seven months after the person has graduated from the particular course. We are interested in this type of information as well.

But this is why, Mr. Chairman, a good percentage of the programme 5 training is related to academic or basic subjects, such as English and mathematics, so that if the student in the programme goes out into employment and finds thereafter that he did not acquire the right skill, at least he has picked up some of the basic subjects which would enable him to be more flexible and perhaps adapt to some other specific skill.

We have had some discussions with the federal Department of Labour. They are interested, and we will participate in two or three pilot or experimental programmes under I believe, programme 10, taking certain aspects of manpower training which we feel will be helpful to us. Whether we may relate the Elliot Lake experience and have this included, because the federal grants on this —and I cannot give an exact figure—are higher than they are for the balance of the federal-provincial agreement, I cannot say at this point.

The various provinces have been asked to undertake a pilot scheme in co-operation with the federal government and, of course, the federal Departments of Citizenship and Immigration—and Manpower to be—are interested in having different types of projects in each province so that they can have some evaluation that may be of benefit to the other jurisdictions.

**Mr. Nixon:** Mr. Chairman, the Minister in his remarks some days ago in introducing

these estimates was severely critical of the federal jurisdiction for not accepting more of the responsibility.

**Hon. Mr. Davis:** In programme 1.

**Mr. Nixon:** Programme 1—training, that is correct. I was wondering if the Minister remembers that when the programme was introduced there were several editorials and warnings from other sources that the maintenance of the programme and the facilities providing these programmes, was going to be a very heavy responsibility on the provinces and that it was a deficiency in the plan as it was originally outlined some years ago.

Ontario, wisely I believe, went for the whole bundle as far as the development of this type of training in Ontario is concerned. But the deficiencies from the federal level as far as maintenance is concerned have been there from the very beginning. I can remember distinctly the warnings being given in this House and in the metropolitan and provincial press that we were asking for difficulty and trouble in the years that lay ahead—and we are now in those years—if provision at the time was not made for assistance with the maintenance.

We now find that the federal government, according to the Minister, is rather adamant that the province must continue to fulfil its educational responsibilities by providing the maintenance. I do not believe that this is a reasonable federal decision; I think the programme has been a partnership with the heavy end of the partnership being borne at the federal level from the start. The decision not to provide maintenance was wrong at the start and continues to be wrong.

I do not know, however, that the Minister's public pronouncements have gone very far towards changing this situation. Does the Minister feel that there is light on the horizon as far as federal assistance in this programme is concerned or whether we must continue to bear the maintenance requirements that he has outlined in his introduction?

**Hon. Mr. Davis:** Mr. Chairman, it is once again very difficult for me to predict what the attitude of the federal government might be. I can only say that it has been presented for the past two and a half years now, not just by the province of Ontario but by the combined Ministers of Education in joint resolutions, and I anticipate that we will continue this request as far as the federal government is concerned, because I think, quite frankly, Mr. Chairman, it is a very legitimate request. I do not dispute for a moment that the problem goes back to the beginning of the agreement.

I am encouraged to hear the member for Brant indicate that the province of Ontario took the right step in moving into the programme 1 area, because some of our sister provinces were hesitant because of the reason of maintenance. They are now finding out that perhaps they should have moved more substantially into programme 1 right from the beginning. I cannot give the House any indication as to what success we may have with the federal government. I can only say, Mr. Chairman, I believe it to be a very legitimate request and one that we will continue to pursue.

**Mr. Nixon:** Dealing with programme 5 in this vote as well, the same sharing of responsibility takes place and yet the federal responsibility is largely with the provision of funds. It is for this department to provide the facilities and the programmes, the teachers, and I suppose it is in Toronto where there has been the severest criticism of the programme that the department has organized.

The adult education centre has been announced, as I said previously, by the Minister in the two previous years. I hope I am not exaggerating, but I think I can remember definite announcements accompanied by Macaulayesque fanfare—

**Hon. Mr. Davis:** I did not provide the fanfare.

**Mr. Nixon:** —with the announcement that an adult education centre would be built in Toronto. This has surely been one of the policies or one of the programmes that the Minister must take personal responsibility for. The acquisition of a site has apparently held up the work for a good many months; the announcement has been made recently that a site has been acquired, but the thing that really bothers me is that it says that planning is proceeding actively.

If it was true that only the site was holding up the development of a true programme 5 facility in a modern and general sense, then surely the plans should be advanced to a point where if the site has been acquired, you can proceed immediately and do away with all of the difficulties that have been associated with the Jones avenue establishment, and the ones associated with it we have been hearing about for months.

**Hon. Mr. Davis:** Mr. Chairman, I would just make this observation. First of all, there

are facilities—they are not the best facilities but they are reasonably adequate facilities—that are at present being used for programme 5 here in the city of Toronto. The initial concept of the adult education centre was to replace those facilities. Since that time, we have extended the amount of physical plant with the leasing of property here on College street so we have been able in fact to expand the programme, and I would say that the Toronto board, which has responsibility, is operating a very excellent programme.

When I refer in the estimates to the planning, I am referring to the consideration that is at present being given to co-ordinate all the post-secondary facilities now operated by The Department of Education under a college board here in the city of Toronto.

I would also point out to the hon. members that the concept that was envisaged some two years ago, when the decision was made to provide a permanent physical facility, has very significantly expanded. It will not be confined to programme 5 students alone.

I think, Mr. Chairman, that this whole area has moved really in rather rapid fashion in the past three or four years and that any facility that is developed should be of a broader nature so that we can offer a more comprehensive programme than just programme 5 alone. I think you will find that when the college, if this is the recommendation, is developed, it will be a more comprehensive facility than was originally envisaged two years ago.

**Mr. Nixon:** In fact, a community college.

**Hon. Mr. Davis:** This, in fact, is what it may be. As I say, Mr. Chairman, the trainees or the programme here in the city of Toronto have not been prejudiced because of the lack of a new or permanent facility; they have been able to operate a very excellent programme in the accommodation they now have. As I say, it is not the best, but then there are other programmes that are operating quite efficiently in facilities that are not the best from a physical nature.

**Mr. MacDonald:** Mr. Chairman, we have a continuing interest in education on this side of the House, but the government apparently has lost some of this and it is now outnumbered. I would move that the committee rise.

Why are you delaying, Mr. Chairman?

Interjections by hon. members.

**Mr. Chairman:** The member for York South has moved that the committee rise and report progress and ask for leave to sit again.

Shall the motion carry?

**Mr. R. J. Boyer** (Muskoka): No, Mr. Chairman, the motion is out of order. The motion in any event would refer to the passing of certain resolutions, but the motion as it has been put to you, sir, is completely out of order.

**Mr. Chairman:** I am going to move that—

**Mr. S. Lewis:** Mr. Chairman, do I take it by the way you begin your sentence that the chair is showing partiality? I assumed that the chair would never consider doing that kind of thing.

**Mr. Chairman:** We are doing all right—

**Mr. Thompson:** Mr. Chairman, what do you mean by "we are doing all right?" What do you mean by that?

**An hon. member:** The chair and the Tory party.

**Mr. S. Lewis:** The chair delayed, one would think.

**Mr. Chairman:** I might say that I am doing all right.

**Mr. Thompson:** Thank you.

**Mr. Chairman:** The member for York South moves that the committee rise and report progress.

All those in favour, will please say "aye."

All those opposed, will please say "nay."

In my opinion, the "nays" have it.

Call in the members.

All those in favour of the motion will please rise.

All those opposed to the motion, will please rise.

Interjections by hon. members.

**Mr. Chairman:** Order, order!

**Clerk of the House:** Mr. Chairman, the "ayes" are 17, the "nays" are 39.

**Mr. Chairman:** I declare the motion lost.

Vote 514 carried? Vote 515?

**Mr. MacDonald:** Oh, you are a smart boy! In the insurance company you can cut the

corners and you are cutting them here too, Mr. Chairman.

**Mr. Chairman:** That is not a nice thing to say.

**Mr. MacDonald:** It is not nice, but it is accurate.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, one of the major problems facing every modern industrial society is the training of its manpower, and there is a growing feeling that we are not tackling this problem with any real sense of urgency. Without rehashing the discussion we have had with regard to the adult training centre, the fact of the matter is that it was stalled for two years in finding a site and how long it will be before it is actually in operation is a matter of some question.

However, the thing that worries me most about this whole programme is something that we raised in The Department of Labour estimates and since The Department of Education is involved, I would like to come back to it. That is the balance of public and private responsibility in manpower training. There is a very limited amount of manpower training being sponsored by industry itself and yet the major recipient and benefactor from manpower training is going to be private industry.

I was rather interested in some figures that were given to this manpower training conference that was held in Ottawa under the sponsorship of the Canadian labour congress a few months ago—in February of this year —and the figures that were given by M. J. Fenwick, whom the hon. Minister knows to be a member of the Hall committee on the aims and objectives of education—

**Hon. Mr. Davis:** He also writes letters to the editor of your newspaper.

**Mr. MacDonald:** That is true; sometimes he almost goes off the rails.

He points out, Mr. Chairman, that his union, the united steelworkers of America, did a survey of 488 plants with which they had union agreements and they got a rather remarkable response—450 of the 488 responded. But this is the rather shocking revelation: Of the 97,604 workers in that industry, only 1,404 were receiving any training, and when the survey was carried into basic steel fabricating, and the aluminum and the mining companies under contract, it was discovered that there were only 505 apprentices. Another 899 workers were receiving on-the-job training.

So there you have, once again, the total of no more than 1,300 to 1,400, and yet metal mining is one of the very industries which is experiencing such a shortage of skilled labour. As Mr. Fenwick commented in his remarks to the manpower conference, its response to this shortage is to seek experienced mine workmen from Europe and other foreign labour markets rather than to train Canadians.

When I was discussing this during the Labour estimates, I made a suggestion to the hon. Minister of Labour which he regarded with some little favour, but I do not know that any action has been taken—indeed, I do not know that it is being considered at all by the government. It is that if most of the responsibility for manpower training is going to be left to governments, to the public, and if the major benefactor of manpower training is industry, it seems to me that we are reaching the position that has been adopted in many other countries, in which industry is assessed for manpower training.

If they do a job as is done, for example, by those industries that are involved in the LEAP project in Leaside, then they get a rebate on the assessment that was placed on them and all other industries. If they do not do their share, then this comes into the public purse, for not only the present programme that we have but a stepped-up programme to meet our manpower needs.

I have a number of questions that I would like to put to the hon. Minister but I will put just that one and solicit his reaction.

**Hon. Mr. Davis:** Mr. Chairman, I am not sure that the hon. member will receive an instantaneous reaction to it. The one reaction I would have is that I agree that industry must do far more on its own as far as manpower training is concerned. I should point out that in the programme 4 area, I could give a list here of the number of participants, the number of trainees, the length of courses, and the total number of man-hours. It is a very significant list of industries and individuals and this is an area where the industry is paying 50 per cent.

**Mr. MacDonald:** How many trainees are involved?

**Hon. Mr. Davis:** Mr. Chairman, in the one area there are 4,536, including the upgrading courses, so there would be a total of some 10,279. It is quite a significant total but I would say—and I agree with the hon. mem-

ber—that I think industry must do more as well on its own as far as its manpower requirements are concerned. I do not think it can expect either the school system or any governmental programmes to completely solve the problem.

I was interested a year ago, roughly at this time, in my visit to some of the continental jurisdictions, in the very comprehensive programmes some of the major industries have as far as in-service or actual staff training is concerned. It is something that I think must be developed here. From this standpoint at least, Mr. Chairman, I would be in agreement with the member for York South.

**Mr. MacDonald:** The Minister is in agreement with the financing proposal that I said—

**Hon. Mr. Davis:** No, I am in agreement with industry doing more to prepare its own manpower.

**Mr. MacDonald:** I suppose it is unfair to put any one Minister on the spot in terms of what might be government policy, but I suggest we have reached the stage where there has to be an incentive for industry to accept its responsibility. I suggest further that until you have that incentive, they are not going to accept it on the proportion. Even the 10,000 figure, one greets with some mixed reaction. It is so many more than we have had in the past that at least one has a feeling that maybe we are moving with some acceleration.

But 10,000 people involved in retraining in the province of Ontario, with the amount of retraining that is necessary today, is still a mere drop in the bucket, so to speak. And I think the proposal of an across-the-board tax with a rebate where the industry does its job, is the kind of legitimate incentive for them to accept their responsibility, and also a very legitimate placing of money into the public coffers when the public has to take up the slack in providing the training that private industry itself will not undertake.

I would like to put another comment of Mr. Fenwick's to the Minister and I put it in the words which he addressed to that manpower conference:

> Ontario signed a technical and vocational agreement on June 26, 1961. Constant urgings by the Ontario federation of labour that the Education department launch a training teach-in representing employers and labour have been ignored. The federation's education committee can only conclude that department officials are indifferent to demands that training programmes be stepped up.
>
> In this period, there has been a considerable turnover of personnel in the Education department's vocational and technical branch, the agency charged with implementing the joint training programme. Two directors of the branch have resigned, and the third seems to be enmeshed in the same red tape that foiled his predecessors. The Act provides that a provincial advisory committee, representatives of the community, guide manpower training activities. This committee has not met since August, 1963.

There are two or three points there that, it seems to me, are pretty factual and not in keeping with the rather friendly letter that the Minister likes to refer to repeatedly from Mr. Fenwick in his comments with regard to the Minister and his activities. I wonder if he would care to enlighten us.

**Hon. Mr. Davis:** Mr. Chairman, I am not sure that I can go back to 1961. I can only say that the technological and trades training branch was created while I was Minister. Since that time we had two directors. The first director, Mr. Lorne Johnson, has been moved and did not resign. I make this very clear. He headed the programme branch. The present director is Mr. Sisco, so there have been only two directors of the technological and trades training branch.

As far as the provincial advisory committee is concerned, Mr. Chairman, very frankly the committee did not meet as we had hoped during a period of time—and I cannot give you the specific dates—but the committee has been reactivated. I attended a meeting myself some three or four weeks ago and I think that the committee can be of some substantial benefit as far as, shall we say, provincial co-ordination of these programmes is concerned. But these, Mr. Chairman, are the facts.

**Mr. MacDonald:** Mr. Chairman, let me move on to another point that has been discussed earlier in this session and I will not go into the full detail of it. That is the apparent conflict or lack of co-ordination between The Department of Labour and The Department of Education, so that graduates of vocational courses in the high schools cannot get certification from The Department of Labour and therefore they find themselves not being able to move into a trade for which they thought they had been trained. Indeed, Mr. Fenwick, with that inside knowledge that he now has of the department, and not always with the friendly and laudatory comments, has this observation:

While Queen's Park claims the two departments, Education and Labour, have signed a peace treaty, the officials employed at 44 Eglinton avenue west and 77 Victoria street, the Toronto training headquarters of The Department of Education and The Department of Labour respectively, are hardly on speaking terms.

Whether or not that be true—

**Hon. Mr. Davis:** It is not true.

**Mr. MacDonald:** —the Minister can assure us, but what is the present position with regard to this apparent lack of co-ordination in The Departments of Education and Labour on these vocational training courses?

**Hon. Mr. Davis:** Mr. Chairman, I do not think there is a lack of co-ordination and the hon. Minister of Labour can correct me if I make any statements that are erroneous. I would say, Mr. Chairman, there is a very excellent relationship between the two departments. As I understand part of the problem, it is the acceptance by some of those who are responsible—and I will be very frank I guess—within the unions themselves as to the validity of the programme in the secondary schools.

I think the hon. member would be interested that some members—and I cannot recall the union, I think it was UAW from the United States—came here because a major industry was interested in getting some credit in the secondary school programme. I do not know if this is a matter of record, but I think it can be substantiated, that they visited some of the technical-vocational composite schools in the province of Ontario, particularly in the Metro region. These were rather high officials in that particular union from Michigan, and they said there was nothing, Mr. Chairman, to compare with it in the jurisdiction which they represented south of the border. They were amazed at the facilities that we had available.

I think their recommendation—and I believe the executive's recommendation; I cannot refer to the specific trades involved, I am not that knowledgeable—was that there be some credit given in the secondary programme for this, and as I understand it, it was rejected at the full membership meeting. I can be corrected on these facts, but I think this is the general situation.

As far as we are concerned, I think there is great merit and the federation of labour, I am sure, is interested in this as well—that we should be looking to see if we cannot more fully utilize the vocational and technical facilities that exist in the secondary programme. But I would say, Mr. Chairman, and the hon. Minister of Labour can correct me if I am wrong, the problem is not between The Department of Labour and The Department of Education.

**Mr. MacDonald:** Mr. Chairman, two small details with regard to these programmes that I wanted to raise on what might be called the administrative side:

Has the government made representations to the federal government and more particularly the unemployment insurance commission with regard to their refusal to defer unemployment insurance until it is all used up? There is a very anomalous picture here. I understand that if a person is incarcerated in a provincial institution or a jail, there is a deferment of unemployment insurance benefits until he gets out. And yet if a person gets into a retraining programme, he must use them all up before he can then go on to the retraining, so that when he finishes, if perchance he runs into any difficulty in getting a job, he has not got his unemployment insurance. This seems to me to be a bit nonsensical and I am curious to know whether the government has made representations to Ottawa and what, if any, was the reaction?

**Hon. Mr. Davis:** Mr. Chairman, we have made representations on this very point to NES. I cannot, once again, state specificially what their reaction will be but we are encouraged by the response that there may be some changes by July 1. We have made representations on this very subject.

**Mr. MacDonald:** The final point I wanted to raise with the Minister is a specific case that he is familiar with, that I drew to his attention. I think it is perhaps more common than the Minister thinks.

This happens to be a woman who is seeking retraining. She was separated from her husband. The court judgment was that she was to receive $15 a week and it was not really for maintaining her children because I need only mention the figure and you can conclude immediately it was not going to maintain the children. But the court felt this was all that could be extracted from his salary each week.

However, she got into this anomalous position that when she started to train, she was at a basic $25. If this court order had not been in existence, she could have gotten an extra $20, but because of the court order, she could get only $25 and no extra $20, so that she ended up with $40, rather than $45.

There can be variations of this under other circumstances, with the number of children, and it seems to me that this rather anomalous situation should be resolved.

I raise it now for only this purpose, if I may say, Mr. Chairman, that in the strange way that government departments will come up with different interpretations, the adult training programme has dictated that these children are not her dependants because of the court order. But when she went to register for OMSIP, they have decreed that the children are her dependants, so she has two government departments presenting her with two different interpretations as to her relationship with her children.

I think the answer to this is to see if we cannot get this anomaly resolved.

**Hon. Mr. Davis:** I can make this reply, Mr. Chairman: I think the one regulation would illustrate the very enlightened view that is taken by the government of this province. The other regulation the hon. member refers to is a regulation that is required and imposed by the federal government.

Mr. Chairman, we are seeing whether this is rather general, rather than perhaps a limited situation, and I think it is one that could be discussed with the federal authorities to see if there might be some solution to it.

**Mr. Newman:** Mr. Chairman—

**Mr. N. Whitney** (Prince Edward-Lennox): Mr. Chairman, I do not like to enter into the debate at this late date, but at the same time, I would say that about 30 odd years ago, I worked for a firm of chartered accountants in the city of Toronto, and I can tell you that while the people labouring in industry went home at 5 o'clock, the people engaged in management there came back and worked late hours, which we also did, while we were trying to audit their books.

I would suggest that a lot of these things need to be analyzed and I think that you can go piecemeal into almost everything. There are people all over this province asking for special privileges. People who are not sending children to school ask for alleviation of education costs. People who do not drive an automobile have an equal right to ask that they should not pay a road tax, or a street tax.

I think all these things boil down to this simple fact, that through education we can always see the benefits. Now I can tell you, back about ten or 15 years ago, there was an elderly gentleman who worked for me on the farm, and in that particular area he was a well-off man. I could not get any better help than he was. He was 90 years of age, but he could work, and he was capable, and he was very well off. But that particular year, the taxes on his house went up about $5 and he said to me: "That is because of this school bus that is taking the pupils of this township into Belleville to get their secondary education."

He said: "Why should I pay anything for that? I am not sending any children there. My son was educated years ago." I said to him: "You know, you should be happy to pay that tax. No one is receiving any more benefit than you are." He said: "What do you mean?" and I answered: "I will tell you. Did not last year your wife go to Kingston hospital, where she was examined by a specialist, and had an operation? By that operation her life was prolonged for several years. Now if that had not happened, she would have died, would she not?" "Oh, yes, she would." "Well," I said, "somebody paid to educate that doctor or he would not have been able to perform that operation. So therefore, why should you not pass some help on to other people?"

He said, "My gosh, you are right," and he never complained again. I am telling you that is the sort of understanding we have to have.

We have to have that in this province. The late President Kennedy said: "Ask not what your country can do for you, rather ask what you can do for your country," and I think it is time that we had that spirit, not only in this Legislature, but in this country.

**Mr. Newman:** Mr. Chairman, may I ask the Minister how long a student must be away from school before he is eligible to participate in programme 5?

**Hon. Mr. Davis:** Mr. Chairman, the regulation, which is a federal regulation, says one year.

**Mr. Newman:** May I ask the Minister if he has considered allotting a period of time to enable the student who does not get along in school, or who has been, may I say, forced to leave school, or who finds school not to his liking, or whom a guidance director or the principal of a school would certify that it would be better for him to be engaged in programme 5 rather than attending school, to joint programme 5?

**Hon. Mr. Davis:** Mr. Chairman, the federal government has taken a very firm position on

this, and I think with some justification, because I think the hon. member will see that this could lead to fairly substantial abuses, perhaps, in some areas, so the federal government has said no to this proposition.

**Mr. Newman:** Mr. Chairman, if the principal of a school certified that the youngster is not receiving any benefit of the education in the school now, I think it would certainly merit changes to the legislation to enable him, or her, to participate in programme 5. There would not be the waste of time. The youngster is not going to work, so why not have him in school?

May I ask the hon. Minister if there is a waiting period for an individual who has taken the one course, and does not obtain employment as a result of completing the course, before that person is allowed to take another course?

**Hon. Mr. Davis:** Mr. Chairman, I will have to get the specific length of time, but there is a period of time before he can enrol in a second course. I will get the specific length of time for the hon. member.

**Mr. Newman:** May I suggest to the hon. Minister that he consider reducing the period of time, because some people with a language handicap find it is most difficult to obtain employment immediately after completing certain courses, and it would be better for them to be enrolled in further training, than to remain at home unemployed.

**Mr. Chairman:** Is vote 514 carried?

**Mr. S. Lewis:** Mr. Chairman, just before the vote carries, is there any residence requirement for programme 5, let us say, for immigrant workers?

**Hon. Mr. Davis:** Mr. Chairman, there is a residence requirement. I believe it is three months. I am sorry, for a landed immigrant, those who sign a declaration intending to stay here, can take programme 5 training after 30 days' residence in Canada.

**Mr. S. Lewis:** Is that a federal regulation?

**Hon. Mr. Davis:** Yes.

**Mr. S. Lewis:** One final question, Mr. Chairman. This matter rose during the discussions, I think, with the hon. Minister of Labour and the hon. Minister of Economics and Development. Has the hon. Minister considered using the English classes which are provided under programme 5 for newly landed immigrants, in conjunction with skills, to provide for skill adaptation and the process of learning English, to be done jointly? Has this been considered as a feasible part of programme 5?

**Hon. Mr. Davis:** Mr. Chairman, it has been, and very recently considered, and quite frankly we think there may be some merit in this. We have not instituted such a programme but it has been, within the last few months, considered and it may be that we will move into this type of programme. We think it could possibly be done this way.

**Mr. S. Lewis:** I would simply point out, Mr. Chairman, that may of the interested groups in the field, from COSTI to the recently interested parents association affiliated with Mrs. Norquay and company, have been pressing this rather strongly as a very real alternative to the dilemma of learning the language and the skill sufficient to obtain a job. It would seem that doing them simultaneously makes some real sense and I would urge the hon. Minister to promote it.

**Hon. Mr. Davis:** I just have one final word: There is one difficulty in this area and that is that where it has been tried and they get into the skilled training and obtain some proficiency then they leave for the job. So this is one area we are concerned about.

Vote 514 agreed to.

On vote 515:

**Mr. Nixon:** Mr. Chairman, the matter of equality of opportunity has been raised frequently in this House and I want to bring to the attention of the hon. Minister some statistics that I have referred to before. The opportunity is now before us where we can question more closely as to the development of the foundation tax plan and to what extent it is achieving equality of opportunity in this province.

One of the more interesting studies that has recently been put before us as members, was undertaken by a committee working for the Lake Erie development association. This group, in endeavouring to find some of the answers plaguing the municipalities taking part in this regional development area, undertook a study of the cost of education on a comparative basis. I would say that the committee had advice from the local assessors, and from the University of Western Ontario, and was very well staffed to undertake this study in a fairly large and representative area of southwestern Ontario.

I will not take the time of the House to

put the statistics in detail before it, but I will excerpt from them some of the extremes which will point up the inequalities that are found in the financing of education in these rural areas, as compared with the urban areas of southwestern Ontario.

In the municipalities that were surveyed, the largest was the city of London, and they went down to some municipalities which had very small populations indeed. The figures which I want to bring to the attention of the Minister would indicate that for elementary education in London, there is $400 per student available—or there was during the statistical year that was referred to—and in the village of Port Dover, which is in the same economic region, there was $234 available.

As I say, these are the extremes. No municipality in the area spent more than $400 and no municipality spent less than $234. Nevertheless, there is a considerable grouping of the municipalities at these two extreme positions and it shows very clearly that when we compare the opportunity for education in these two types of districts, there is very little equality there.

As I have pointed out previously, this shows up probably most importantly in the availability of qualified teachers. The survey goes on to compare the qualifications of the teachers. It becomes apparent that in the rural areas, the teachers at the lower end of the qualification scale are accepting positions, and after their experience has extended to two or three years, they are then qualified sufficiently to accept jobs with higher remuneration in the cities or in the areas that can pay the higher salaries.

So here is one positive identification of inequality that I wanted to put before the House, Mr. Chairman.

A similar one was brought to my attention by a group that is concerned with the financing of separate education in this province, and once again without going into the details that have been made available, it appears that in the year for which the statistics were last available, there is a difference of a full $100 per student per year on the average.

**Mr. MacDonald:** What year is that?

**Mr. Nixon:** I believe it is 1963; all figures are for the calendar year, 1963.

**Mr. MacDonald:** If the hon. member will forgive me for interrupting, I wonder if the Minister can tell us what is the latest year for which we have a figure on this, because I think that 1963-64 was just the beginning of the foundation programme, and therefore I do not think that it indicates the impact of the foundation programme.

As I contemplated making essentially the same case as the hon. member for Brant, I realize that the figures we have are so far back that they are back to the beginning of the foundation programme.

**Hon. Mr. Davis:** I think, Mr. Chairman, in fairness, I welcome some discussion on the foundation programme. The figures the hon. member for Brant are using probably would be either in the beginning year or the year before the foundation programme actually went into effect.

**Mr. Nixon:** Mr. Chairman, if you will permit me, my colleague, the hon. member for Windsor-Walkerville has given to me a press clipping that indicates what the differences are in his own area and they are for, I suppose, two full years of the foundation programme. The survey was made in 1965 with statistics gathered in 1964.

The *Catholic School Trustee* magazine has printed, in a special edition, the statistics of four cities, showing discrepancies of the kind that I have brought to the attention of the House. The differential, sir, between the two systems was: in Ottawa, $156; in Port Arthur, $40; in Sudbury, $120; in Niagara Falls, $61. But, of course, this does not average out across the province. It indicates that the discrepancies are still there.

I would say to you, Mr. Chairman, that being particularly interested in the equalities of opportunity as they are apparent in my own rural area, I was particularly impressed with the work that was done by the Lake Erie region development association. Its statistics were compiled and printed February 1, 1966, so that we could carry this over into the other field where equality of opportunity was supposed to be improved by the foundation plan.

I got in touch with the separate school trustees of Ontario and these are their figures that were given to me no more than six weeks ago, so they were the last that were available to them.

It is true that the Minister's report for the fiscal year ending March 31, 1965, is not yet available to us and yet it appears from the information that we can get and from our own observations that the foundation tax plan, certainly in the rural areas, has not yet even approached equality of opportunity. We have to rely on some statistics for the separation that still exists in the public and separate schools.

I, like the hon. member for York South, am very much concerned with this. It is true that the statistics do lag behind, although I have been able to give you some that were compiled for the 1964-65 year. We certainly feel that the time has come for a detailed report on how the equalizing features of the foundation plan are going into effect across the province, because as far as we are concerned, it is not working as expected.

**Hon. Mr. Davis:** Mr. Chairman, I wonder if the hon. member for York South wants to make some observation on this?

**Mr. MacDonald:** I accept the case from the hon. member for Brant and I would like to hear the government's reply, before I decide whether or not I will have anything further to say later.

**Hon. Mr. Davis:** Mr. Chairman, without getting into individual municipalities throughout the province—it would be very difficult to do this—I think that one can state, without any hesitation, that the foundation scheme has, in fact, very substantially equalized the amounts of money being distributed to the various boards across the province. This is the third year of the foundation scheme. The foundation levels were raised this year—$10 at elementary and $20 at secondary.

Mr. Chairman, there are two factors that must be kept in mind. The hon. member for Brant related the cost per student in one area as opposed to the cost per student in another area—

**Mr. Nixon:** No, no, the money available; that may be the same thing, but the emphasis—

**Hon. Mr. Davis:** Of course, this is where, Mr. Chairman, I think there should be some clarification. I would ask the hon. member for Brant if the figure he used for the rural areas is the amount in fact expanded by the board or the amount available, because the amount available is subject to the determination of the board. The board can make available to itself whatever sums of money it so desires, within reason.

**Mr. Nixon:** For clarification, I would say that it is the amount expended. I gave only the totals because it was made up of what was made available by the provincial government, and what was raised at the local level.

**Hon. Mr. Davis:** This is where the distinction lies, Mr. Chairman. The amount—or the cost per student, if we can use this, and I assume this is really what the hon. member for Brant means—is less in one area than the cost per student in another, and this is not a reflection on the foundation scheme. The foundation scheme is based on the relative wealth of the community, or the wealth or the ability of the community to pay. If a community decides not to spend sufficient sums on education, this cannot be blamed on the foundation scheme itself.

**Mr. Nixon:** Mr. Chairman, for the purposes of clarification, then, since the hon. Minister interrupted me a moment ago, I would say that the provincial grant for London was $137 per student and for Port Dover it was $140 per student. I do not know whether this $3 constitutes equalization between the urban and rural teachers that we require.

**Hon. Mr. Davis:** Mr. Chairman, you cannot take these two situations. You can take the grants here in the city of Toronto—which may be not on a dollar basis, or per-student basis, but say 35 per cent of the cost of operation—and compare this with some rural municipalities that are receiving 85 to 90 per cent of the cost of operation. Once again, it is the relative wealth of the community, and I would say that the foundation scheme has generally, I think, been a fair way to distribute the grants.

I should also point out that as far as the separate school system is concerned, the disparities that did exist between the costs of education per student in the rural areas, are now really quite close. I cannot give you the exact figures, but the relative costs or amounts being expended in the rural portions, as between the separate and the public system, are coming very close to being the same. In the urban situations there still is a disparity but the disparity is in fact decreasing very substantially.

I should also point out, and I want to make this clear, Mr. Chairman, that the percentage support to the separate school system does in fact, on a provincial average, exceed the support to the public school system, and this has been brought about by the foundation plan.

**Mr. K. Bryden** (Woodbine): What are the percentages?

**Hon. Mr. Davis:** I do not have the specific percentages here, Mr. Chairman, but it is in excess of the support to the public system.

**Mr. MacDonald:** Mr. Chairman, if I understood the hon. Minister correctly, he said that the discrepancy between the separate and the public schools in the rural areas had about disappeared?

**Hon. Mr. Davis:** It is very close.

**Mr. MacDonald:** Right. And the same within the urban areas.

**Hon. Mr. Davis:** No, in urban areas it is still further apart, but it is coming closer together.

**Mr. MacDonald:** But what has happened with regard to the discrepancy between urban-rural, whatever system they happen to be, because surely that is another of the major inequalities in opportunity that the foundation programme was going to meet?

**Hon. Mr. Davis:** Mr. Chairman, at the secondary level, the cost per student in the rural, in comparison to the urban centres, are once again coming fairly close. At the elementary level, there is still a difference in the cost, and this does not mean necessarily inequality as far as opportunity is concerned. The rural boards, and we are still operating with many smaller schools, can provide an educational service for less money than in the urban centres. I do not think there is any question about this.

**Mr. Bryden:** Not as good a service.

**Hon. Mr. Davis:** No. Mr. Chairman, this is the purpose behind the administrative units in the rural areas and the desire to have central schools, because through this we can provide a better educational service. This is the purpose.

**Mr. Bryden:** You have a long way to go on that.

**Hon. Mr. Davis:** Well, we may have a piece to go, but we have made a great deal of progress, if one can look at the positive side of what has been accomplished.

But when it gets to the foundation scheme itself, the scheme, or the grant structure, is based—and I think in a very fair way—on the ability of the community, or the school section, or area, to pay, and also on the amount that is expended by the board. I would think, Mr. Chairman, that it would be difficult to devise a more equitable way to distribute the funds and I think that while the separate school system has not yet achieved complete equality, over the past two years the progress has been really very significant. As I say, I do not have the specific figures here tonight, but the percentage of provincial support for the separate school system is higher than the percentage of support for the public school system.

**Mr. Nixon:** Mr. Chairman, I am sure that the percentage of support for the separate school system should be higher, because it has to compensate for the fact that it does not have available to it industrial assessment that supports the public system. I would like to quote from an article that appeared in the *Catholic Register* for June 12, 1966, and it says: "In a typical district the percentage of government contribution has been declining." That does not mean that it is still not larger than the contribution to the public system, as it should be under these circumstances. It continues:

> During the past three years the decline was as follows: In 1964, the government paid 63.1 per cent of the total cost; in 1965, 61 per cent; in 1966, the projected participation by the government is 56.5 per cent.

**Hon. Mr. Davis:** Mr. Chairman, this is very easily explained by the fact that that particular community has a greater wealth as far as assessment is concerned.

**Mr. Bryden:** For reasons that I have no doubt are valid, we do not have the latest annual report of the department. The hon. Minister rather briefly commented he was pleased to see the interest in the annual report, because he had never seen a similar interest in the past reflected in any speeches members had made.

I think, however, that this year there is a particular interest and perhaps an interest even in obtaining more recent figures, if they can possibly be obtained, than those that will appear in the annual report when it is produced.

The foundation programme is now, I think the hon. Minister said, in its third year. I am one of, I think, a small minority, who ever sat down and tried to understand it and I think I succeeded in understanding it and I felt myself that it was about as close an approximation as human ingenuity could devise, to a fair system of sharing educational costs in this province.

On the one hand I think it came as close as possible to providing an equality of educational opportunity, with equality of burden on the part of the ratepayers. However, I never was one to accept a priori arguments, and I think we have now reached the point where we ought to be able to test this hypothesis and we just have not got the figures. Any figures that anybody can produce can quickly be dismissed as relating either to the year before the plan came into operation, or the first year in which it was in operation. Obviously, that is no test at all.

I am sure that the department itself is

most concerned about getting the most recent figures available. I think this House is concerned, because after all, how else are we going to test the adequacy of this programme, except in the light of experience?

I am wondering if it is possible, Mr. Chairman, for the hon. Minister to provide the House, perhaps tomorrow, with the latest available figures, at least on the main categories—let us say, urban, rural and also public and separate, and split those both ways. Let us get the figures for urban separate, urban public and then total urban, and similarly with rural. I think all members would be interested in those figures and I do not think there is any desire to embarrass the department in any way.

Speaking for myself, I think that the foundation programme that the hon. Minister announced a few years ago, and which he has modified to some extent since, is an honest effort, and I thought an intelligent effort, to meet a difficult problem, but I personally would like to see how it is working out. If there are indications it is not working out as expected, then I think we have to start turning our attention to ways and means of improving it.

**Hon. A. Grossman** (Minister of Reform Institutions): The computer machine is not ready yet.

**Hon. Mr. Davis:** Mr. Chairman, I can only say this. It has actually been in effect two years, and for the first year the figures would have very little validity so we would only have the one year's figures. We are in the third year, the concurrent year, and we have not—

**Mr. Bryden:** Can you give us the figures for the second year even in those broad categories?

**Hon. Mr. Davis:** Mr. Chairman, I shall try. I am not sure that we can get figures that really will assist in this discussion, but if so, I would be delighted to try and obtain them. But I think that really a more valid assessment could be made after the 1966 grants are paid because this is the year that we stepped up the foundation level—the $10 and the $20 increases in the foundation.

**Mr. MacDonald:** Is my recollection correct that it is only after five years that it is envisaged that full equalization would be achieved?

**Hon. Mr. Davis:** This was the rough time that was established, Mr. Chairman. It was a five-year grant programme and at the end of the five years we hoped that the programme would achieve this equality. I think from our assessment in our department to date we can state that it has worked generally as we thought it would.

There have been some minor alterations in the grant structure over the past year or so; there may be some further refinements as we go along, but I think basically we can say that it has in fact worked. If I can get these figures for the hon. member, Mr. Chairman, I shall try to do so, but I doubt whether at this stage they would give us the complete answer. I think a year hence probably, we would have then two years of figures that might give us a much better indication.

**Mr. Nixon:** The Minister has indicated that the new type of report—he did say it was going to be a different type of report, did he not?

**Hon. Mr. Davis:** Yes. That is right, the Minister's report, as I said, Mr. Chairman, is quite different from other years in that the schedules and so on have been related to the new reorganization of the department.

**Mr. Nixon:** Oh, that is the only difference?

**Hon. Mr. Davis:** And there will be more information available, but it will not have, shall we say, 1966 statistics. The 1965 are based on 1964 as far as grant structure is concerned, so that it will not really tell the tale.

**Mr. Nixon:** I would suggest that, during the five years following the introduction of the foundation plan, it would be wise to set a section apart so that it would be clear to all who wanted to examine the figures without too much arithmetic on the side, how the improvement of the situation is progressing. Really, the member for Woodbine said that any statistics that are presented can immediately be set aside because they are either too old or they do not apply in such-and-such a way.

But I would say to the Minister that as far as people not versed in actuarial sciences are concerned, it is very evident from the statistics, particularly pertaining to the rural-urban disparity, that although the foundation plan has been working for two years, there is still a serious disparity there. I am not sure whether the Minister is trying to indicate that the people in the rural areas are not taxing themselves sufficiently or not. If that is so, perhaps he should state that definitely.

**Hon. Mr. Davis:** No, I am just saying this, Mr. Chairman, that a portion of the responsibility does lie with the board. The amount expended has some bearing obviously on the grants involved because a portion of the grant is—

**Mr. Nixon:** And the amount raised in taxes?

**Hon. Mr. Davis:** That is right—is based on their operation and also, Mr. Chairman, I think it is fair to state that the cost of education in rural areas for a multiplicity of reasons has not been as high as in the urban centres. So I do not think because in community A, which is a rural community, it is costing $250, and in community B it is costing, say, $300 or $350—

**Mr. Nixon:** Or $400.

**Hon. Mr. Davis:** —or $400, that you can say that there is a wide variation as far as educational opportunities are concerned. There is some variation, perhaps, I do not think there is any doubt about this, but a lot depends on the type of unit, whether you are dealing with one-, two-, or three-room schools or a central school facility. I would suggest, Mr. Chairman, that one would have to look at these various factors before one made any such determination.

But I think one indication, as far as the separate school system is concerned, is that the separate school system has in many communities been able to match the salary schedules of the public school system with very little increase or a mill rate that is not in many instances any higher than the public school system. I think this must be an indication that the foundation scheme has been successful. And I think you will find this is true in many communities.

**Mr. Nixon:** If I may just follow up on this for a moment. The Minister said that there are certain things that make education in an urban centre more expensive. I have thought about this myself and I know there are certain things that fall into that category. On the other hand, in the rural areas they do have responsibility for elaborate bus systems that are, of course, supported by means of grants. But there is still a residue of this paid locally, as I know as a rural ratepayer, and if we want to estimate the quality of the instruction—although it may not be fair to the teachers who are at present employed in these rural schools, most of whom are excellent—there can be no doubt that the urban centres have the advantage of the teachers with the higher absolute qualifications.

I hope the Minister agrees with me that you cannot really rate the ability of an individual teacher just by his degrees and his experience. But according to the way the salaries are paid, it is evident that teachers with the higher standards, take the countryside for reasons, perhaps, that money cannot correct; I do not believe that that is so. It may be so, but I think if sufficient funds were available, we would, in fact, be able to supply teachers with the high qualifications who are able, for example, to instruct in kindergarten—this is one of the grave disparities of opportunity that we find. By proper use of the foundation programme we should be in the process, and the obvious process, of doing away with these differences.

**Mr. MacDonald:** Mr. Chairman, the hon. member for Brant a moment ago touched on a comment of the Minister's which puzzled me and I want to come back to it, because if I understand him correctly, either I have not completely understood the foundation programme that is in effect in Ontario or there is some deficiency in it.

The comment of the Minister was that if there is a discrepancy it may in part be due to the fact that the people in the area are not raising sufficient money. To put it in the terms of the hon. member for Brant, they are not taxing themselves enough to raise the money to meet the educational needs and establish equality of standards.

As I understand the objective and the operation of a foundation programme, this should not happen. As I understand the operation of a foundation programme, you set a certain minimum level of educational opportunity for everybody across this province. Then you go back to each municipality and you assess its capacity in terms of local assessment, and you strike what—maybe this is what we have not got in Ontario—a common educational tax rate all across, so that the burden of education here will not be any greater than it is in Kenora or out in a village or anywhere else.

If you have equality of assessment in all municipalities, which we were led to believe by the hon. Minister of Municipal Affairs we have or we are working toward, then the burden of educational tax will be equalized across the province. If a municipality has a small assessment, it pays the common educational tax rate that raises so much money, and it is a relatively small amount of money, therefore the grants will have to be that much larger to get up to the minimum standard.

If, perchance, a municipality has a large assessment or a larger assessment, then it will raise that much more money and the amount of grants required to bridge the gap up to the minimum level of standards across the province will be smaller grants in that instance. So, if I am correct on this, what the local municipality does is really an irrelevant comment unless you are giving it the privilege of taxing below a common standard, a common taxation rate for education across the whole of the province of Ontario.

Perhaps this is where we have not yet achieved this aspect of the foundation programme. Or may I put the question in another way? Are we really seeking to establish in the foundation programme an equalization of the tax burden for education purposes all across this province?

**Hon. Mr. Davis:** Mr. Chairman, there is no question as to the intent of the programme but I think the hon. member has put his finger on perhaps the discrepancy or the misunderstanding. There is the 11-mill level, shall we say, but the foundation scheme does not require the municipality to tax up to the 11 mills. This is left to the discretion of the municipality so that it is possible for a municipality to tax less. But as far as our grants are concerned, we base them on—and I am subject here to correction—the assumption that the municipality will in fact tax 11 mills but we do not force it to expend this amount of money.

**Mr. Bryden:** Mr. Chairman, I recall that this was a criticism we made of the programme at the time it was introduced, but the reason I rise now is I would like to ask the Minister, is this an important factor in the discrepancy which continues to exist undoubtedly as between rural and urban areas? In other words is the failure of rural areas to tax at the 11-mill level or beyond, a significant factor in the discrepancy?

**Hon. Mr. Davis:** I doubt very much that it is; certainly the figures we have been discussing here, I would think, are probably all among the 11-mill figures, so that I do not think it is a major factor.

**Mr. Bryden:** That was my impression, Mr. Chairman, and now I am going to try to make an attempt to get at what is the significant factor, and if I am wrong I am sure the hon. Minister will correct me quickly enough.

**Hon. Mr. Davis:** I will try.

**Mr. Bryden:** I think it is time we put our cards on the table. The reason for the discrepancy is that no foundation programme in the world can create equality of educational opportunity when you have school units that are too small to provide what is considered an acceptable modern range of facilities. Now, is that not the real reason? It does not matter what grants you pay, there are a great many schools in rural areas which are simply too small to take advantage of your grants.

You may be providing them with 90 per cent of their cost and they may be taxing at the 11-mill level or higher but we still cannot bring up the standards because the units are too small. The hon. Minister, I will give him credit, is the only Minister in the history of this province who has ever grasped this nettle of the incredibly small school units. He moved in on the problem a few years ago, and my recollection is that he reduced the number of school units from 3,000 to 1,500. Yet there are still about three times as many as there should be.

As long as that situation exists, no human ingenuity will ever work out a method of providing even a reasonable approximation to equality of educational opportunity in Ontario. I submit that is the reason and I think it is time we put it right on the table and looked at it, and if I am wrong then I am sure the hon. Minister will show me where I am wrong.

**Hon. Mr. Davis:** Mr. Chairman, I do not think you can pin it down to any one reason, but obviously, and this was one of the basic reasons for Bill 54, it is impossible to create complete equality when you have small or very small school sections. This is why we moved to the township area administration, and this has rectified it, we think—once again I use this word "substantial"; I will have to find some other word—to a considerable degree, and I think we have made considerable progress. But one of the problems, there is no question about it, is the size of the school or the school section, and this is one of the basic reasons behind Bill 54, there is no question about this.

But I cannot say this is the only reason either. I think that it is fair to state that costs are somewhat less in the rural areas because the capital costs are less. I cannot refer specifically to the Port Dover situation, I am not familiar with it in particular, but it could be that the cost of operating is less because their capital facilities may be paid for, whereas in London the costs could involve a rather major capital expansion programme. I do not know, Mr. Chairman; I

cannot say because I have not studied the two situations.

**Mr. Bryden:** Mr. Chairman, I did not want to imply that it was the only reason—

**Hon. Mr. Davis:** No, but it is one.

**Mr. Bryden:** I still insist that it is the major reason. Another problem that arises, I have no doubt, is the problem of comparing assessments. We are a long way from having a truly equalized assessment across Ontario, and I doubt if we will ever achieve it in perfection, though I think we can do better than we are doing now. The discrepancies in assessment are bound to create some discrepancies in your system.

All these factors are bound to be operative to some degree, but I feel convinced, and nothing the hon. Minister has said in his very diplomatic way has led me to change my mind, that the basic factor is that we still have far too many school units in the province of Ontario. I think a choice has to be made fairly soon. Are we going to have the luxury of unduly small units or are we going to have better educational opportunity for our children in the rural areas?

**Mr. Nixon:** I have tried to go into this rather carefully as well. As I understand it the ordinary costs are covered by a basic tax relief grant plus an equalization grant. The basic tax relief grant is the same across the province, but the equalization grant, of course, varies, so we have these two things. Let us suppose we are dealing in the equalization grant with a formula that accommodates the basic mill rate, and a certain number of other things, but if there is a very heavy commercial assessment—a very heavy assessment at all—the equalization grant could in fact turn out to be zero, or even a negative number. Is this possible?

**Hon. Mr. Davis:** Mr. Chairman, it cannot be negative.

**Mr. Nixon:** No, but according to the formula it could be negative. This amount is not deducted from the basic tax relief grant.

**Hon. Mr. Davis:** We do not pay less, we do not deduct, but according to the formula, if it is a very wealthy community, it could work out to a negative grant, but in fact it never does.

**Mr. Nixon:** So that the basic tax relief should have added to it the equalization grant, and in the wealthiest community in the province I presume the equalization grant should be nothing. Are there some where the equalization grant is zero?

**Hon. Mr. Davis:** At the secondary level. At the elementary level there is a basic minimum of, I think, $10 per pupil. At the secondary level, if the community on the equalization is, on the basis of the formula, that wealthy, it could be zero, and there are instances where they receive no grant under the equalization formula. But in elementary, they are guaranteed a basic $10 per student.

**Mr. Nixon:** Frankly, I was trying to accommodate in my mind what is going on in so many of the township school boards in an effort to provide the adequate facilities similar to what the metropolitan area is able to do. I have visited a number of these schools. They are outstanding examples, I suppose, of new ideas in education and what surely we would all search for.

The expenditure of money for the carting around of the trustees in chauffeur-driven limousines in very difficult to justify when we talk to ratepayers and trustees in the rural areas who are trying to accommodate themselves to equalization and equality of opportunity. I know they cannot be compared absolutely or basically – one system is so tremendous and the other, as my hon. friend has mentioned, is so very small—and yet, it certainly is difficult to convince the people out in the small areas that they are being subjected to an equalization formula. This is really the—

**Hon. Mr. Davis:** I think, Mr. Chairman, that it must be obvious that they are being given the benefit of a truly equalized formula because it is the wealthy centres that receive no equalization grants.

**Mr. Nixon:** Maybe they should not receive such a large basic tax relief if in fact the money would be better expended elsewhere.

**Hon. Mr. Davis:** Are you suggesting we give less to metropolitan areas?

**Mr. Nixon:** No, I am suggesting you give more to the rural areas to compensate for the discrepancy.

**Hon. Mr. Davis:** We are giving a much higher percentage to the rural areas.

**Mr. Bryden:** Some are getting much more already.

**Mr. Sopha:** Mr. Chairman, if I may add a comment here. I would say from my own experience that my hon. friend is perfectly right when he charts the way that we can

never achieve toward the development of equality of educational opportunity in this province. We will never achieve it until we have a severe reduction in the number of authorities that are responsible for education.

Since I entered the House, I managed to get myself elected somewhat illegally to a rural school board in contravention of the law and statute. I lost the last by election but I won that one, and I was made legitimate when the statute was amended. In other words, I was a landowner in a rural municipality but not a resident. I ran anyway for the school board and sat for two years illegally on the school board. Nobody challenged me and I saw the difficulties faced by the small rural school board operating one school.

Really, some of the teachers that they are able to attract—from a very small number of applicants, mind you—are dreadful. We had experience with the most dreadful of them, and we were always saved in our single school by the fact that we had a prinicipal who, for some unknown reason, for 14 years, until she died, came up from the Ottawa valley around Renfrew each school season and ran that school. Why she left her home in the Ottawa valley to come up to that small and undeveloped community defies all imagination, but she did. The others that we managed to get never nearly equalled in quality that good lady who was principal of that school.

I would venture to predict, and I take the responsibility for so predicting, that eventually in this province the smallest unit of authority for the administration of schools will be on the county and district basis. Certainly, the highly developed organizations in the southern part of the province—and I do not pretend to speak for county organization with any degree of knowledge or authority—would seem to be singularly adapted to manage the schools within the county. They do it for roads and they do it for other things. I would think the able people who go into county administration would be able to cope with the management of schools on the county basis.

In the north, even though communications are more difficult, I foresee the day—and I hope it arrives soon—when the district of Sudbury will be a school authority and one body in that district will be responsible for all educational facilities right from the thither reaches of my friend from Nickel Belt riding at Fire river, down to the French. This development, I suggest to you, would attract able people into school boards to take on the very challenging task of running a big school organization.

Beyond that, I suggest to the Minister, through you, sir, that if we had large units of small administration such as I envisage, then there could develop a mobility of ability to the smaller rural school, through the leadership of the board. That is to say, in the small section that I spoke of to the south of Sudbury, the board could persuade teachers from the urban community to go out and such a board would have much greater capacity to pay them attractive salaries. Perhaps it would not be necessary for a teacher who taught in such a school to spend the whole year—spend more than a year at that—and the teachers could be interchanged.

Certainly it would do away with what Judge Little described as the intense competition that goes on every year at the Park Plaza, Royal York and King Edward hotels for the hiring of teachers. At least there would be many fewer competing bodies. But, certainly, in the age of rapid communication and mobility of population that we have now, we ought to begin to think in terms of bigger units of regional government. By regional government, of course, I specifically refer here to school boards. May the day be hastened.

I hope this Minister, in the time that he occupies this portfolio, however long that may be, will once again use the scythe and cut down the numbers in the next year or so. He reduced them by 1,500, if my friend from Woodbine used the correct figure. In one fell swoop he eliminated 1,500 boards a few years ago. Well, let us go at—

**Hon. Mr. Davis:** Consolidated.

**Mr. Sopha:** Consolidated. Well, I will not go into it. I will say this to the hon. Minister, that I will not go into the question. I do not intend to belittle the consolidation he effected in a certain community adjacent to Sudbury; we will not speak of that. We will leave that under the rug, and what happened there, because it is too complex a question; while it was tragic what happened as a result of a bill, I will not go into it.

**Hon. Mr. Grossman:** I would like to hear about that.

**Mr. Sopha:** No, it has got to remain a secret because it is still sub judice. But on that score I merely plead with the Minister to take what I think is a logical step. Maybe we are not gifted with any powers of the

soothsayer; we cannot tell what would happen. The best we can do is exercise our best judgment. Maybe it is not the road to take, but we will discover the mistake and we can correct it if it is wrong, but right now in this province, I say to the House, through you, Mr. Chairman, that the quality of education in Foleyet, Gogama, Estaire, Drury, Denison and Graham is much different in quality than can be got at the corner of Jarvis and Wellesley in the Jarvis collegiate—a much different quality of education.

For one thing, able people are attracted by high salary, and no one can quarrel with the right to take a job in a metropolitan or urban community teaching school rather than going into the wilds of Cochrane or Cochrane North, and teaching at Hearst or Moonbeam or some of the other smaller communities. That is human nature and we cannot do anything about it. But, using the mechanism, the vehicle, that the hon. member for Woodbine advanced, and which I heartily support, we could do something about creating a mobility of ability of high-quality people to some of these smaller rural school boards that in the present system are just unable to compete for able people, and do not get them.

**Hon. Mr. Davis:** Mr. Chairman, I might just add this one word. I think I made it rather obvious through the legislation and many of the statements that I have made that we are, of course, interested in the larger units of administration. To determine at this stage just what the final results should be, I cannot say, but certainly the principle of the larger units of administration is one that the department and the government has accepted.

I have some, once again, approximate information, though, for the member from Woodbine that is up-to-date as far as the 1965 grant is concerned. This is paid once again on 1964. Costs enter into it. The total provincial assistance per pupil in the rural and organized township areas amounted to $220 on average, and it amounted to $160 in the urban areas. This includes communities of over 14,000. This does not, once again, tell the whole story. But I think it is an indication that the rural centres are receiving—in this example I gave you—at a provincial average, some $60 more per student than the urban centres. This, in the rural areas, includes the public and the separate school systems.

**Mr. Nixon:** Mr. Chairman, I have one final question and a comment. The question has to do with the grants awarded to separate schools at the grade 9 and 10 level. Are these grants awarded at the basic elementary school level or the secondary school level?

**Hon. Mr. Davis:** They are awarded, Mr. Chairman, on the basis of the elementary school level.

**Mr. Nixon:** Why is that?

**Hon. Mr. Davis:** Because under the constitution, without getting into a long legal discussion, Mr. Chairman, this is the recognition given to the separate school system, that it was an elementary system from grade 1 to 10.

**Mr. Nixon:** This is not the time to argue a constitution matter, but surely because of the time when the constitution was fixed on this matter, the basic costs had no relation whatsoever to what they are now. I feel that the Minister might very well consider giving the grants in those two years which are allowable by the constitution at the level that is generally considered to be necessary for the basic support for the rest of the grades across the province.

My further comment that I would like to raise, is about the fact that the cost of textbooks over the last five years has been to a great extent taken out of the hands of the parents. There are a lot of books to buy, but the load is not nearly so oppressive as those great days in the fall of 1963 when a decision was taken to—

**Hon. Mr. Davis:** Great days in more ways than one, Mr. Chairman.

**Mr. Nixon:** I would like to bring to the attention of the Minister the fact that the parents are no longer so immediately aware of the tremendously increased and increasing costs of these books. I hope the hon Minister is aware of this himself, however, because in this single vote we are asked to appropriate $401 million, part of which will go for the purchase of textbooks.

It is difficult for those members of the House who are not associated with the buying of these books to be closely aware of the increasing costs. I would draw to the Minister's attention that the Senate of the United States in Washingon has found that this has gotten out of hand in some of its programmes to the extent that it has been put under investigation by a special committee. I hope that we are keeping track of these charges here and it will not get to the point where it will require any special investigation by the Minister or this House.

**Mr. MacDonald:** Mr. Chairman, during the last couple of years the hon. Minister has had what might be described as a "critical pen pal," in the person of a lady near Carleton Place who has been writing about a school situation there. The more letters I receive from her the more I am persuaded that she has every justification for continuing to protest.

It involves an MOH who did not follow through in implementing the recommendations that were made for improvements. It involves the failure of the fire marshal's recommendations being fulfilled. And it became complicated with the refusal of the local board to build larger schools and get rid of the little red schoolhouses.

Last year, when I raised this whole matter and asked the Minister what he was going to do about it, he quite rightly said that the MOH had his own powers and he could exercise them, and then he used rather a delicate turn of phrase.

I said, "Well, you have grants and is it possible that you might be able to withhold those grants as an incentive for some action to correct rather deplorable conditions?" And the Minister's comment was, "It is a subtle sort of power to withhold grants until the changes were made." And I added, "And you might be considering that this fall if things do not—" and the Minister interrupted, "If things do not improve."

Last fall came and things were not improved and the Minister did not withhold any grants, and many of the parents are spending far more money than they can afford to send their children elsewhere. So in view of all of this, can the Minister give me an up-to-date report on what is going to happen in Beckwith township to establish equality of education opportunity?

**Hon. Mr. Davis:** It is always interesting how we establish these pen pals and you hear all about the problems, but when a solution has been reached, sometimes we are not informed. I say "we"—in this case the hon. member for York South. I should tell the hon. member that just some three weeks ago the Minister approved the bylaw not only establishing Beckwith township but consolidating Beckwith township with Carleton Place for a single school and I think the pen pal's problem has now been resolved. There will be a single school serving both communities, Beckwith and Carleton Place.

**Mr. MacDonald:** As a matter of fact, when a lady has to fight for 24 months to have the law of the province upheld and only achieves it then, and the Minister thinks it is worthy of applause, then I will let him reflect on it.

**Mr. Newman:** Mr. Chairman, may I ask the hon. Minister if grants are made available to boards of education holding special programmes during the summer vacation?

**Hon. Mr. Davis:** No, Mr. Chairman, I do not believe that there are grants for special programmes in the summer.

**Mr. Newman:** May I suggest to the hon. Minister then, that he consider making grants available to boards that conduct programmes during the summer months where a student may recoup a complete year of study. Were that student to carry on in the regular school programme, it would probably cost the board up to $800, whereas by making a grant available to that board, you are actually saving money in the long run. You might make a grant of, say, $100 per student taking the programme, whereas were the student to repeat the year, it would cost anywhere up to $1,000.

**Mr. Chairman:** Is there anything else on vote 515?

**Mr. Newman:** Under item 7, "Programmes of recreation," does this include the purchase of properties that could be used by a municipality for nature study programmes such as are conducted in the city of Toronto?

**Hon. Mr. Davis:** Mr. Chairman, there are special provisions and they are actually in the legislation as well – the legislation went through a year ago—whereby the boards may purchase conservation school sites. Is this what the hon. member is referring to? This grant here is for programmes of recreation—grants to the recreation commissions in the municipalities.

**Mr. Newman:** There are no grants available anywhere in this for the programme that I have mentioned?

**Hon. Mr. Davis:** Yes, it is included in the general legislative grants, Mr. Chairman. The boards have the right to acquire property for, and conduct classes of a conservation nature.

**Mr. Newman:** How substantial are the grants, Mr. Chairman?

**Hon. Mr. Davis:** I cannot give the hon. member the amounts as far as site acquisition is concerned, but the classroom-per-student grant is the same as any other type of course that is being conducted.

**Mr. Newman:** The reason why I raise this question is that back in my community we have been attempting to save an island known as Peach Island in the middle of the Detroit river—

**Hon. Mr. Davis:** Are you suggesting—

**Mr. Newman:** This is one way that they can save the island and at the same time assist in the education of the youngsters as far as nature study is concerned. I think it is worthwhile.

Vote 515 agreed to.

**Mr. Bryden:** I suggest that we should not embark on a new vote at this hour.

Hon. Mr. Rowntree moves that the committee rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs leave to report certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, tomorrow we will proceed with third readings and Budget debate. I would doubt that there would be any time remaining after those matters are taken care of, but should there be we would go to other items on the order paper and continue with the estimates of The Department of Education.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.45 o'clock, p.m.

No. 142

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Wednesday, June 15, 1966

Speaker: Honourable Donald H. Morrow

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JUNE 15, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today students from the following schools: In the east gallery, St. Jude's separate school, Windsor, and Northfield public school, Harley; in the west gallery, Queen Mary public school, St. Catharines.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, before the orders of the day, in the absence of the hon. Provincial Secretary, I beg leave to present to the House the report of the Minister of Education.

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, before the orders of the day, may I answer the question asked by the hon. leader of the Opposition yesterday.

The Essex road bridge on the Black Sturgeon river in the Kenora district was constructed by the townships of Jaffray and Melick and was completed in the autumn of 1965. The bridge was designed by The Department of Highways as a service to the municipality and the design was based on the requirements of the municipality. I am advised that the municipal authorities did not obtain clearance under The Navigable Waters Act and I am further advised that officials of the federal Department of Public Works are presently investigating the effect of the new bridge on the movement of water traffic and the possibility of it being the cause of flooding. The department is prepared to assist the municipality in making any revisions to the bridge should it be found necessary.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I have several questions which I would like to direct to the hon. Minister of Highways.

In view of the economic advantages of developing and maintaining the roads in northwestern Ontario, would the hon. Minister advise the House what plans his department has to improve the following roads: Highway 581 from Nipigon to Cameron Falls and Pine Portage; Highway 628 from Highway 11 and 17 to Red Rock; Highway 11 between Fort Frances and Atikokan and Atikokan to Shabaqua Corners; broken stretches of Highway 17 and 71 from Kenora to Fort Frances.

I know the hon. Minister is going down there, and he will certainly get these questions there.

**Hon. Mr. MacNaughton:** Mr. Speaker, I would say to the hon. leader of the Opposition that these questions were phoned to my office between 12 and 12.30 o'clock. I have requested the information that he has asked for and ask him to allow me to take it as notice. I hope to be able to report comprehensively and to the full satisfaction of the hon. leader of the Opposition tomorrow.

**Mr. Thompson:** Thanks very much.

I have a question of the Minister of Mines. May I proceed, Mr. Speaker? I notice he is not there, but I can put it in *Hansard*.

What plans are there to construct the 30-mile road north of Kenora from Warner Lake to Caribou Falls so that ore from mines in the area will not have to be shipped directly to Winnipeg?

If I could follow up, I have a question of the Minister of Energy and Resources Management. What loans have been granted to industry, including the Ontario-Minnesota Pulp and Paper Company at Kenora, to control water pollution in the Winnipeg river?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I did not receive these questions until after 12 o'clock and I am sorry I have not had notice of that question at all.

**Mr. Thompson:** I think there may have been some delay, we had our questions in before 12 o'clock.

**Mr. Speaker:** I may say that the questions did not arrive in the Speaker's office until

11.55, and of course by the time they get to the Minister's office it is a little bit late. The Minister may take it as notice for tomorrow.

**Hon. Mr. Simonett:** Mr. Speaker, I got notice of other questions from the hon. member, but that one was not included.

**Mr. Thompson:** Mr. Speaker, I appreciate the problem of the shortage of time and I look forward to getting a reply tomorrow on that question.

The other question I had for the Minister was: what steps are being taken to insure the control of water pollution at Nipigon and Red Rock, Ontario? And the second part to the question: What loans are being granted to industry in the two centres to facilitate the installation of water pollution control equipment?

**Hon. Mr. Simonett:** Mr. Speaker, again I have not the first question read by the hon. member. His question to me is: "What steps are being taken to insure the control of water pollution at Nipigon and Red Lake, not Red Rock. Which is correct?

**Mr. Thompson:** Red Rock!

**Hon. Mr. Simonett:** I have Red Lake, so perhaps my answer is not right here, but I have an answer to that one.

Negotiations are proceeding with the board of trustees for the improvement district of Red Rock—I have Red Rock here so someone was wrong in my office, I guess—to provide them with data on the available methods of financing to provide the necessary water pollution control work. Within the township of Nipigon itself there is a primary sewage treatment plant which is operating in a condition satisfactory to the OWRC. Recommendations have been made to Red Rock on the required treatment facilities and the implementation of this programme is being pursued.

A paper mill in Red Rock will have spent, between the years 1960 and 1966, almost $3.3 million for in-plant pollution control. No loans have been granted directly to the industry since the policy of the OWRC is to make funds available through the municipality.

The OWRC has approved the undertaking of a study of water supply and sewage disposal needs for Red Lake.

Did the hon. leader of the Opposition want something on Red Lake or not?

**Mr. Thompson:** Red Lake as well.

**Hon. Mr. Simonett:** A consulting engineer is shortly to be appointed for this work which could lead to a provincial project meeting local requirements. In connection with industrial pollution, the OWRC is working closely with those mines which are still operating in the area.

No direct loans have been granted to industries but industrial pollution will be considered in the possible provincial project.

**Mr. H. Worton** (Wellington South): Mr. Speaker, I have a question of the hon. Minister of Municipal Affairs.

Would the Minister inform the House if his department has taken any further steps for consideration of a resolution put forward to him by the Ontario separate schools last February 28, 1966, regarding the assessment of municipal taxes which does not allow a male parent of a mixed marriage, who is non-Catholic and who is usually the owner of the property, to have his taxes given in support of separate schools and yet wishes that his children be educated in them. If not, can the Minister inform the House when we can expect a decision regarding this resolution?

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, this question was received, I believe, early in the day and it gave the department staff an opportunity to conduct a very diligent, most diligent, search for the particular document to which my hon. friend has referred. I am sorry to say that we have no knowledge of such communication in The Department of Municipal Affairs.

In any case it would seem to me, Mr. Speaker, that any resolution such as this one which may contain certain facts or requests, should more properly have been forwarded to the hon. Minister of Education within whose authority is the legislation dealing with separate schools and boards of education and the public schools. We have no jurisdiction in that regard.

**Mr. Worton:** Mr. Speaker, just to clear the matter up, I have a copy of the resolution and a letter from the separate school board requesting me to ask this question of the hon. Minister, so this is the reason for it.

**Hon. Mr. Spooner:** Well, it is very nice for the hon. member to have the request from them. I suggest to you that I have not received such a document insofar as my staff has been able to search, and I am assured by the Deputy Minister himself that a most diligent search has been conducted this morning.

Now, if the hon. member would like to send me his correspondence, I would be glad

to give it my attention; but I suggest to him that more properly it should be communicated to the hon. Minister of Education.

**Mr. Speaker:** Orders of the day.

## THIRD READINGS

The following bills were given third reading upon motions:

Bill 88, An Act to amend The Game and Fish Act, 1961-1962.

Bill 94, An Act to amend The Judicature Act.

Bill 97, An Act to amend The Registry Act.

Bill, 99, An Act to amend The Police Act.

Bill 106, An Act to provide for the registration of and disclosure by public finance companies that hold shares in private loan companies.

Bill 117, An Act to amend The Marriage Act.

Bill 122, An Act to amend The Ontario Institute for Studies in Education Act, 1965.

Bill 123, An Act to amend The Ryerson Polytechnical Institute Act, 1962-1963.

Bill 124, An Act to amend The Municipal Unconditional Grants Act.

Bill 125, An Act to amend The Municipal Franchises Act.

Bill 126, An Act to amend The Local Improvement Act.

Bill 127, An Act to amend The Ontario Municipal Board Act.

Bill 128, An Act to amend The Confederation Centennial Act, 1962-1963.

Bill 129, An Act to amend The Department of Municipal Affairs Act.

Bill 135, An Act to amend The Parks Assistance Act.

Bill 136, An Act to amend The Housing Development Act.

Bill 138, An Act to amend The Cemeteries Act.

Bill 139, An Act to amend The Air Pollution Control Act.

Bill 140, An Act to amend The Ontario Mental Health Foundation Act, 1960-1961.

Bill 141, An Act to amend The Psychiatric Hospitals Act.

Bill 144, An Act to amend The Public Utilities Act.

Bill 145, An Act respecting the village of Beachville.

Bill 147, An Act to amend The Charitable Institutions Act, 1962-1963.

Bill 163, An Act to authorize the raising of money on the credit of the consolidated revenue fund.

Bill 164, An Act to amend The Agricultural Development Act.

Bill 172, An Act to amend The Tile Drainage Act.

Bill 165, An Act to amend The Public Service Act, 1961-1962.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, I want at this juncture to raise briefly a matter that I dealt with on second reading of the bill and on which, in my opinion, the hon. Provincial Treasurer has supplied a most unsatisfactory answer.

May I just review briefly one important portion of the bill, Mr. Speaker, so that hon. members will understand what I am referring to? It is now provided that matters affecting Crown employees, other than employees of the workmen's compensation board, the hydro-electric power commission and the Ontario northland transportation commission, can be brought before the joint council.

As I said on second reading, I think this is a constructive step forward. I think the ultimate result of it will be that the employees in most of these so-called Crown agencies, other than those specifically exempted, will fall within the ambit of the civil service association—which most of them want to have as their representative in any case—will have a proper grievance procedure and will at least be in a position to develop proper collective bargaining procedures, all of which benefits have been denied to them in the past in a number of agencies. So I want to make it clear that I support the bill as far as it goes.

I noted, however, on second reading, that there are two groups of forgotten men and women left in the public service of Ontario—using "public service" in the broadest sense of the words.

On the one hand there are employees of the workmen's compensation board who are not affected by the change that is being made in this bill. I am, for the moment, going to let that go. The hon. Provincial Treasurer took the position that the compensation board really was in such a peculiar category by virtue of the fact that it is financed entirely out of a specially raised fund, that he did not think that it should properly be within the ambit of the public service of Ontario. I think that there is a fairly sound argument for that position.

I would, however, point out that that is no reason for leaving these people without

any possibility of any representation whatever. Clearly, if the government does not think that they appropriately fit into the negotiating structure that is developing for civil servants, then it should remove the limitation that now exists—in fact, it is now more than a limitation, it is a total prohibition—that applies to these people. They cannot get recognition within the terms of the negotiating procedures that are developing in the civil service; and on the other hand they cannot get recognition under The Labour Relations Act.

The Crown Agency Act that our friend who is now the hon. Minister of Lands and Forests slipped through the House a few years ago prevents—

**Hon. A. K. Roberts** (Minister of Lands and Forests): Mr. Speaker, on a point of order. Would the hon. member who often is a stickler for proper practices in this House explain on just what basis he is making a speech on the third reading of this bill?

**Mr. Bryden:** I am dealing with an important point that is involved in the bill, Mr. Speaker.

**Hon. J. P. Robarts** (Prime Minister): The point is not in the bill; so what is the whole point of your comment? You are making a speech about something that is contained within the bill.

**Mr. Bryden:** If the hon. gentlemen opposite will please be patient, I think it is relevant and I am referring to a comment made by the hon. Provincial Treasurer at second reading when I asked why the workmen's compensation board employees should not be covered by the bill; he gave me the answer and I said that I saw some reason in his answer.

I would suggest, nevertheless, that these people, if they are not to come within the ambit of this bill, should then be permitted to operate under The Labour Relations Act. I was then going to say, Mr. Speaker—if the hon. Prime Minister will just contain himself for a moment—that I will deal with that problem at another time, if the opportunity should arise, but I do not think that we should pass this matter by without at least a reference to the fact that the employees of the workmen's compensation board are left completely in limbo; they are denied the most elementary rights that other employed people enjoy in this province.

Now, turning to the other group which is affected by this bill, I now wish to refer to the employees of the liquor licence and liquor control boards of Ontario. They are in a sense two distinct groups of employees, but they have many problems in common; they have the same headquarters down on Lakeshore boulevard and I will treat them, for purposes of discussion here, as if they were a single group.

The hon. Provincial Treasurer on second reading of the bill was candid enough to advise us that as soon as this legislation becomes law, the government will pass a regulation which in effect will for the foreseeable future exclude the employees of these two boards from the application of this provision in the Act. The provision will apply to other Crown agencies—the Niagara parks commission, for example—the Ontario water resources commission, the Ontario hospital services commission, and so on. It will apply to all of those; but employees of the liquor licence and liquor control boards will be excluded.

Why are they to be excluded, Mr. Speaker? Because the government is trying to protect a company union in those two boards. There is an organization there called the liquor control board and liquor licence board employees' association which is a management organization. It purports to represent the employees, when in fact it represents management. It does its organization through managers.

I have already pointed out, but I think it is worth mentioning again, that it has suffered a substantial loss of membership in the past number of months because, I have no doubt, employees do not consider it is of any use to them—

**Mr. Speaker:** Order, please!

May I just remind the member that he cannot reopen matters which he has discussed on second reading of the bill. Now he can speak to third reading of the bill, but I detect a repetition of some of the matters of which he spoke to on second reading of the bill and I would suggest to him that it would have to be something different than the matters he spoke of on second reading. I am of the opinion that he is covering quite a bit of ground in reopening matters which he referred to on second reading.

**Mr. Bryden:** Mr. Speaker, I can appreciate your intervention. I would point this much out, that there has been no determination of this particular matter by way of vote of the House. What I am leading up to is a motion which I hope will give the House an opportunity to make a determination and to express its opinion formally.

Now I appreciate your point that I should

not repeat everything that I said on second reading. On the other hand, in order to give meaning to my motion I have to try to outline at least the substance of my case and I will try to make it much briefer than it appeared to be working up to. I will merely reiterate that this organization, without going into the demonstration that I have already made on other occasions—

**Mr. E. W. Sopha** (Sudbury): The hon. member has forgotten what he said?

**Mr. Bryden:** Without going into the demonstration which I have provided to the House on many occasions, there is no question that this organization that I have referred to is a company union dominated by employers' agents in the form of local managers. There is, further, no question that the employees are not in a position to exercise a free choice as between this association and the civil service association. The very fact that the managers are their immediate supervisors and bosses and are promoting the one organization, obviously inhibits them in the exercise of a free choice—

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Speaker, on a point of order. This is a complete repetition of the debate on second reading.

**Mr. Bryden:** I realize that it is a matter that irritates the hon. Provincial Treasurer.

**Hon. Mr. Allan:** It does not irritate me, but I get sick and tired of listening to the same record.

**Mr. Bryden:** One of the difficulties is, Mr. Speaker, the total incapacity of the Provincial Treasurer to understand problems of labour relations.

**Mr. Speaker:** Order, order!

I think that the member should now come to his motion and not be too repetitious, as I pointed out to him before, because there is a great deal of repetition in what he is saying.

**Mr. Bryden:** I want to come to what the hon. Provincial Treasurer dignified with the term "reply" when he allegedly replied to me on second reading. He said that there was no intimidation and that the employees of these two boards obviously were not suffering from any sense of intimidation or any fear, because some of them, in fact, belong to the civil service association. I would like merely to point out to the House, Mr. Speaker, that that demonstrates how little the Provincial Treasurer understands about labour relations.

This has been one of the difficulties we have had in the past in dealing with these matters, that we have a Minister in charge who has no capacity to understand them. Obviously some employees have more courage than others, and notwithstanding the nature of the atmosphere that exists over there they will belong to the association. The problem is that the atmosphere that exists there with active intervention by employers' representatives will undoubtedly, for a long time to come, prevent most of them from exercising their true wishes.

Furthermore, Mr. Speaker, and this is my last point—

**Hon. Mr. Roberts:** On a point of order, would it be possible for the information of the House to determine what motion my friend has in mind, if he has any, so we will know what he is talking about?

**Mr. Bryden:** I will move my motion when I decide to move it, Mr. Speaker, and I have a motion—

**Hon. Mr. Roberts:** On a point of order—

**Mr. Bryden:** I can speak without making a motion if I wish.

**Hon. Mr. Roberts:** On a point of order. On the third reading it is generally recognized in this jurisdiction, and also in the Canadan jurisdiction and the British jursdiction, that there are no speeches.

**Mr. Bryden:** Well, that shows how little you know about it.

**Hon. Mr. Roberts:** There are two possible ways of dealing with a matter on third reading. One is to move a hoist for six months; the other is to more that the proceeding be put back into the committee of the whole House and I think we have a right to know which this gentleman wants done at this time.

**Mr. Bryden:** Mr. Speaker, the hon. Minister has merely demonstrated his ignorance.

**Mr. Speaker:** Order!

**Hon. H. L. Rowntree** (Minister of Labour): When this matter was in committee of the whole House there was no debate on this matter. It was before the whole House yesterday, if I remember, and the hon. member was here and admitted—

**Mr. Bryden:** Mr. Speaker, these are not points of order. This is just a form of obstructionism. Before the—

**Mr. Speaker:** Order, order! In order to inform the members, according to our *Parliamentary Procedure in Ontario* by Alex C. Lewis, which we follow consistently, it must be remembered that a bill can be discussed and dealt with when the motion for third reading is presented to the House. Slight amendments may be made to a bill during this stage, but if it is desired to make any material amendment, it is customary to recommit the bill for further consideration to committee as a whole and then to amend it as desired.

There is an opportunity on third reading for a debate but the rule goes on to say that debate on a motion for the third reading of the bill is more restricted than is the debate on second reading, as discussion is strictly confined to the contents of the bill. So that is what I was trying to bring to the attention of the hon. member, that he confine himself strictly to the contents of the bill and also to some material other than what he has mentioned on second reading so he will not be repetitious.

**Mr. Bryden:** Mr. Speaker. I am, of course, strictly dealing with certain provisions of the bill. I am trying to avoid repetition, although I must say that I am not getting much assistance from the gentlemen opposite who seem more interested in obstructing than anything else. However, I will now make my final point, and that is that–

**Hon. W. A. Stewart** (Minister of Agriculture): Hear, hear!

**Mr. Bryden:** Well that is the sort of comment one expects from the Minister of Agriculture.

Interjection by hon. members.

**Mr. Speaker:** Order.

**Mr. Bryden:** Mr. Speaker, I can see that these fellows are really quite upset by the hard facts that I am putting before them of their harbouring of a company union. But the final point, Mr. Speaker, is this: In my opinion, this bill should contain provisions whereby an impartial determination can be made as to which organization represents the employee if a dispute arises on that matter. It is not good enough merely to say that the government will ultimately bring the LCBO and LLBO employees back under the Act even though they are going to take them out immediately after it is passed. It is not good enough for them to say they will ultimately bring them back under it after, if the civil service association represents the majority. Surely the civil service association should have some impartial method of demonstrating that it represents the majority.

Therefore, I think that we should formally write into the bill two provisions: One, to provide for impartial machinery for determining which association represents the majority if the question should ever arise; and second, to provide protection for employees who wish to switch their affiliation. This could be done by making some sections of The Labour Relations Act applicable in this case. That would be one way of doing it. There could be other ways; I will not go into them, but some sort of formal procedure should be laid down. These people should have an absolutely clear-cut assurance, written right into the law, that they are perfectly free to choose whichever association they want, regardless of any pressure that any straw boss may attempt to place on them.

So, therefore, I move, seconded by the hon. member for Hamilton East:

That,

> the order for third reading of Bill 165 be discharged and that the bill be referred to the committee of the whole with instructions to amend it to provide adequate protection to employees of the liquor control and liquor licence boards in the event that they wish to change their affiliation from the present association, and to provide an impartial method of determining what association, if any, represents a majority of the employees of the said board in case of dispute.

Mr. Speaker, I must apologize to you. I scribbled this out rather quickly and I hope you will be able to read it. At any rate, I think the members of the House were able to take it in as I read it.

**Mr. Speaker:** I do not have my book on parliamentary practice with me, but I have sent to the office for it. At first glance this motion, which is now before the House, asks that the third reading of the bill be discharged and the bill be referred to the committee of the whole with instructions to amend it. Now, if you remember last year, we had such a motion made by Mr. MacDonald, and before we had a chance to look it up I allowed the vote to come on the motion only to find out two days' notice was required for such a motion to stand in the member's name. So, therefore, I have no alternative but to declare the motion out of order because the member's motion did not have the usual two days' notice in his

name that such a bill be referred to committee of the whole House.

**Mr. Bryden:** I do not believe that applies to my motion, Mr. Speaker. I defer to your ruling, naturally, but certainly Lewis says nothing to that effect and it is not my understanding that that type of motion requires two days' notice. There are some that do, but not in this House.

**Mr. D. C. MacDonald** (York South): We gave the government unanimous consent yesterday.

**Mr. Speaker:** I have here on page 568 and 569 of May the following regarding the recommittal of a bill. You are asking for the recommittal of this bill to the committee, with instructions to the committee of the whole House. A bill may be recommitted, if desired, to a committee of the whole House—a standing committee or a select committee—and a motion for this purpose may be made at the beginning or the end of the consideration stage between consideration and third reading, or on the third reading. No such motion may be made during the proceedings under consideration. However, May speaks of such a motion standing in the name of a member which makes it obvious that the usual notice on the notice paper is required.

**Mr. Bryden:** Well, Mr. Speaker, may I point out to you this, of course, may partly be in an interpretation of the standing orders of the British House and, of course, our standing orders or our rules are not identical. But if you apply that interpretation of May here, I would like to point out to you the anomaly that would arise.

This bill was in committee of the whole yesterday. It was absolutely impossible for me to give two days' notice. It was in committee yesterday and called for third reading today. Now, there was no way of me giving two days' notice of this motion, and under these circumstances I do not think that one could strictly apply May's interpretation which relates to the standing orders of the U.K. where there is a longer time between committee of the whole and third readings.

**Mr. Speaker:** In view of the hon. member's remarks then, I am inclined to be somewhat lenient today and I shall put the motion before the House under rule 56.

Moved by Mr. Bryden, seconded by Mr. Davison:

That,

the order for third reading of Bill 165 be discharged and that the bill be referred to the committee of the whole with instructions to amend it to provide adequate protection to employees of the liquor control and liquor licence boards in the event that they wish to change their application from the present association; and to provide an impartial method of determining what association, if any, represents the majority of employees of the said boards in case of dispute.

We will revert to the strict rule of rule 56 for disposal of the motion. Did the member wish to speak to the motion?

**Mr. J. Trotter** (Parkdale): Mr. Speaker, I want to speak briefly to this resolution in order to support it.

I think to those of us who have observed the government's handling of its own labour problems, it is obvious that it has a great deal to do before it has a proper labour organization in its own departments. I heartily agree with what the previous speaker, the hon. member for Woodbine, has said. The government has a poor record in the handling of its own labour problems.

Instead of being an example to the management and labour in the province of Ontario, we in this province with our own employees still have a very major problem, for example, in not allowing members of boards to switch affiliation. Literally, what we have in this province for our civil servants is a company union and if there are many complaints from civil servants about the poor pay they are receiving, it is to a large respect because they have little opportunity to choose as to who shall represent them.

To continue with the technicality of the difference between who works for the liquor board and who is a civil servant is long out of date. There should be a standard procedure for government employees and there should be standard wages for government employees, whether they work for a government commission or whether they are working for the so-called province of Ontario.

The fact that men and women who work for this government cannot switch their allegiance is a grave weakness in labour relations vis-à-vis the government of Ontario and the people who are working for the government of Ontario. Any of us know that if employees who work for a private company could not switch their union, they would be in a very bad bargaining position. Here they are in an even worse situation; not only can they not switch but they have

a situation where in essence they have a company union.

For that reason, I heartily support that this bill be returned to the committee and that the changes as suggested in the motion be made.

**Hon. Mr. Allan:** Mr. Speaker, my remarks will be very brief. I endeavoured to understand what the hon. member for Parkdale was intending to communicate, but I am afraid I was not successful. I take it that the amendment has to do only with the employees of the liquor control board and the liquor licence board and has nothing to do with the public servants or who represents them.

In reply to some of the remarks of the hon. member for Woodbine, I would say that I completely disagree with his statement that a company union exists at the liquor control board and the liquor licence board. My understanding is that the employees there have chosen who they wish to bargain for them; they are satisfied with the arrangement.

We have assured them that if a majority of those employees wish to choose the same association to bargain for them as civil servants, that we will facilitate that action. I think this covers the entire matter. Everything that was said today was practically a repetition of the discussion at the time of the second reading of the bill.

**Mr. Bryden:** May I ask, before you put the vote, Mr. Speaker, for a point of clarification? This motion does not actually purport to strike "now" out of the motion. It really is an ancillary motion—

**Mr. Speaker:** I am taking it as if it did.

**Mr. Bryden:** I see, fine.

**Mr. Speaker:** It should really have been done—

**Mr. Bryden:** I followed the form in Lewis.

**Mr. Speaker:** We will take the vote on the strict application of rule 56 and I remind the members that the question which I must ask is: shall third reading of the bill be now carried?

All those in favour, will please say "aye."

All those opposed, will please say "nay."

In my opinion, the "ayes" have it.

Call in the members.

All those in favour of the bill being now read a third time, will please rise.

All those opposed will please rise.

| Ayes | Nays |
|---|---|
| Allan | Bryden |
| Apps | Davison |
| Brunelle | Farquhar |
| Butler | Freeman |
| Carruthers | Gaunt |
| Cass | Gordon |
| Cecile | Lewis |
| Cowling | (Scarborough West) |
| Davis | MacDonald |
| Demers | Newman |
| Downer | Nixon |
| Eagleson | Oliver |
| Edwards | Paterson |
| Grossman | Racine |
| Guindon | Sargent |
| Harris | Smith |
| Haskett | Sopha |
| Henderson | Thompson |
| Hodgson | Trotter |
| (Scarborough East) | Worton—19. |
| Hodgson | |
| (Victoria) | |
| Johnston | |
| (Parry Sound) | |
| Johnston | |
| (Carleton) | |
| Knox | |
| Lawrence | |
| (Russell) | |
| Letherby | |
| Mackenzie | |
| MacNaughton | |
| Noden | |
| Olde | |
| Randall | |
| Reilly | |
| Reuter | |
| Robarts | |
| Roberts | |
| Root | |
| Rowe | |
| Rowntree | |
| Simonett | |
| Stewart | |
| Thrasher | |
| Villeneuve | |
| Walker | |
| Wardrope | |
| Welch | |
| Wells | |
| White | |
| Whitney | |
| Yakabuski | |
| Yaremko—49. | |

**Clerk of the House:** Mr. Speaker, the "ayes" are 49, the "nays" 19.

**Mr. Speaker:** I declare third reading of the bill carried.

## THE ALGOMA CENTRAL AND HUDSON BAY RAILWAY COMPANY ACT, 1941

Hon. A. K. Roberts (Minister of Lands and Forests) moves second reading of Bill 2, An Act to amend The Algoma Central and Hudson Bay Railway Company Act, 1941.

**Hon. A. K. Roberts** (Minister of Lands and Forests): Mr. Speaker, in connection with this motion I would say that Bill 2 is an Act to amend the Algoma Central and Hudson Bay Railway Company Act, 1941. This bill, when enacted, will have the effect of removing exemptions from assessment taxation under The Provincial Land Tax Act on lands owned by the company, now known as Algoma central railway, on March 18, 1940, an exemption that the company has enjoyed since January 1, 1940; and to permit fire charges under The Railway Fire Charge Act to be assessed and levied upon the company on lands granted as railway subsidy land retained by the company, from which the company has been exempt since January 1, 1940.

Negotiations have been proceeding between the company and the government in relation to a number of matters arising out of the company's ownership and administration and these railway subsidy lands. These have been advanced somewhat since this bill was introduced in the early days of this session and I hope that they will be carried through to a satisfactory conclusion on all the questions involved. It is the intention to process this bill through the Legislature and make it effective on proclamation.

I could outline at some considerable length the history of the legislation and actions which have brought about the present situation, but in view of the willingness now, apparently, of the company to the processing of the bill, and the state of the negotiations I have just mentioned, no good purpose will be served by me enlarging on the story at this stage.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I suggest this is an absolutely unprecedented move on the part of this government, and furthermore completely indefensible.

Now if I understand what the hon. Minister said—and he is smiling like the cat that ate the canary so that I suspect that I am pretty well on beam on this issue—what the hon. Minister has suggested is that they bring in a bill which was the first bill introduced into the Legislature this year apart from the routine one on the first day; and they immediately had descend upon them the lobbyists and the top officials of the Algoma central railway.

They have now been in the process of negotiating with the Algoma central railway for a period of up to four months. The hon. Minister has the effrontery to say to the House that he has not yet concluded the negotiations. So that we in the House do not know what the final negotiations are going to be. Therefore, we do not know what the bill in fact, is going to be, because the bill spells out certain things, but then there are negotiations under way by which, according to rumour, there will be certain concessions. Indeed, nobody knows what the deal is, after four months of negotiation. But the hon. Minister in effect is asking this House to pass this bill and give them the right to proclaim it when they have concluded negotiations, the conclusions of which we will not know anything about.

Now I suggest to you, Mr. Speaker, that this is not only a blank cheque, this is the most unheard of kind of proposition. It is an affront to this Legislature, it is preposterous for the hon. Minister to propose that this kind of a bill should be passed. I do not know whether one need go into any more detail on the principle of the bill, Mr. Speaker, but I shall certainly do so just briefly.

Everyone is aware this company refused to pay the land tax when it was inaugurated in the year 1925 because they assumed that they were something of a law unto themselves and a law that was passed to apply across the province of Ontario presumably would not apply to them. So that by the year 1940 they had accumulated a debt which, if my recollection is correct, was something in the range of $2.25 million.

The government of that day decided that they would wipe out this accumulated debt, in itself a rather intriguing proposition. If you and I get into debt on taxes, we do not usually have the privilege of wiping it out in some sort of fashion after 15 years of delinquency. However, in 1940 they wiped out the debt by taking back one-half of the land grant which was given in such generosity to this railway back in the early years of pioneering days. They still retain to the Algoma central railway some 900,000—roughly 800,000 to 900,000 acres—and then the government of the day—Liberal in stripe

may I remind you—returned the privilege not in any vague sense but gave them tax exemption legally, which they have ejoyed for the last 25 years.

That is only part of the story, however, Mr. Speaker. The other part of the story is that about the year 1952, by a very strange process that sometimes goes on behind the scenes in this government, it was discovered inadvertently by a clerk in The Department of Mines, that the Algoma central railway had not been paying its mining tax for literally decades. The law requires that if you sell or lease land and retain the mineral rights, you do not have to pay mineral tax as well as land tax, but once you have sold or leased the land then the mining tax becomes applicable.

Down through the years, for the last generation or two, the Algoma central railway had been selling or leasing land, retaining the mineral rights but not paying the mineral tax. It was discovered at that point, according to figures that have never really been denied, that there had accumulated another tax bill to the province of Ontario to the extent of $3.25 million. The government of that day, with the solicitude that they always extend to these large corporations, did not say "you will have to pay your back taxes." Mr. Frost of that day entered into unofficial agreement with them to the effect that they could explore the situation, they could survey the situation and make up their minds as to which of these lands they wanted to retain.

They did explore the situation and they took their time. They explored it for some 10 to 12 years and last year—or the year before, if I recall correctly—they finally made up their minds that there were some eight or nine townships they did not want anymore, so they handed them back. Some others they have still retained as they continue exploration for what mineral rights that might happen to be there. In other words, Mr. Speaker, you have had $3.25 million of mining taxes that had accumulated by 1952 which were never paid; you have had 10 or 12 years in which they dilly-dallied on the issue.

Presumably under the law the mining taxes are still accumulating, they have paid nothing. The fact of the matter is that the Algoma central railway has been granted something in excess of $4 million in tax delinquency, either legally or illegally; the great portion of it illegally in the mining taxes, though I will concede that as far as the land taxes were concerned since the bill that was put through by the Hepburn government in 1941, they were legally exempted.

Now, I submit, Mr. Speaker, this is an unbelievable and an intolerable proposition that any government should finally bow as they did. To say this will end was commendable. So they bring in a bill which, as the hon. Minister indicates, is now going to eliminate this legal exemption, which is going to make the ACR liable for certain fire protection taxes and things of this nature. But then the government bows to the kind of lobbying that has gone on for four months, and I repeat, it has been going on since February 1. If I can count on my fingers or perhaps borrow those of the hon. Minister of Labour: February, March, April and May, we are into the fifth month. There have been negotiations going on, and the Minister indicates to me—

**Hon. H. L. Rowntree** (Minister of Labour): That is acceptable, but not lobbying.

**Mr. MacDonald:** The hon. Minister of Labour has suddenly become very "precious." When this big corporation descends on the government and in effect brings them to a full halt on a bill which they introduced as far back as the end of January and only at this late stage of the session do they bring it in, I choose to call it lobbying; the hon. Minister can call it anything he wants. However, Mr. Speaker, I conclude with the point I started with, I think it is preposterous that this hon. Minister should rise in the House and say: "Here is my bill, I am going to pass it, although we have not concluded the negotiations." According to rumour, what is happening in these negotiations is that Algoma central railway says that if you are going to take away our legal exemption, then you have got to return some of the land; you have got to do this, or you have got to do that. What, we do not know. But when we finish these negotiations, if we pass this bill in the House, the government will then be able to proclaim the bill with a secret addendum, that we know nothing about, a secret addendum to the bill; it will all become law.

**Mr. E. W. Sopha** (Sudbury): It might never proclaim it.

**Mr. MacDonald:** Well, I would think that under the circumstances it will likely be proclaimed, particularly when they have got the secret addendum on there, because I think the secret addendum is going to go very far to cancelling out what the Algoma central railway thinks are the disadvantages implicit in this bill.

Mr. Speaker, we will certainly oppose this bill.

**Hon. Mr. Rowntree:** That is the most ridiculous argument this House has heard all session.

**Mr. MacDonald:** Is that right? Well, I invite the Minister to get out into the hustings and defend what he has done.

**Hon. G. C. Wardrope** (Minister of Mines): Will the hon. member apologize if he is wrong?

**Mr. MacDonald:** No, I am not apologizing because up until now I am not wrong at all.

Interjections by hon. members.

**Mr. MacDonald:** Well, Mr. Speaker, if the hon. gentleman is now beginning to impute motives, I have outlined what happened in this bill and it is factual. I have outlined the other factual point, namely, that the Minister is saying he has not concluded our negotiations and saying that if you pass this bill, in effect the secret negotiations and the final agreement will become law along with the bill. This is what he is asking us to do. If that is not buying the pig in the poke, I do not know what is.

**Mr. Sopha:** Mr. Speaker, it is incumbent upon me to put the position of this party, and I say that this is an almost unprecedented and incredible situation and I do not need to elaborate on the remarks made by the hon. member for York South, save to say that he might have added to the historical treatment of this railway that he embarked upon—which was most factual as I have studied it—that he might have added that throughout the history of the railway since the last years of the 19th century and particularly the first years of the 20th, this railway has in fact acted in the district of Algoma as some kind of feudal sovereign in respect of these lands. That sovereignty has manifested itself in a treatment of the local inhabitants along the railway that was more appropriate to the middle ages than it is to the enlightened years of the '60's, attended as it has been with the granting of permits to come on the lands and an unwillingness to allow prospecting in the mineral lands and so on.

We in this party were delighted when we saw this bill, and I said to the hon. Attorney General only the other day when he queried me in public that I would be glad to vote for the bill, let him call it, and of course that railway is in the riding of the hon. Attorney General himself. It is a pity that he is not here to give us his views on the peculiar effects of the institution on the economy of his area.

But then along comes the Minister of Land and Forests, and in his unique and peculiar way—only he can do things in the way he does—there is always something new and startling. In he comes and he says, looking over at us, and with his typewritten sheet where he has got it all written out, he says: we want to invite you to join with us to use this bill as a club over the head of the railway in these negotiations that we are pushing, and inferring that if they do not come along with us in the negotiations, then someday his honour the Lieutenant-Governor will be asked to proclaim the bill.

I forget the exact words he used, but *Hansard* will have them, and upon analysis the inference will be plain that he meant that if we cannot come to an agreement, then the Lieutenant-Governor will issue his proclamation.

Well, the question is, what agreement is he coming to? He did not take the House into his confidence this afternoon, to say what the nature of the negotiations are. He did not even tell us if they are friendly. Is the Algoma central railway being recalcitrant, or are they being obliging in the negotiations?

Is the result going to be that the people of this provinve will get their fair tax revenue from 850,000 acres of land? Will they get a part of it, or will they get none of it? Well at this stage, we do not know in this party what the ultimate situation is going to be. We thought that it was only fair, if a summer resort location owner on one of the 40 trout lakes in the province has to pay provincial land tax, that this monolithic corporation with hundreds of miles of railways, abutted by lands owned by it should pay them too, as well as their fire charges, which a related bill requires them to pay.

Well at this stage, we are left in a state of conundrum. What is to be expected? Now that puts us in an impossible, if not an intolerable situation and I might say this—and I do not think I reveal any confidences—that representations were made to us. I was invited to sit in, to hear the representations made by the executives of the Algoma central railway. That was not made to our party caucus, so I do not reveal any confidence. I heard them out, listened to them attentively, and at the conclusion I had to say in confidence: "We cannot go along with you, we have to vote for this bill."

That contract was made in 1940, and many strange things happened in the year 1940

under the stress of international conflict, no doubt. But with the pressures on this country, that agreement was an unconscionable one and it was not in the interests of the people of this province. I take no responsibility for that agreement.

This bill went a long way in interfering with the freedom of contract, because a government possessing the ultimate and final power of the state and the right to use force, was saying a clause of the agreement shall be rescinded. Really in our society, only a government can do that, nobody else.

Well, notwithstanding the shocking nature of the remedy that was being employed, in conscience, as I say, we in this party had to support that. Well, it is no longer that clear cut, Mr. Speaker. That is not the issue any longer.

If it were that, then there would not have been a murmur I dare say from my friend from York South, or from myself, the bill would have quietly passed second reading.

But I say to the House leader, in the absence of the hon. Prime Minister, now the hon. Minister of Lands and Forests has put us in an impossible situation. We do not know, even if we give our fiat and our support to this bill, if the bill will ever become law, or it will be left in limbo at the discretion of the Minister of Lands and Forests. We do not know at this stage what the agreement might be that has finally been resolved between the government and the Algoma central railway.

Therefore this challenge is plain. Common courtesy if nothing else demands that somebody from the government get up and tell us what the ultimate resolution is going to be. Give us some enlightenment about the nature of these negotiations. Define to us the representations that have been made by the Algoma central railway. If they do not want that paragraph, and I think it is paragraph 5, of the Act rescinded, then what is the Algoma central railway willing to give the people of this province in return as a quid pro quo for that?

All of these things, I would think, in a parliament such as ours, we in opposition are entitled to know, Mr. Speaker, and I hope even at this minute, as I sit down, that the hon. Minister of Lands and Forests will take the opportunity to get up and tell us.

**Hon. Mr. Roberts:** Well, Mr. Speaker, I am rather pleased to be cited by the spokesman for these two parties, and rather interested, if not somewhat amused at the fact that, in the case of the NDP, he says what I have already said puts them in an intolerable position, and the spokesman for the Liberal party said they are in an impossible position.

Well, as a matter of fact, I take a little bit of amusement out of that sort of talk. If I, in a two or three minutes' statement in the House, can get the Opposition in that state, perhaps I should talk very briefly in the future.

**Mr. K. Bryden** (Woodbine): It was a very irresponsible statement.

**Hon. Mr. Roberts:** I would say this, there is nothing irresponsible whatsoever. The position of the government in connection with this is crystal clear.

Two years ago this government found a situation existing in relation to interference, as it seemed to us, with regard to the recreational rights of people who were coming into our north country, and we went to the ACR and we laid it on the line and took exception to what they were doing.

From that we learned a few other things and, as a result of the investigations that were then instigated, we discovered, among other things, that this company had been, as a result of a previous administration settlement with them, living under an exemption under the provincial land tax Act since 1940.

We immediately began to take the position that it was an indefensible position for any government to allow to go on indefinitely, even though the original agreement had that kind of in-perpetuity interpretation placed on it. We, at the same time, felt that this whole situation, particularly with regard to fishing and hunting rights in that area on subsidy lands, was not being developed in accordance with the best interest of the public—I will be dealing with Bill 4 in a few minutes on that—and we commenced an attack on that front to straighten out the situation.

We started negotiations two years ago with a view to arriving, if possible, at some sensible price for the acquisition of the properties —the subsidy lands of the ACR. Those negotiations went on for about a year and a half. Last August I made it clear, since we were not getting down to what would appear to be anything like an amiable settlement, that I intended to introduce this bill at the next sitting of the Legislature.

This bill was introduced, and since it was introduced there has been an impetus on the part of the ACR people to try to get a solution. But to suggest that they are lobbying or doing something of that sort is not proper and I do not think my friend would

use that term if he knew what was going on.

But what is now before the government and these people is this whole question of the lands that they hold and the future use and administration of them. It may end up that we will acquire certain parts of them. It may end up that we will take complete supervision of the hunting and fishing rights over everything, whether we acquire them or not.

In order to do that, we need two vehicles: One is this vehicle that is represented by this Bill 2, which puts an end to this exemption on taxation of those lands. If my friends will look at that bill, they will see that it makes it clear that the effect of it will be, when the assessments have taken place, it will be as of January 1, this year. In other words there will be liability for taxation this year.

**Mr. Sopha:** Would the Minister permit a question? I think we can settle this if he can give us an answer to this question. Does he tell us that in any event on the result of the negotiations, the exemption for these lands will be eliminated?

**Hon. Mr. Roberts:** My answer to that is, as the responsible Minister moving this, it is my intention that would be the case. There are certain reasons, perhaps, for the matter of weeks we have allowed these negotiations to go along, but in my view, and I say it seriously to this House, there is no thought in my mind but that this will take effect as of this year.

**Mr. MacDonald:** Mr. Speaker, I wonder if the hon. Minister would permit another question, then?

**Hon. Mr. Roberts:** Yes.

**Mr. MacDonald:** According to a broadcast in the Soo some month or two ago, Mr. Waugh, the head of the ACR, came back and said that he was jubilant over the negotiations and he was jubilant because, while they were going to have to pay taxes, they were going to be given more land. Is that accurate?

**Hon. Mr. Roberts:** Wherever that came from it is absolutely untrue. There is no thought whatsoever of giving the ACR or selling the ACR any more land, none whatever. The end result will be they will have a lot less, I would think.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, I would simply like to say that when the Minister stood up he was saying that he was so gratified to know that he had put us in an impossible position. May I say to him the reason there was an impossible position was that we were just going to hear the facts about whether we would vote or not after we had pulled them from him.

I may say after having sat here as a junior member of this party a number of years ago, there were members of my party as well as the new party who brought to the Minister's attention the approach taken by the company to hunting and fishing. I remember very clearly a debate that took place some four or five years ago when the member for Sudbury amongst others, stood up here and with his usual oratory and eloquence demanded that the government start moving on this, and similarly the hon. leader of the New Democratic Party.

I appreciate that from this—

**Hon. Mr. Roberts:** May I correct my friend for a moment? I do not want him to get too far afield in his memory, because his memory would be correct if he said that what the hon. member for Sudbury and others were saying was in the debate that originated as a result of what I was saying in connection with this fact.

**Mr. MacDonald:** Oh no, we raised it and the Minister commented, and then we got into a real debate.

**Mr. Thompson:** Let us say anyway that the objective of the Opposition to get the Minister to move on this, has been achieved. May I say that now that we know the facts in connection with the exemption of taxes and also the fact that there is not going to be more land granted, that from our side we will vote with the bill.

**Mr. Speaker:** All those in favour of the bill being read a second time?

Motion agreed to; second reading of the bill.

## THE RAILWAY FIRE CHARGE ACT

Hon. Mr. Roberts moves second reading of Bill 4, An Act to amend The Railway Fire Charge Act.

**Hon. Mr. Roberts:** This bill will permit the department to establish a system for the use of railway subsidy lands retained by the original patentee or related companies for hunting and fishing. It may well be that the system to be employed by the government will affect the user of these lands in a way

similar to the user of Crown lands for purposes of hunting and fishing.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 31st order; resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and the House resolve itself into committee on ways and means.

## ON THE BUDGET

**Mr. A. W. Downer** (Dufferin-Simcoe): Mr. Speaker, it is a very great privilege for me to take part in this debate; and to congratulate you, sir, on the way in which you carry out your duties. You have upheld the dignity and traditions of your high office in a most admirable way and I am sure that every hon. member of this House is aware of your impartiality and willingeness to be of assistance especially those who are here for the first time.

I would also like to congratulate the Chairman of the whole House in the admirable way he carries out his duties.

Then I would like to make an observation. I believe a complete revision of the rules of this House is long overdue in order to cut down needless and irrelevant discussions and make the rules realistic. This is a new day, the day of the jet plane and discoveries in space. The rules we follow by and large were made for the horse and buggy days. I would suggest that a select committee be appointed to deal with this matter and completely revise the rules during the coming recess of this Parliament.

Then there are two or three things of a personal nature I would like to say. This day I would like to pay tribute to the life and work of the late William T. Murchie, deputy chief commissioner of the liquor control board of Ontario for the past 15 years, who died two weeks ago.

Mr. Murchie was a dedicated, sincere man who served his country and his province very well indeed. Many in this House can testify to his kindness and great qualities of mind and heart. He was a veteran and won recognition for his bravery on the field of battle and was given the military cross. To those who knew him, he was a man who inspired loyalty and devotion to the highest ideals. To his wife and family, we extend our deepest sympathy. This province will be much poorer because of his death.

And then because this is the first opportunity I have had to speak to the House, I am sure every member of this House regrets the untimely death of the hon. member for Kenora, and I personally offer my deepest sympathy to his wife and family in their great loss.

The third item: I would like to congratulate the hon. member for Grey South (Mr. Oliver) on his 40 years of service to the province of Ontario.

We no longer look upon him as a politician, but we look upon him as the elder statesman of this province. I trust that this Legislature—and we will be very remiss if we do not do it—I trust this Legislature will mark the 40 years of service in this House in a very appropriate manner. It is not given to many to serve so long or so honourably. I am sure every member will be anxious to pay tribute to this great public servant.

During this session we have heard a great deal of criticism of the government. You would think, to hear some of those taking part in the debates, that Ontario was facing a dismal future indeed.

Frankly, I am unable to understand this attitude. Here we have people complaining about so many things, when unemployment is at its lowest level in history and our people enjoy the second highest standard of living in the world, a standard that is higher than ever before. Why is it that there is such a spirit of gloom and doom on the opposite side of the House? Of course, we have to admit that our rapid development and expansion, our affluence and prosperity, are directly linked to good government in this province.

For example, The Department of Economics and Development is doing an outstanding job in keeping the climate for expansion in good order. If the members of this House have any doubts about the expansion, if they have any doubts about the development and the well-being of this province, all they have to do is to look around. If you want to see the greatness of Wren's work in England, all you have to do is look at St. Paul's Cathedral. Look around you.

So it is with Ontario; but "None are so blind as those who will not see." If members would see the greatness of the Prime Minister's (Mr. Robart's) vision and work just look around. I am not going back to 1943 when the Conservative administration took over. Nor am I going to list the accomplishments of the Drew and Kennedy and the

Frost administrations. Time would not permit me to do this. It would not permit me to list all their accomplishments for the good of Ontario. But, I would like to be right up-to-date, so I will remind you only of the major proposals and accomplishments since the beginning of this Parliament in October, 1963.

First we had the creation of The Department of University Affairs—and I will not speak about these accomplishments individually—the chartering of two new individual universities, Brock and Guelph; the extension of free textbooks to students in grades 9, 10, 11 and 12; major amendments to The Public Hospitals Act permitting low-cost loans; important amendments to The Mothers' Allowance Act and the Old Act Assistance Act; province-wide Minimum Wage Act; establishment of Sheridan Park corporation; amendment to The Junior Farmers' Establishment Act; establishment of ARDA committees in every county to provide a direct link to the Canadian ARDA directorate.

We have been hearing a little bit of criticism this year about people having low incomes in certain parts of Ontario. Well, there are people with low incomes in certain parts of Ontario, but they live or are located on marginal lands. I suggest that if some of the lawyers went up to Tobermory and settled there, they would find their incomes at a pretty low ebb too. It is pretty difficult to relocate people unless they are willing to be relocated. But ARDA and Ontario will play its full part; ARDA will attempt to improve the living standards of the people who live on the marginal land.

Then we have major amendments to the Ontario human rights code; a new Ontario Training Schools Act; major amendments to The Workmen's Compensation Act; an industrial training branch to assist industry and labour to develop on-the-job training programmes; the first independent Royal commission on redistribution—the first one in this province; the start of the largest nuclear plant in the world; a railway commuter service promised between Hamilton and Dunbarton; a new Child Welfare Act; voluntary medical health assistance plan; council for the arts; a proposal for community colleges; and a new Securities Act, now in process.

No wonder the motto of the government is: "We build."

Hon. members may condemn, and they may criticize. But I am sure they would not take a single one of these advantages away from the people of Ontario. And I would just like to say in passing, that if they were really honest about these things; if they really feel that we are making a bad job of it, then they would promise faithfully to the province of Ontario that if they are elected—that they will repeal every single one of these Act. Now I am sure hon. members opposite will not do it because they know this is good legislation, and this is for the good of the province of Ontario.

The hon. Prime Minister has those qualities of mind and heart that make for greatness, but, best of all, he is determined, as we all are, to make Ontario a better place in which to live for all our people, and to share with the people of Ontario our vision of a greater Ontario where every man, every woman, and every child shall have equal opportunity to share in the good things of life with which we have been so abundantly blessed.

Now, I would also like to quote from a man who has not always supported this government. This was just before the hon. Provincial Treasurer (Mr. Allan) had given his Budget speech; this man says on the eve of an increased Ontario tax—this is a salute to the way in which this province is run by a grateful citizen:

> Over the next month I expect to be touched by nearly all the various departments of government of this province and on looking them over, I think they are unusually well-run. Living and working in Toronto I am only indirectly conscious of the big brother at Queen's Park, although he has given me a crosstown express highway cutting through the heart of the city, that is equal to the best road in all the world.
>
> He has set the standard for cleanliness of restaurants in which I dine and places where I can drink. He has supplied me with hospitals if I go into mental decay and research if I become addicted and police protection, apart from Metro protection, if I am threatened.

And then he goes on to say:

> All these things are free. If I want to camp out the province has scores of places for me to camp. One of them, Algonquin park, is bigger than several American states, such as Delaware. If you want a road map, it is all there, all free. If you think you have found something that looks like gold in a piece of rock, and there seems to be a lot of this around, then the government will look into it and there will be no charge.

And so it goes on:

> Ontario has provided us with a million things and most of them are free; we have a few toll bridges, but no toll roads.

This was written and delivered on the air by Gordon Sinclair, the foremost radio broadcaster in the province of Ontario.

Now, hon. members, you may agree or may not agree, with what I have already said, but what I am about to say now, I am sure that they will all agree with, for what I want to discuss with them now is everybody's business, and that is the problem of alcoholism in this province. The alcoholic population constitutes a cross section of Canadian society. Intelligence, professional competence, family background, social status, economic wealth, occupational skills and education appear to play a minor role in preventing uncontrolled drinking.

Our methods of dealing with this immense problem may cause some controversy, but the subject is not political. It has to do only with the health and well-being of many of our fellow citizens and every member of this House, wherever he sits, is certainly interested in the well-being of his friends and neighbours.

The province of Ontario has long been seriously concerned with the number of citizens afflicted by addiction to alcohol. This number now stands at about 90,000 in round figures, and this figure will reach 120,000 in 20 years and close to 160,000 a decade later, due to the fact that the population of this province is increasing at a tremendous rate.

I would like to say this: That as far as the incidence is concerned, it has not increased since 1960 and for this we are very grateful. In the meantime, our prevention and treatment activities are being substantially expanded. Despite the activities of many organized religious and pressure groups, 76 per cent of Canadian men drink and 65 per cent of Canadian women drink. Of those who drink, only 2.5 per cent are alcoholics. Actually the odds of becoming an alcoholic are less than that of becoming a traffic accident victim.

An alcoholic, to give up his drinking, must be sober for at least two months. This enables him to see things in a new light and free himself from withdrawal symptoms.

Now statistics show that about 30 per cent of alcoholics are unskilled workers and these unskilled groups form only 4.7 per cent of the population. By contrast, professional, technical and clerical workers had the lowest percentage of alcoholism.

About 55 per cent of alcoholics in clerical and sales occupations sought treatment, but only 31 per cent of the unskilled workers sought treatment. This would suggest that those alcoholics having the most to lose socially or economically are the most highly motivated to seek treatment.

Among the unskilled alcoholics, alcoholism was an accepted way of life within their families and had been going on, in many cases, for generations. They seem to have nothing else to do but drink and it seems likely that the same pattern will repeat itself for many generations.

Among alcoholics, the divorce and separation rates are much higher than among those of the general population, but I would like to remind you that the single girl is least likely to become an alcoholic and only two out of every 1,000 single girls have a chronic drinking problem at all.

Nine-tenths of combined murders and suicides are associated with the excessive use of alcohol. Between 25 per cent and 50 per cent of car accidents leading to fatalities are associated with alcoholic intoxication. A good part of our welfare bills, from our taxes, is due to alcoholism. These murders and suicides and car accidents and welfare patients are our neighbours, they are friends; and occasionally we ourselves are involved in these incidents. Somewhere, sometime, before that car accident, before that murder in a drunken rage, before that chronic drinker became a derelict, that man or woman was in a doctor's office or was seen in hospital, or his spouse called asking help for him.

The doctor may or may not have realized the alcoholic problem and tried to treat it, but the chances are that he only treated the gastritis, the head injury or the insomnia, the symptom that was most prominent. The alcohol problem was allowed to get worse until disastrous results appeared.

Most of the medical schools have little to say about alcoholism and most of the students go out of medical schools unprepared to meet and deal with the alcoholic patient and some that are prepared are not very anxious to treat them.

In the past doctors have felt that they could do nothing with alcoholics because, first, they assumed that alcoholics could only be helped if they wanted to be helped and, second, they believed that alcoholics did not want help until they finally reached the bottom. But this attitude of helplessness until the bottom is reached is all wrong. Dr. Bell puts it very forcibly when he writes:

> In what other disease do we wait until the patient is the sickest before we treat him? We cannot wait until these people hit the bottom and then want help.

By the time they hit the bottom they have lost their health and their homes, and quite often, their jobs. What can be done? The majority of these men and women are not hopeless human wrecks. They are people who can benefit from treatment by doctors and nurses in hospitals and clinics, from counselling by social workers and clergymen and special training; and from firm guidance and understanding supplied by employers and friends and family, members of alcoholics anonymous and from the community at large.

In other words, professional training and public education are the keys to early recognition and treatment of alcoholic problems and to constructive rehabilitation efforts.

Now, we all have to play a part in this. We all have to play a part in the recovery of those who are already in trouble as well as in the prevention of future alcoholism on the part of the two-thirds of the population who take a drink.

Now, to attain a state of complete abstinence—for the alcoholic can never become a controlled drinker—is the first step in therapy. Compulsive drinking, though merely a symptom of a deep-seated personality or social maladjustment, has to be brought under control before any attempt at deeper therapy can succeed.

The alcoholism and drug addiction foundation has tried to meet the challenge of alcoholism with an educational programme designed to change public opinion. It has been the conviction of all working in this field that until and unless public attitudes are changed, we shall never make much progress.

This programme of educating the public is a very new programme. Actually it has been only in effect for ten years, in fact, less than that. I would say considering the negative results of the years that preceded this approach we made an amazing move forward. It takes a long time to get a new idea or for a new idea to catch on, and education in this field is a slow process indeed.

For example, alcoholics anonymous was founded in 1935 and at the end of five years it had barely 100 members. It took considerable time for this organization to become known, to attract people who needed help and to expand. Well, today alcoholics anonymous has a membership of 350,000 men and women in all parts of the world, and 6,000 right here in the province of Ontario.

Now, one of the prime reasons for the success of alcoholics anonymous is that it provides a society which accepts the alcoholic because it is made up of other alcoholics. And this is why they do it. They were the first ones to do it, and the only ones to do it for a long time. What they provide to the individual wanting to recover from alcoholism, wanting to stop drinking, wanting to drop the burden of this problem, is what they want most of all, acceptance; complete and unquestioning acceptance.

The newcomer to alcoholics anonymous is warmly welcomed. They want him; he is not just tolerated, he is wanted. And because he is wanted, they do a good job.

One of the biggest problems we face is the recidivism of those alcoholic patients which is due largely to the inability of the recovered alcoholic to re-integrate into society, not because he or she does not want to; not because he or she does not try, but the problem is that the community does not want them.

You speak to an alcoholic and he will tell you he was kicked out of the human race. He was rejected and in my opinion one of the reasons for the success of alcoholics anonymous is that it provides a society which accepts the alcoholic. It is important to remember that we work one-third of a day, we sleep one-third of a day, but there is another third of the day which is not spent in either working or sleeping, and that third of the day is that time in which we have need of some social activity. We have to have people then with whom to associate and talk. And it is this problem of filling the third of every day that makes so many of the alcoholics relapse. This is where the organization of alcoholics anonymous helps so much. This organization does not need our help but we need their help very much indeed.

Our attitude toward the alcoholic must change. And I think we are making progress in changing attitudes but, it is a slow process. You ask any expert in public health how easy it is to teach health matters to people and he will say it is not easy at all. He will tell you that it took a whole generation to teach people to brush their teeth every day, for example. This was a difficult idea to put across, and yet here was a simple matter of hygiene and it took a whole generation to put it on its way. And so we can expect it will take a lot of time before we can change public attitudes and create the community climate that we must have if the alcoholic is to be rehabilitated.

I might say that we share the situation of

people's knowledge and ideas about alcoholism with those concerned with the cure and the prevention of cancer, for example; for many years cancer was not recognized until it was in its last stages and that meant that it was hopeless. It is only in the last ten or fifteen years people have been educated to the point where even a layman knows the earliest symptoms of cancer. This did not happen by accident. It happened because the cancer society spent money, and the medical profession spent money and time and energy —spent time getting this information into the hands of the public, and educating the public. You remember their slogan—a very common one—"fight cancer with a checkup and a cheque."

Now, our programme to fight alcoholism will, I am sure, be just as successful if we have the time and the money. There is still a great and impelling need for more research of course. I am convinced that there are a great many answers lying around us waiting to be picked up if we only had trained research personnel with time and money to pick them up and put them together in a form that would carry weight and authority and which the rest of us could use. And it is also my conviction that we will not get either the researchers or the funds until there is a great change in public attitude.

Here in Ontario we have made tremendous progress in gaining intellectual acceptance for the concept of alcoholism as a treatable illness. It was only a couple of years ago that we brought this matter up;' at that time it was not looked upon as a treatable illness. But the medical profession has changed its view, and today they look upon it as a treatable illness. Now we look upon it as an illness in the first place, and secondly, we feel that it is not hopeless.

Now, let me pay tribute here to my colleagues in the liquor control board and the liquor licence board and the alcoholism and drug addiction research foundation. The chairman of the liquor control board, Mr. Shepherd, is intensely interested in this subject. The chairman of the liquor licence board is just as interested. The Prime Minister has indicated time and time again that he is concerned with this problem. The leader of the Opposition has expressed his concern; the leader of the New Democratic Party has expressed his concern. Each one has said that our greatest asset is our people and that everything revolves around people. It is necessary, each one has said, that we have freedom from physical, moral and mental sickness in all our people. And this has to do with the moral and the physical and mental sickness of our people.

I would be very remiss indeed if I did not mention the tremendous contribution made in this field, and the other fields of health, by our own peppery Minister of Health who has contributed much to the advancement in the field of mental health and in this field he, too, is vitally concerned with the cure and prevention of alcoholism. No man is more dedicated to helping his fellowman than the Minister of Health. That is only natural; all doctors are dedicated to the same thing. And I say that we are indeed fortunate to have a man as concerned as he is about the problems of the ordinary man. He has made a noteworthy contribution towards making Ontario a better place in which to live.

And then I am sure that I would like to pay a little tribute to a man who has carried on a one-man crusade in this House, day after day almost for the whole of the session. The hon. member for Yorkview (Mr. Young) has carried on a crusade for car safety and highway safety and I know that all of us agree with his crusade and we know that the hon. Minister of Transport is doing a great many things to implement his suggestions.

I say I pay tribute to him, and I think on every side of the House we pay tribute to the hon. member for Yorkview.

Then I am sure all of us share too the concern of the hon. member for Scarbourough West (Mr. S. Lewis) in his—I say crusade again—for those who are perceptually handicapped.

Yet I am sure he must have forgotten, in his enthusiasm; he must have forgotten that it was this government that first gave aid to the retarded schools. Let us give credit where credit is due.

Every year since its inception, the alcoholism and drug addiction research foundation has been voted more money out of tax funds to step up its threefold programme of research treatment and education. However, and I think perhaps some of the hon. members have a different idea on this, the foundation is in the current position of being able to develop services more rapidly than the financial resources will permit, and all they need is sufficient financial support. It is important to realize that the kind of services provided for the chronic drunkenness offender group, of which there are approximately 10,000, are quite different from the services provided for the non-chronic drunkenness offender, or the 90,000-odd who have not yet reached the stage of skid row involvement.

The greater majority of this latter group are still employed; some are encountering difficulties in their jobs, of course, nevertheless, they are still maintaining some degree of reasonable economic and occupational function, and this therefore is the group to which every effort should be extended for treatment and rehabilitation, before they reach the stage of unemployment, and therefore become a much larger charge on the welfare resources of the community.

From experience it has been found that with the employed alcoholic rehabilitation is successful within the range of 50 to 80 per cent. It becomes evident therefore that this is an important sector of the population upon which to concentrate. This is where the development of an intensive programme of education and treatment within the industrial community should be made. It is the hope of the foundation to establish a special industrial clinic to work closely with large and small industries in every part of the province.

In addition to this a considerable extension of outpatient day treatment and rehabilitation centre facilities should be considered.

For the chronic drunkenness offender, the basic clinical needs are first an establishment of a detoxication and assessment centre; the establishment of a small halfway house unit; and thirdly the establishment of a rural rehabilitation unit, a farm programme.

Just in connection with this, while it is not under the drug addiction foundation, the Salvation Army have just purchased, and this is in the *Creemore Star* of June 9, they have just purchased a 200-acre farm in Tosorontio township. This farm will become the temporary home for countless chronic alcoholics when the army completes renovations that are now underway.

Now I would like to suggest that this programme of the Salvation Army be supported, that the foundation give a grant-in-aid, because here we have the farm programme and it is underway.

Now these three things that I have been talking about have to be seen as three parts of the same project. When these are established, then we can begin to deal with the problems of the chronic drunkenness offender within the context of a health facility rather than within the context of a criminal or court establishment.

Basic to the total framework in this field is the importance of the establishment of adequate teaching training, the establishment of clinical investigation facilities which would have the basic responsibility of extending our knowledge in this field, training the physicians, training the social workers and other health personnel, that will be and are required to cope with this problem.

As you know, the first major unit of this kind is being built in Toronto and tenders are now out. The completion of this building on a site adjacent to the university is scheduled before the end of next year. It will be a wonderful way in which to celebrate the centennial of Canada.

Last year the foundation moved to provide treatment and education services in seven out of the ten economic regions of Ontario. All branch establishments of the foundation, at London, Toronto, Ottawa, Hamilton and the Lakehead, either were expanded or prepared to expand into larger premises during this year. Ground work has been laid for a new development in Sudbury and in Windsor.

In 1965 the Hamilton branch of the foundation was officially opened. In this branch the role of the physician in treating alcoholism has received more emphasis than in any other branch. It is the only branch actually whose director is a physician, and perhaps this is not surprising therefore that Hamilton is making such tremendous moves forward.

Now the application of this programme will call for an increase in the annual operating budget of the provincial foundation from its present $2.25 million, up to $18 million annually by the mid '70's. It would seem to me, and perhaps there are those who would doubt this, but it would seem to me as if some formula should be devised to relate the financial support for provincial work in the field of alcoholism to the revenue derived from the sale of alcoholic beverages, providing a suitable formula can be established. Then the foundation could plan and develop services more rapidly and more adequately for the province.

Ontario is now in the lead, it will be very much more in the lead, both nationally and internationally, if this were to be done.

Certainly any useful and constructive programme is going to cost money and a lot of money. But if only a small percentage of these people can be restored to a useful role in life, if only a few homes can be saved, if only a few lives can be saved, the expediture is worthwhile and in the end it will pay great dividends.

I would like to read into the record many letters which have been read into the record over the past few days. I would like to read

into the record one that I received only a couple of days ago, written to myself.

This man says:

> You won't remember me, I am sure, but my wife and I came to your office three years ago to talk over my problems and to ask for help and advice. You were kind enough to see us and on two occasions again in the next six months. When we think of all the wonderful things that have happened to us since it seems nothing short of a miracle. When you realize that just three years ago this very month I was totally broke, thousands of dollars in debt, a complete physical washout with no job; my home gone, my children living with their grandparents because I could not even buy the groceries; with hardly a friend in the world because of my excessive drinking; you can see why I have to pinch myself every now and then to realize that my good fortune is not just a dream. Alcohol was not my only problem. I was filled with all sorts of gripes and inner irritations and felt the world and everyone in it was against me.

Now he says, and he is very honest:

> Do not think that I have overcome all these problems, I have not. At times I become discouraged with my progress but I am learning day by day to control myself and it is like being released from prison.
>
> I am still in debt, but I have a job. I have a home and my wife and children are with me. I never dreamed that life could be so full and wonderful.
>
> I am writing this to let you know that your efforts on my behalf are greatly appreciated.

There are many dedicated people working against almost impossible odds to help the alcoholic, the drug addict, the people who have gone astray, but there are just not enough. There must be other groups in the community ready to receive these patched up cases, ready to give them a chance to settle into living a normal life.

This is what the alcoholics anonymous is doing. This, the Salvation Army is doing in a magnificent way. This is what the churches of our land are doing. This is what the alcoholism and drug addiction foundation is doing; and this is the work to which I ask you to give your support. We need your co-operation. This is your business and my business. It is everybody's business.

We are rich in this province in gadgets and machines, but we are very poor in the techniques and the personnel to handle human problems. We are short of social workers and we cannot staff our work adequately. We are desperately lacking in clinics and the people to look after them. It is not a matter of funds so much as a matter of personnel. Here is something that can be met only through the action of the whole community. You know, it is an arresting fact that we spend more on advertising in a week across this land than it would take to build adequate clinics to face up to this problem.

We are planning to spend $8 million on Expo '67 for a few short months and then it goes down the drain. This amount is half as much, just imagine, half as much, as we plan to spend in the next ten years at the foundation on drug and alcoholism addiction. In our scramble to provide things to use, we neglect the services which build quality into life, the real essential things.

The Canadian economic council in its first report told us that unless Canada is to face trouble before too long it must find ways and means of investing more and more resources in the service sector of the economy. To heal the sick, to give hope to the hopeless. This is the job before us. To this work all of us are called.

We are not here to play or dream or drift. We have hard work to do and loads to lift. You know, I very often go up and down on the subway, and the other day I happened to see this little ad, "No man stands so tall as the one who stoops to help a crippled child." I paraphrase that: "No man stands so tall as the one who stoops to help his fellowman."

Now, I would like to express, before I close, my deepest thanks to members on every side of the House for their co-operation and their hospitality so freely extended to me when I have had the occasion to visit their ridings.

You know, very often I go to a riding or constituency to address a meeting and I go to the hotel and then, when the meeting begins, the local member turns up and he says: "Where are you staying tonight, Wally?" I say, "Down at the local hotel"; and he says, "Come on up to the house." So we go down and check out of the local hotel and go up to the member's house and we spend a very pleasant evening, not only spend a pleasant evening, we talk over these problems that have to do with our fellowmen.

I want to express my thanks for your kindness, for your help, and plead again for your support in this business, which is everybody's business.

Mr. Speaker, thank you very much for the attention of the House.

**Mr. N. L. Olde** (Middlesex South): Mr. Speaker, I want to speak briefly on the recognition of chiropractors, but first I want to take this opportunity of complimenting the hon. Minister of Health (Mr. Dymond) and this government for the tremendous forward steps in the field of health, taken a few months ago, when we introduced the Ontario medical services insurance plan.

Mr. Speaker, there has been considerable discussion both inside this House and outside about the merits of whether or not chiropractors should be included in the Ontario medical services insurance plan. Personally my own feeling is that they should be included. I say this, because after a great deal of study on the chiropractic profession, I feel that this profession can and should be, in every sense of the word, considered a legitimate, and I repeat a legitimate, branch of the healing arts.

Let us consider for a few moments the training courses for students pursuing a career in chiropractic. These students take a four-year course of study at the Canadian chiropractic college in Toronto. Generally this is equal to five years in university when you consider the average university semester lasts seven months, while chiropractic students attend courses for nine months. Further, examinations for students applying for licences to practice this profession were established with advice and assistance of a Canadian university and resulted, in 1963, in the national examining board of the Canadian chiropractic association.

It should be also noted that in 1965, 12 Canadian graduate students wrote American examinations and not one failed, yet many American graduates taking the same examinations did fail. It is obvious, then, that the Canadian courses are of much higher academic quality than those offered in the United States.

Let us look for a moment at the various jurisdictions and other bodies that have acted in favour of the chiropractic profession. Chiropractors are, for example, recognized in 47 states in the U.S.A. as a branch of the healing arts. In addition, the workmen's compensation board in Alberta, Saskatchewan, Manitoba, New Brunswick, and even here in Ontario, provides for chiropractic care of workers injured as a result of their occupation.

Also, when the government of Quebec pass their bill intituled, The Chiropractic Act, which was introduced in the last session of the Legislature, all provinces in Canada with the exception of Nova Scotia, Prince Edward Island and Newfoundland will have passed their Chiropractic Act, excepting of course Ontario.

Comparable legislation in this province is called The Drugless Practitioners Act, which covers about five different groups but it does not recognize chiropractors as a group involved in the healing arts.

Recently, chiropractor services have been included in Medicare in British Columbia and in Alberta.

It is also interesting to recall that in 1950 the Ontario Royal commission studying The Workmen's Compensation Act rejected the medical professions' proposal that chiropractic benefits be removed from the Act. Chiropractors are recognized as offering a valuable service in Australia and Canada's Royal commission on health services, the Hall report, stated very clearly that it would accept the finding of the Quebec Royal commission under Justice Gerald Lacroix with respect to the value of chiropractic therapy.

Mr. Speaker, I point out these facts because the basic argument whether to include chiropractic in the Ontario medical services plan, quite frankly boils down to should this province recognize chiropractic as a part of the healing arts. Surely, based on other jurisdictions which have found this profession extremely valuable, we in Ontario should also recognize their benefits. Therefore, I hope that the hon. Minister of Health will draft legislation not only to bring about a chiropractic Act recognizing this profession, but to follow it up by including chiropractors in the Ontario medical services insurance plan.

**Some hon. members: Hear, hear!**

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, may I take the opportunity at the outset to express to you, sir, my grateful appreciation for the kindness and courtesy with which you have always treated your humble servant. I hope that in any tribute I pay to you in this way, that you do not look upon it as merely a perennial repetition of sentiments that are not very tenaciously held. I assure you, sir, that they are held very sincerely, and not I alone have a feeling of happiness in the contemplation of association with you.

I might also add, sir, if I may in the absence of my friend, the hon. member for Eglinton (Mr. Reilly) by saying of him that

he is quite the best chairman of committees of the whole House that we have had for several years and he has applied his talents with efficiency to the deliberations of that very difficult part of the business of the House.

I might say though, sir, that if the hon. Prime Minister (Mr. Robarts) so decrees to leave him in that place for another year he may develop so that he does not intervene quite so much in expression of his own opinion, as he does to the end that he wants to facilitate debate; and that qualification does not really detract from what I said about him.

Of course one of the happiest parts of being a member of this, the most exclusive club in Ontario, is the associations that one forms with hon. members on all sides of the House. Senator Roebuck, who now approaches his 90th year, most of them spent in the service of his country—in fact Senator Roebuck ran for Parliament in the constituency in which I was born and long before I was born. He first offered himself in New Liskeard and Timiskaming in 1911 and the early years of his political efforts were not attended with success.

Senator Roebuck recently said to me to always remember that to get along in politics one needs friends on all sides of the House. Some politicians never learn that simple secret, but most of us do, and no doubt in the declining years when we have left the political forum, the friendships of otherwise political adversaries will be among the most cherished memories.

I, for one—and I advert to the fact—regretted that my friend the hon. member for Beaches (Mr. Harris) got caught in the maelstrom of an incident in this House in which he had no participation. I take the opportunity to say that any person who knows the hon. member for Beaches and anything about him could never divine that he could ever in any way treat humorously, human suffering. He has had far too much of it himself to ever indulge himself in seeing anything funny about the suffering of others and he is held in very high esteem by the members of this party and will always continue to be so held.

May I begin my remarks, Mr. Speaker, by noting that this is the 751st anniversary of one of the most memorable days in human history? It was on June 15, 1215 that a despotic king bowed to the rule of law and made it binding upon his own actions no less than on those of his subjects.

I am reminded too, that two years ago another John was compelled to admit the error of his ways and withdrew Bill 99, which had it passed would have swept away those inalienable rights which had their origin in the green meadows at Runnymede 751 years ago.

Two years ago in that famous retreat, the Prime Minister of this province—and I regret that he is not here with us—undertook to give the people of Ontario a magna carta of their own which would set limits on what a government now or in the future may do in respect of the liberties of the people. Two years have gone by and there is no indication of when Ontario's magna carta will be forthcoming. I content myself with this one question to the hon. Prime Minister: Why should we have to wait so long for such a measure?

The inalienable rights upon which the Magna Carta of 1215 was based and which have been refined over 751 years are well known, have been in active use and enjoyment of the people and the struggle for them was finished long ago. Does it really require two years of reflection and contemplation to put into statutory form, if that is the intention of the government, these inalienable rights?

Many of us in this House, reflecting the views of many people in the province, are daily concerned about the denial of the fundamental liberties of the citizen. Scarcely a day goes by but one reads in the daily press about some individual being held in the Don jail or elsewhere without trial for a long period of time.

Last week I represented before a magistrate in my own community a man and a woman who had been held for nine weeks without any trial and the date for the trial had not even been fixed. For my own part, I am far more concerned about the reality of respect for human liberty in the practical administration of justice than I am about a latter-day expostulation in a document penned by some person who, like the rest of us, only reviews the history of the winning of these rights; that is to say that I and most others at this juncture of human history in this country know what rights we have.

However it is a legitimate question to the hon. Prime Minister to inquire of him about his promise of two years ago. As is related in the paper entitled *Human Relations* published by the Ontario human rights commission:

> Liberty is not only the people's prerogative, but the perquisite to their abundant life, said Premier John Robarts to an applauding Legislature, in appointing a Royal

commission to conduct an exhaustive inquiry into the whole field of civil liberties.

That was two years ago, in May and June of 1964. It is appropriate that he should be reminded of his promise.

I was rather astounded to read recently, your honour, the statement of a distinguished Canadian jurist—albeit it is an Ontario jurist —who in a reported case had this to say:

> While there may be a common law right to communicate peacefully information—

I cannot be responsible for his split infinitive, that is what he says—

> —to communicate peacefully information by placard-bearing men on a picket line, that right must be cautiously exercised.

Note his use of the words, "the right must be cautiously exercised." Well, I would say in all deference to that jurist that I as one Canadian, living in this province in the year of grace 1966, in the exercise of any rights that I have—and I do have several—do not have to in any way inhibit myself by the cautious exercise of them.

I can exercise my rights freely and effortlessly and without giving conscious thought. If I go to my church on Sunday with my family I do not have to think as I set out for the church that I have a right that I must cautiously exercise. I do not have to think about it at all. I hope the day will never come in the use of the rights of the citizens of this country that they ever have to exercise them cautiously.

But, of course, those words by that jurist were said in the context of events that cause us very anxious reflection these days. My colleague, the hon. Attorney General (Mr. Wishart), is in the courts prosecuting a group of people, and the Attorney General has said to us that comment about the decision that has been made and during the pending of the sentence of those individuals is not in contempt of court. I wonder, when he said that, if the *Globe and Mail* and Toronto *Daily Star* in the exercise of their editorial freedom had come out with an editorial which quarrelled with the decision of the chief justice and reflected upon its reasonableness and his logic, would the Attorney General then have had the same attitude? Or was his attitude to some extent stimulated by the fact that the *Globe and Mail* and the Toronto *Daily Star* were saying in their editorial wisdom, from the ivory towers, they were saying, "Mr. Chief Justice, you are right and we are behind you."

The worrisome feature of the whole business is that these 26 people who have been convicted, in my humble opinion, in what they were doing and however they were stimulated to do it by others, meant no reflection on the courts. They did not mean to exhibit by demonstrative conduct any antipathy or criticism of the courts. My understanding of the activity was that it emanated from a feeling that they were the victims of an unjust law, a law that no longer fits the enlightenment of this day and age. And the justice and rectitude of the law, of course, must be the responsibility of the government which passed the law and enforces it.

But there is a very curious thing about the case that I will never be able to comprehend. I stood in the House the day before the final proceedings were set in motion and I asked the Attorney General, I said: "Will Mr. Callaghan"—and Mr. Callaghan is the Attorney General's servant, his agent— "Will Mr. Callaghan be instructed to ask for a jail sentence for these people tomorrow?" It seemed to me that the Attorney General was mightily offended—I wish he were here—he was mightily offended by that question. I could not comprehend that because I thought surely the Attorney General, being a servant of this House, that the instructions that he may give to people who act for him are a matter of public concern and in fact are our business as members of the House. In a sense, Mr. Callaghan is not only the agent of the Attorney General, but he is the agent of all of us in the carrying out of his duties in the courts.

Mr. Callaghan must have had instructions from the Attorney General to ask for a jail sentence. Indeed, he did, because he went down the very next morning and in his presentation to the chief justice he made that request. Mr. Callaghan, for whom the Attorney General must be responsible in the final analysis, made a very curious statement, which has caused me to indulge myself in a good deal of reflection. Let me quote it to you. Mr. Callaghan said this:

> Other factors that the court always considers in passing sentence are really not relevant here. Reformation is not a factor, as all the defendants are decent people and of good character.

Now note that. All the defendants are decent people and of good character. In the 13 years that I have appeared before judicial officers I think I may safely say that when the question of punishment came to be decided by the judicial officer on the bench, that I have formed the impression that when the

accused, having been convicted, is a decent person and of good character, to use Mr. Callaghan's words, that that was the person you did not put in jail. You did not put him in jail.

I have never had any difficulty in persuading judges to abide by that golden rule. On the contrary, the lawbreaker, the uncivilized person, the anti-social person, the person who demonstrates time and again that he is not going to live according to the rules society has laid down; for our own protection and the protection of the citizens in general, that is the person you put in jail, for very good reason.

Reformation and rehabilitation, in contrast to what Mr. Callaghan said, are factors that the Queen's representative on the bench must always keep in the forefront of his mind. Two hundred years ago, of course, and as late as the turn of the 19th century, they hanged people in the public square at Highgate for perhaps 50 or 60 offences. They were not concerned about the reform or the rehabilitation or their possible adjustment to society. Having poached a rabbit off one of the lord's domains they had demonstrated they were beyond the pale and they took them and put them in the hands of the public executioner.

But the law has evolved, your honour, it has been sweetened by mercy, it has been enlarged by a consciousness that people can be reformed; and we do not cast them away in the dungeons or transport them to Australia any more. When a person has demonstrated previous good character, then that person gets the mercy of the court and the court says to him, "We won't put you in jail this time, but go and sin no more. The next time if we catch you, we will put you in, but just this once you are allowed to go free."

I am not going to expostulate on it save to express my own view of the philosophy of punishment and I am going to express that in the concept of sorrow. I am sorrowful about what has happened at Peterborough and I am sorrowful that the Attorney General, acting in the name of the Monarch, has seen fit to bring these 27 decent citizens of good character before the bar of justice in the way that he has.

I want to reflect out loud by inquiring: Has anyone else in this House ever considered the nature of the business that we concern ourselves with? I have begun to think about it. Statute after statute, select committee after select committee, that we have to engross ourselves in, concerns the business community, concerns management, concerns the owners of capital, The Used Car Dealers Act, The Real Estate and Business Brokers Act, The Cost of Credit Act, The Securities Act, and so on. How much of our time are we engrossed in dealing with trade unions and working people? How much of the working week do we spend in considering what laws we shall pass to inhibit the activities of trade unionists?

Well, the answer is, of course, that in any session of the Legislature—I now have had seven of them—a minimal amount, a very minimal amount. Once we dispatch the estimates of the Minister of Labour, we are not concerned with the trade union movement or the working people of the province until the opening of another session rolls around.

Just to highlight what I say, we have spent, I believe it is something like 18 or 21 hours now, on The Securities Act in the legal and labour bills committee. What sector of the community are we dealing with there? I do not need to elucidate, to paint pictures of the sector of the community we are dealing with. But we have to spend hour after hour in drafting carefully statutory enactments to inhibitate people who, if they were not inhibitated, might steal.

They might steal from widows and orphans; they might steal from the unsuspecting. But who is in the courts I ask you? Who is in the courts of circumstances of indignity and shame? Yes, the working people. The working people? And management has the opportunity to say in the sanctity of their private clubs, as no doubt they say in the National club and the York club, they say it is time we taught those workers a lesson; we have got to inculcate in them a respect for the law. They have got to demonstrate the proper attitude on the picket line. So that makes me sorrowful to see the device of the law, the inherent power of the state, used in that way.

This case that has been tried—I say again and I underline—is not about respect for the court. What the case is about, is management. The moment the strike is called all of the proceedings under The Labour Relations Act have been exhausted; the efforts of the conciliation officers have been expended to no avail, then labour has been withdrawn by the union. This case is about the activities of management in running to the court and getting an injunction. Oh, yes, oh, yes; and they have been allowed to do it; they have been allowed to do it!

**Mr. A. B. R. Lawrence** (Russell): The hon. member knows better than that.

**Mr. Sopha:** They have been allowed to do it and it has meant, of course, that in the granting of injunction one side in the labour dispute—management—has been given an unfair and material advantage over the other side. Restricting picketing, the communicating of information, meant that the courts have been used by management.

They have been used to give an impressive illegality to the strike. They come out with an order. Hon. members might look at some of those orders to see what they say. The type of conduct that is enjoined in the order. The imprint of illegality is placed on that strike. The order is sometimes posted up and as a result one side in a labour dispute has been given a material and unfair advantage.

There was a time, Mr. Speaker, back a generation ago, back as long ago as 1934, when the courts refused to give an injunction in a labour dispute when there was an allegation of criminal misconduct such as disorderly conduct in a public place, intimidation, threatening, and so on. The courts would not give an injunction. They said if there is criminal misconduct, then the police are the proper mechanism to deal with that. The criminal law exists and it is entitled to respect, and if anybody evidences his disrespect for it the police should take that person in charge. That seems to me sensible, eminently sensible, that way of dealing with it.

You cannot enlarge the criminal law by issuing an injunction. In other words, if you suspect a person is going to commit homicide you do not issue an injunction against him not to kill. The best you can do is hope that he does not do it, but if he does commit this homicide, then you go and arrest him and bring him to due process of law. It seems rather redundant that you enjoin criminal activity when the police are there to enforce criminal law.

But that has gone by the board. That was the case of Robinson and Adams and I commend it to my hon. friend from Russell, to his reading, and he can see how it has gone into atrophy.

Then, of course, the reasons for granting injunctions over the years have enlarged and they now are taken to include such things, for example, as the message on the placards. What is written on the placards will give rise to an injunction—for example, "Employer hires scabs" was found to be offensive; "Union people do not deal with this employer" was found to be offensive in the Herseys case, which went to the court of appeal.

Where there has not been compliance with The Labour Relations Act and all of the procedures have not been used, that is found to be offensive and will give rise to an injunction. Let me read to you again what this judge says; the same jurist for this case dealt with an injunction. He says this in expostulating his philosophy of law about the granting of injunctions:

> The common-law right to peacefully communicate information by picketing with placards must stand some revision in our day and age.

Note that. My friend, the hon. member for Russell—who pays attention to me, and it is nice to have some part of an audience—and I appreciate that the judge in this case says that, "I, the judge, sitting on the bench, dealing with this issue, am going to bring the law up to date; I am going to bring it up to date." And in effect the judge in doing that is creating a new law, something judges are not supposed to do. They are not supposed to legislate; that is our business, that is our right, and it is a pre-eminent right and that right overrides every other right in this province. No one is superior to us.

**Mr. K. Bryden** (Woodbine): Have the judges in fact recognized that? They are always making laws.

**Mr. Sopha:** Yes, they are always making laws. That judge, as I said, says the common-law right to picket. It is not a common-law right. He is even wrong on that score; it is a statutory right. The right is to be found in section 466, subsection 2 of the criminal code, recognized by statute. But he is going to revise it. In other words, he says, "I am going to bring it up to the minute."

That is what labour grieves about. We are not Johnny-come-latelies in this field. As long as five years ago we had an amendment to the Budget resolution which called attention to the inequity, and in fact, iniquity, of labour injunctions. It has been pointed out perennially by us and our friends to the left here. This is not a new phenomenon, it is only new if you read the press. If you read the press, the way the press treats some occurrences you would think it is something that only arose yesterday morning.

I say to my friends with the greatest deference, and they are my friends in the junior Valhalla up there, that there is not a great deal of research done as to what was said some years ago in this House. More research is done in the senior Valhalla at Ottawa on that score, where you have some very accomplished analysts—Newman, Fisher, Fraser, Kelly—who graduated from this gallery. Not much here.

Let me illustrate by another one—the great to-do last week about children being allowed at racetracks. There was some child of very tender years who was alleged to have bet $2 and got back $300. He did not bet on the horse of the hon. Minister of Public Works (Mr. Connell) let me tell you, that is for sure, to get that. But some child was betting and the press treated that, oh, my goodness, as if that was something that just occurred.

I have been talking about that for five years in this House, drawing the attention of the hon. Provincial Treasurer (Mr. Allan) to the fact that children ought not to be permitted at racetracks in this province. All right, I leave that; that is a digression.

But the die is cast in this one. The good and decent citizens that it speaks of are angered; they have been brought into circumstances of shame. The working man has been brought before the courts and he has to be taught a lesson; he has to be shown to pay respect to his betters. It was nothing more or less than that.

I illustrate by another example: A week or so ago at the deliberations of the legal bills committee, we are dealing with The Securities Act and the question of penalties for non-compliance with the Act—a very serious business, because that Act will be a command of this Legislature as to how the securities business in this province will be regulated. Even the Toronto stock exchange for the first time in human history is going to have to comply with the commands that we issue here.

Along the way when we were dealing with penalties, I said to the chairman of the securities commission—that very able lawyer from York Mills, a very fine chairman; and the hon. Attorney General (Mr. Wishart) was present with all the cognoscenti from his department—it might be a good idea if for breach of this statute we imposed a term of imprisonment. He had a fine of up to $25,000 and I said we might send some of these people to jail in the way that the United States court sent some of the General Electric people to jail.

The hon. Attorney General is a very fair and reasonable man and the chairman of the securities commission indicated that he was not against that, so we put a section in the Act to provide for a term of imprisonment up to six months for non-compliance. But you see the thinking, you see the hypocrisy of the thinking. It is only the lower orders that you put in jail, only the working man, the trade unionist. The white-collared kind, the fellow who eats his lunch at an expensive restaurant and indulges in very elaborate and very clandestine behaviour to mulct a lot of people of a lot of money, in some ways that person becomes an example in society, he is looked up to, he has made a lot of money.

I do not see the difference, and I wish somebody some day would sit up all night with me and explain the difference. But I say again, who is in the courts—the 26 people from Peterborough. I am not seeking to start a class struggle, a class war; I am calling for justice, fundamental fairness, proper treatment between man and man. Maybe these people, my hon. friend from Riverdale (Mr. Renwick) tells me, maybe five or six of them will have to go to jail.

Well, so be it and amen if they do. But if they do, in my heart and in my mind, I am going to blame the government; that is who I am going to blame. I know that is who they are going to blame as they sit for whatever period of time at the discretion of the chief justice, he imposes on them. They are not going to blame the chief justice, they are going to blame the government.

**Mr. A. B. R. Lawrence:** Mr. Speaker, on a point of order. As I understand it, in this particular case the question of guilt or otherwise is not sub judice, but the court itself has not given sentence. To that extent I understand that the judge at the moment is essentially seized of the question of sentence and is weighing the question in his mind.

I would suggest, therefore, that it is most improper for my friend in the Legislature here to be voicing opinion which could very much affect the judge's attitude towards what penalty he will give. As I understand it this is the very reason of the rule relating to sub judice that was actually developed for such a House as this. It was to stop the judges being fearful of the attitude of the Commons or the Legislature. I would suggest that he is out of order in speaking to sentence where sentence has not been given.

**Mr. Sopha:** I have completed everything I intended to say on that point.

**Mr. Speaker:** Just in answer to the member from Russell, I might say that I had been thinking the same thing myself and had even consulted the Clerk on the matter. The chair took the position that although the sentence has not been rendered by the

judge, the facts of the case have all been presented to the court and the conviction has been made. The chair was of the opinion that perhaps anything that might be said at this time would not really matter to the presiding officer as to what sentence he might impose. He would have to judge the matter on the facts of the case as they have already been presented to the court, so with that thinking the member was allowed to proceed.

**Mr. Sopha:** I have finished everything that I intended to say. Of course, I meant no disrespect to the chief justice for whom I have the deepest admiration for the ability he demonstrates in the occupation of that high office which he does. He is a very able jurist and ought to receive the grateful thanks that we have such a fine man, I mean that sincerely, on the bench in this province.

I want to turn to a matter that I raised last year, and I regret, in turning to it, that so few of the occupants of the Treasury benches are present, because I am going to refer to some of them in the exercise of their public responsibilities. I can only wish that they were here to lend an ear to what I am going to say.

When I reflect on this matter, Mr. Speaker, I mean no personal aspersions on any person, but I am talking about a matter of concern to us on this side and to the people of this province, and am only conscious of our friends of the Treasury benches in the exercise of their public duties, which is fair game for any member of this House as well as being a matter for fair comment by any citizen of the province.

I suggested last year to the hon. Prime Minister, and I regret that he is not here, that perhaps the time had come for him to make some realignment of the provincial Cabinet. He failed to take my advice and I think it is safe to say that in the intervening months he did not make a single change. The Lord was so munificent in his benevolence that he spared them all from departure to the after-life. So, in body they all sit here, as they did last year; a year older but, I fear, I say to my friend from Grey South, not a year wiser. They have aged one year.

I say to you, Mr. Speaker, that the matter of composition of that Cabinet as we review it, as we think about that composition in the light of the five months behind us, what we have done and tried to do in this House in the transaction of public business, then the composition of that Cabinet is a thing that disturbs many people.

Disturbs not only the members of this House, and if members will look back through *Hansard* they will see the expressions of discontent about some of the occupants. But it also disturbs a good many people outside the House who pay attention to public business and the actitvities of their elected representatives.

After five years of the occupancy of the office of Prime Minister, a young man, still south of 50 himself, he is still south of 50, a young man who got the confidence of his party at a very hard-fought convention, when I think there were six or seven candidates in the blood bath that took place at Varsity arena, he emerged the victor, has demonstrated considerable ability in the management of the public affairs of the province. He still faces us with a Cabinet of 22 or 23 that is half Frost and half Robarts.

One is entitled to wonder out loud, when might we expect that he fields his own team, that he gets rid of some of the old hangers-on of the Frost administration, and present to the people of the province a new group which he would proclaim has some of the qualities of the New York Yankees in their halcyon days. It certainly must be a matter of great discouragement, I say, to aspiring younger members of ability in this House, some of whom sit around day after day, night after night, trying to look interested and hoping that some day the call will come to the end of the hall, the summons, the word that will pass along saying the Prime Minister wants to see you. And then, the beaming countenance flushed with enthusiasm will go into the inner sanctum, and he will say, the day has come when you are chosen.

Well, how long do they have to wait? Now, I went down the whole ranks last year, and I speak with perfect seriousness. I suggested some that he could drop. This, I refer, and I emphasize it again, in the exercise of their public duties—it has nothing to do with their personalities at all, but they are marked on the efficiency with which they carry out the people's business.

Now, I want to suggest today with the greatest resepect, seven that should go, and the sooner they go the better.

I say to my friend the hon. Minister of Health (Mr. Dymond), I say to him and I have quite an admiration for him, I would not dispose of him from the government, but I would move him to another department. I think he could go to another department, Mr. Speaker, and should get out of Health.

I have expressed myself in this House that

a doctor should not be the Minister of Health, and I say that to his face.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, may I ask the hon. member if he has changed his mind with respect to a lawyer being the Attorney General?

**Mr. Sopha:** I am glad the hon. Minister raised that, because it gives me the opportunity to say to him that posing that question he failed to understand the significance of the office of the hon. Attorney General. The hon. Minister, I say to him through you, sir, just does not appreciate what the Attorney General does.

The Attorney General has to be a lawyer because his office is unique.

**Hon. Mr. Dymond:** It is not.

**Mr. Sopha:** It is unique. Well, hear me out.

The Attorney General carries out the commands of this Legislature. All of the rest of the Cabinet may persuade the Legislature to give them powers, but if those powers have to be enforced, then it is the Attorney General who enforces them. He is the active agent of the executive in the enforcement of the law. He controls the police, and in the final analysis, the commands of this Legislature are carried out, if necessity so arises, by the police and the courts. He is unique in the exercise of his task, and from the point of view that he is an executive officer carrying out our commands, he has to be a lawyer.

I hope that having expostulated to that length, the hon. Minister of Health is forever enlightened about it—

**Hon. Mr. Dymond:** I am less enlightened than I was before, Mr. Speaker.

**Mr. Sopha:** —and he does not raise it again.

But it seems to me, having made a very careful reflection, that the hon. Minister of Health has been a roadblock to progress in the medical field. I remain convinced that in the field of health care his acceptance of the government policy was reluctant in the extreme. Not only am I convinced, but I know that the hon. Minister of Health has been a roadblock in the provision of hospital facilities in this province.

In my own community 1,200 people are on a waiting list for elective surgery and there is no panacea or relief or medical attention in sight for them. The citizens of the community are told that they must raise $12 million in order to build necessary extensions to our hospitals.

I have heard the hon. Minister of Health in this House say that we have enough nurses. I have never heard him admit that there is a desperate shortage of hospital beds throughout the province. I regret to say to him, in respect of the suggestions and the criticisms that have been made of him by well-meaning members on this side of the House—I particularly refer to my able colleague from Parkdale (Mr. Trotter), as well as expressing my admiration for the prince of human suffering himself, the hon. member for Scarborough West (Mr. S. Lewis); I did not say that facetiously; he is a very well-informed young man—but often the attitude of the hon. Minister of Health is churlish in the extreme.

I leave him. He should go to another department.

The man who sits next to him is the hon. Minister of Lands and Forests (Mr. Roberts). Have not his years been well spent, and has not the time come for that remnant of the Frost administration to go to pasture? I would think that he could go with dignity, that his ideas have become dated, that he demonstrates that he is hoary-headed, and that he is inflexible in his approach. He is one of the longest holdovers from the Frost administration.

The man who sits next to him has been ten years in The Department of Public Welfare. That department is under the gun all the time. It is under review and analysis and criticisms and pleading, and yet he has been in it ten years. He is like the Bourbon kings. He has forgotten nothing and he has learned nothing.

Other young French Canadians of ability can aspire. They say, when does the hon. member for Stormont (Mr. Guindon) get promoted, after the long and faithful service that he has had for the party? He does not pay me to speak in his behalf. But yet one noted during the great clambake at Varsity arena who was called upon to be the keynote speaker for the Conservative Party? None other than the member for Stormont, who spoke excellently in French and English and in his person is the repository of the very best of the broadmindedness and reasonableness of the French-Canadian community. When can he aspire to promotion?

I leave the front row, save for the hon. Provincial Treasurer. Well, no one wants him gone, but surely he is going. Every Budget one anticipates must be his last Budget, because he has arrived at the time of life when he deserves retirement. He has taken on heavy and onerous responsibilities elsewhere. One expects that he will announce,

at any time, his retirement. We will regret to see his departure, because of the fineness of qualities of his person. One likes to think of him as a friend. He will be replaced. I suspect he will be replaced by the hon. Minister of Municipal Affairs (Mr. Spooner) when that time comes, the most able administrator in the government, so far as I can see. He will go into the Treasury.

I leave the front row. There are no more there whose knees might be knocking because they are just not present.

**Mr. Bryden:** You may be entrenching their position forever. Do you realize that?

**Mr. Sopha:** There is method in my madness.

I think it is fair to say, and I say this only in the performance of public duties, and I continue to emphasize that, that the hon. Minister of Transport (Mr. Haskett) has demonstrated that he is unable to grasp the enormity of the carnage on our highways. The statistics speak for themselves. We had a lengthy debate in this House this session, in which we pleaded on this side for some form of programme to stop the wastage of human life on the highways.

I think he has demonstrated that he is unable to cope with that department. Somebody with a more flexible approach and somebody appreciative of the realities of the situation is needed, I would think. I say to him, I like him; I like all these Ministers. I would think that he is one who should go.

Oh, I wish the hon. Prime Minister had a Senate that he could send them to. It is too bad. I would not be against him appointing several new Royal commissions; make them chairmen.

The hon. Minister of Mines (Mr. Wardrope) is full of years and good will. He has both of them. But his service has been dignified and useful to the province, formerly in Reform Institutions, latterly in Mines. He is at the point of retirement and he could make way for a younger aspirant.

**Hon. G. C. Wardrope** (Minister of Mines): Like Mr. Sopha?

**Mr. Sopha:** Yes. I do not know whether, if that day came when a leader was calling together the hopeful, I would hope that I would go into a department that would spend more money than Mines.

My friend the hon. Minister of Reform Institutions (Mr. Grossman) is another who might make way. He is often in trouble with the government.

Well, there are seven. Perhaps somebody in the dimmest recess will ask the Prime Minister or relate to him, maybe this summer, that some of these able young men who might legitimately aspire to promotion have been here three years now, and not one of them has been given the message to come along and join the higher circle: the hon. member for Kent West (Mr. McKeough), the hon. member for Russell (Mr. A. B. R. Lawrence), the hon. member for York Mills (Mr. Bales)—I do not want to damn their chances, but one has to relate ability when one sees it. There are three: the hon. member for Halton (Mr. Kerr), the hon. member for Victoria (Mr. R. G. Hodgson), and the hon. member for Cochrane North (Mr. Brunelle), who might very well go into the Mines portfolio. Yes, the hon. member for Kingston and the Islands (Mr. Apps) might very well be an aspirant for The Department of Public Welfare.

Interjection by an hon. member.

**Mr. Sopha:** Oh no, I draw the line because I speak seriously. I hope this summer that some day I will pick up the *Globe and Mail* and read that there has been a Cabinet reorganization, so that people outside the House can say of this young man south of 50, "you are youthful yourself, you are surrounding yourself with young men with new and flexible ideas," because some of these young men—and I have had contact with them in committee—demonstrate the utmost flexibility of outlook, one that fits the dynamic age of the '60's.

I am going to leave it. Any that I have left out, I say to them it is unintentional and I do not mean to do them any disservice. I want to turn to something that is of the same seriousness.

**Hon. Mr. Wardrope:** Will the hon. member not say something about himself?

**Mr. Sopha:** I have not time to tarry but I have never had any difficulty on that score.

I want to turn to the issue that causes a good deal of anxiety to the Canadian people and that is the question of foreign investment in our country. Mr. Speaker, when Mr. Gordon published his book, he and others in the government said that it might provide the vehicle for an intelligent debate among Canadians and to some extent that debate has taken place.

The Prime Minister of this province has joined in the debate and has made his views known, which I shall refer to more extensively later. Mr. Sharp and Mr. Winters and Mr.

Hees, to name a few more have also expressed their views.

And of course, Mr. Speaker, ever since 1867 when the experiment of this nation was launched, our relations with our American neighbours have always been a matter of very anxious concern to us. Mr. Pearson at one time said quite accurately, I think, that in respect of our consciousness of the American giant we are inclined to be schizophrenic, when 19 millions of us, 19 million now, though in former years we were much less than that, 70 per cent of us living within 100 miles of the border, are up against a nation of 200 million, the manifestations of whose culture continue to penetrate across the border.

Living in close contiguity to that border we have no defence in depth against it. We have not been able to evolve a distinctive cultural pattern. We are the greatest borrowers that the world has ever seen. Not only do we borrow money and capital and skills, but we borrow culture.

We borrowed and we borrowed from the Americans, and young men for decades have left our shores and gone to exploit their talents in other lands. They have said that they were not appreciated in Canada, in their native land, they had to go elsewhere to be recognized. I suppose the reason for that was that we have not been able to create in 100 years of our history a distinctive Canadian identity even after 100 years we do not quite know what or who we are, we cannot point to any manifestation of culture that is really distinctively Canadian. That is an interesting field of speculation but I want to speak of the economic side today, to express my views in this debate that is going on about our dependance upon foreign capital.

I want to read the one thing I am not for, it may highlight what I have to say in delineating what I am not for. I want to read the remarks into the record of the distiguished hon. member for London South (Mr. White), when he gave vent to them at what was called euphemistically conceitedly, a "thinkers' conference" of the Conservative Party, at Hamilton. That is the name they put on it, a "thinkers' conference."

You would think, Mr. Speaker, they would have learned from the sorrow that befell us after we had one at Kingston and would have called it by some more charitable name than that. But he was over there and they had a panel of experts, a couple of professors, one from Carleton University who went out of his way to condemn Walter Gordon too—well, I just cannot find it. But when the time came for the hon. member for London South to put his two cents' worth in—and that is the value, that is just what value I put on it—this is what he had to say:

> "This is the Pepsi generation, George, and you had better believe it," said Mr. White, who is forty. He attacked little Canadians, who would erect an economic wall around our land in the name of nineteenth century nationalism. Young Canadians, he said, want freedom from the leadership of old men and old ideas. We want freedom from the enervating prejudices of the past.

Well my question to him, asked rhetorically in case he might catapult himself to his feet, is what ideas, what ideas of the past, what enervating prejudices does he want to slough off? I wish he would define a term, I do not tarry to question his preference for Pepsi-cola against Coca-cola, but I would really like to know it sometime, what he means by liberating ourselves? Is it the ideas of Macdonald; are those the ideas of the past? Well then if he means that—or Cartier or Galt, or McGee, or Brown, or any of those who founded this nation—then he finds himself in direct conflict with the hon. member for London North who gives great accolade to the ideas of those people who, in defiance of everything sensible, everything founded on economic reason and commonsense—

**Mr. J. H. White** (London South): Mr. Speaker, to clarify the matter for the hon. member I was referring to Messrs. Pearson, Pickersgill, Martin and Gordon.

**Mr. Sopha:** He did not say that.

**Mr. White:** Walter Gordon in particular.

**Mr. Sopha:** He did not say that, he did not. Well, that cannot be so, I will not accept that, it cannot be so. He says we want freedom from the leadership of old men and old ideas. He does not mean people living now. We want freedom from the enervating prejudices of the past, so it does not lie in his mouth to come here today and tell us that he means somebody presently alive.

**Mr. White:** I will send you a copy.

**Mr. Sopha:** No, he is talking about the people whose vision founded this country, the man who shortly after The Confederation Act says that until we do something about this, Canada remains only a "geographical expression" and nothing else. Indeed, quoting the man who in the later years of the 19th century conceived the idea of the

national development of this country, I want to read into the record one of the ideas of the past and to ask hon. members of the House how contemporary for 1966 this idea is.

On March 18, 1878, John A. Macdonald put this resolution on the order paper. He was in Opposition at that time; the election did not occur until later in the year. He was the leader of the Opposition. Hearken to it, if you will:

> Be it resolved that this House is of opinion that the welfare of Canada requires the adoption of a national policy which by a judicial readjustment of the terra will benefit and foster the agriculture, the mining, the manufacturing and other interests of the Dominion. That such a policy will retain in Canada thousands of fellow countrymen now obliged to expatriate themselves in search of the employment denied them at home, will restore prosperity to our struggling industries now so sadly depressed, will prevent Canada from being a sacrifice market, will encourage and develop an active interprovincial trade and move, as it ought to do, in the direction of a reciprocity of tariffs with our neighbours so far as the varied interests of Canada may demand, will greatly tend to procure for this country, eventually, a reciprocity of trade.

All you would have to do is to change a few words and that resolution could very appropriately be placed on the order paper of this House. I have thought of doing so.

John A. Macdonald conceived the national policy, the national development policy. He launched it in 1867. I would like to remind Tories that John A. Macdonald thought so much of his country that after 1867 he would not travel to British Columbia to the farthest reaches, he would not even go, until he could go by rail through Canada. He was so chauvinistic—jingoistic, if you like—that he would not travel through the United States to get to the western end of this country. That is what he thought of Canada. He launched the national development policy, and remember, he and those who worked with him were able to build a ribbon of steel from one end of this country to the other. Without the granaries of the west which did not exist, without the highly industrialized complex of Ontario and Quebec, without the stable financial institutions that we now have, consider the magnitude of what he created—of what they created—those who joined with him.

The national policy, of course, his genesis, lasted until 1874 when he took the first steps to build the intercontinental railway. There was a period of quiescence and wastage during the years of Alexander Mackenzie when little was done, until 1878, when after this resolution, he again put the national policy on the road and completed the building of the CPR. He carried that out until his death in 1891, when the years in which the locusts ate heartily came into being, from 1891 until 1896 when we had a succession of four Premiers, all of them Tory.

The national policy resumed by Laurier in 1896 was carried on by him until his defeat in 1911. He built the CNR. The history of this country, after all, is the history of railroads, is it not, Mr. Speaker? It is the history of building railroads, a national development joining together the geographical parts of this country.

Then the first world war supervened and it meant the end of the national policy; the national policy died with the beginning of the first world war and it has never been revived.

Mackenzie King's years were bad years; —in this hurried survey that I make of our history, they were bad years. Mackenzie King was not interested in the national development of this country, particularly by Canadians, for Canadians. His background of association with the Rockefellers and his American influences stimulated Mackenzie King to try to root out every vestige of British colonialism in this country. That was Mackenzie King's life; he wanted the British and everything British out of here and he devoted himself to doing thaat.

The first great influx of American capital, the really great influx of American capital came in the latter part of Mackenzie King's years, which started the concern for the ownership by foreigners of our industry, particularly our manufacturing industry and our mining industry.

Where has the national development policy gone? It has gone into the mind of the Prime Minister of this province, because he has made some reference to it on occasion. He made a speech to the Canadian manufacturers association on June 7, 1965, in which he referred to it. I want to read some of his words into the record and I want to contrast them with the words of the hon. member for London South—whatever he says he meant—when he talks of enervating prejudices of the past, the leadership of old men and old ideas. Here is what the hon. Prime Minister of the province had to say:

> In the 98 years since Confederation we have forged a great nation. We have seen our population grow to almost 20 million; we have developed a strong, vibrant and viable economy; we have tapped the untold riches of our land; we have prospered materially and culturally; we have lived in peace among ourselves and in two great wars we have successfully defended our country. All this has been accomplished because the people of Canada believed in the union of its people and had confidence in its future.

Harken, harken! Listen to the hon. member for London South—the thither end of London. Harken to these next words:

> Is the concept of Confederation outdated in the second half of the twentieth century? No! Confederation has as much meaning today as it did 100 years ago. We must rekindle this spirit of faith in our national destiny; we must make the same type of bold, sweeping, imaginative political decisions as did the fathers of Confederation. We must build on the firm foundation which we have inherited from our fathers; we must develop a new sense of personal dedication and participation in the future of our country. Is this beyond the ability of our political parties and our political leaders? Are we so wedded to the pursuit of political or geographical or regional advantage that we cannot co-operate to preserve our nation and to build for the future?

That is one speech that he made. The hon. member for London South, of course, talks in terms of continentalism, in the same time and the same place. He was complaining to George Hees because George Hees, to some extent, was making references to our dependence upon American capital.

He talked about economic nationalism and I do not place the hon. member for London South when he, without thoroughgoing analysis, talks in continentalist terms, far different from the merchants of Montreal who in 1848 signed the annexation manifesto.

It is very significant that John Diefenbaker on February 5, 1963, when his government was on the verge of being toppled in the House of Commons, made reference, and contemporary reference, to the annexation manifesto of 1848.

John Diefenbaker had suffered from political and economic interference by the Americans. He had cause to complain and as he stood in the House of Commons on that fateful evening of February 5, 1963, and pleaded for support for his minority government, he reminded the members about the dangers of American interference in our political and our economic affairs.

Well, what did the annexation manifesto say? It is only very short, the material part. Let us put it in the record:

> The number and magnitude of the evils that affect our country, and the universal and increasing depression of its material interest, call upon all persons animated by a sincere desire for its welfare to combine for the purposes of inquiry and preparation with a view to the adoption of such remedies as mature and dispassionate investigation may suggest. This remedy consists in a friendly and peaceful separation from the British connection and a union upon equitable terms with the great North American confederacy of sovereign states.

The author comments:

> The manifesto appeared in the Montreal *Gazette* on October 11, 1848. It was not drafted by fanatical crackpots but represented the considered opinion of the most prominent, respectable and powerful businessmen in Canada. The 325 men who signed it were the solid citizens of the community, men who instinctively voted Conservative.

That is the group that I say the member for London South lies in bed with when he talks in terms of continentalism.

The question is not, Mr. Speaker, whether we should import American capital or not. It has been obscured. Sometimes I think it has been deliberately obscured and obfuscated. Nineteen million of us to develop this province and this nation cannot save enough capital to develop it properly. We are dependent upon foreign capital, whether it comes from the United States, from Switzerland, from Belgium, from Denmark, or any other place; we absolutely need it. No one questions that dependency.

I say to this House, in my opinion I join with Mr. Gordon. In Mr. Gordon's opinion, and the opinion of the former governor of the Bank of Canada—now his name has escaped me; Troy—the question is the terms upon which that capital comes here. If it is to come in terms of a conscious national development policy that the hon. Prime Minister of the province is talking about, then in an age of guidelines, we Canadians will chart the guidelines for the employment of that capital. We will say to foreigners who wish to invest, "Here is the scheme, the plan, the outlook for the future, in which we are going to

develop this nation, and if you want to invest, you will invest your capital in accordance with the prearranged determination of our political leaders.

That would include, and I have adverted in the past in this House, regulations whereby we would tell foreigners where they could locate their branch plants in areas where there was an employment shortage. There is nothing wrong with that at all. But we are in the dark ages compared to countries that call themselves democracies, like the Benelux countries and Great Britain. Does anybody say we are more of a democracy than Great Britain? Well, you would not hear the hon. member for Dufferin-Simcoe (Mr. Downer) say it and you would not hear the hon. Minister of Lands and Forests say it. My friend from York North (Mr. Mackenzie) would not say it. But the British do that. We have not got to that stage.

We ought to be concerned, in the employment of foreign capital, about sinister influences on political decisions. The hon. Prime Minister adverts to that in the speech to the Canadian manufacturers association. We ought to be concerned about economic decisions that foreigners might make, and yet there is an absence of all these guidelines.

On the score of the national policy, the hon. Prime Minister has this to say, and I quote from him:

> We can meet the challenge of the preservation and strengthening of Confederation if we affirm our faith in ourselves as a nation, in national independence, in national unity and in national development.

I join with those words. It is a nice homily of words and I imagine at a nice dinner of the Canadian manufacturers association that that went over big. They lit up another cigar. They ordered another Cointreau, or Courvoisier, and there was another coffee, hearing that.

Where I quarrel with the hon. Prime Minister is that I ask him to be specific. If he intends on the launching of a national policy, if he really means what he says, then let him say what he means and mean what he says. They are idle words; they are bare bones until some flesh is put on them. The provinces, after all—I say to my friend the hon. Minister of Municipal Affairs, whom I promoted to hon. Provincial Treasurer—own the natural resources. They own the natural resources; the ores in the ground, the forests on the top of the soil are owned by the province.

Then I say, what are your proposals for the utilization? What specific proposals do you, as the hon. Prime Minister of this province, have to make to the federal government about the utilization of those resources in a national development policy? Is it the building of highways, opening up our country, the vast reaches north of the French river? Is that the national policy? Is it the diversion of water into the Great Lakes? Is that it? Is it the erection of a steel complex at the head of the lakes?

My goodness gracious, Mr. Speaker, 20 years ago, two decades ago the president of Steep Rock Iron Mines referred to the fact that all of the conditions were met for the utilization of that iron ore at Steep Rock for the erection of a steel industry—20 years ago, and to this day, the iron ore is ripped out of the ground at Steep Rock, at Atikokan, but it is transported away across the lake to the United States to create jobs there. For every man who mines a ton of ore at Atikokan, ten men get employment in Cleveland or Pittsburgh in the fabrication of steel products.

At one time I accused the hon. Prime Minister of borrowing from me in that speech. There were certain similarities in one I had made here that excited imagination as to the origin of his. I said the difference between him and me is that I am ready to prescribe specific proposals for a national development policy.

I looked in vain in the speech of the hon. Minister of Economics and Development (Mr. Randall) and I was saddened when he introduced his estimates in the House, because I think that is one department—and he is not here today—where we might hear some expostulation of specific proposals for the economy of this province. He is charged with that responsibility. But I look in vain.

Here is the type of thing the hon. Minister of Economics and Development says: "The task for government must be the conditioning of the business climate within which growth will flourish." That is his philosophy —"the conditioning of the business climate within which growth will flourish." That is not the national development policy that the hon. Prime Minister was speaking about at the Canadian manufacturers association; that is not the national development policy he referred to when he spoke to the Young Progressive-Conservative student federation in Winnipeg on June 29, 1965, when he quoted —like the Minister of Reform Institutions—his own speech made 22 days earlier, as he tried to instil in these young Conservatives a feeling of dynamism for the future of this country.

That is not what the Minister of Economics

and Development is talking about when he says we must condition the business climate to stimulate growth. No, the Minister of Economics and Development, your honour, goes into paroxisms of joy when he opens a new branch needle plant in Etobicoke or a corset manufacturer announces that it opened up in Cornwall. That sends him. He will take all of the photographers down to the opening of the branch plant. You do not see a thing in his speech of consciousness that the majority of the resources of this country—I say to my friend from York North in his 80th year—are untapped. We have more than we have exploited and what are we going to do with them? What proposals does this government make for their utilization?

Let me put it another way, because I hope that I will never be accused of speaking in generalities. I want to speak in specifics. I am told that this year 10,000 young people will graduate from the 17 universities in this province. I am further told that in five years' time, we can expect that almost 25,000 will graduate per year from the universities. I would like to hear from somebody in this government — the Provincial Treasurer, the Minister of Economics and Development, the Minister of Education (Mr. Davis), the Prime Minister, or somebody else—what plans are being made today for the absorption of those people into our economy. Where are they going to work?

What plans do we have in mind? What lines of activity will they want to follow? Or are we going to be content in this country with a continuation of the drain of brains from the country so that, in effect, the taxpayers of this province are asked to subsidize American education? Is that what is in store for us? Are we always going to be a donkey economy? Hewers of wood and drawers of water, and paying for the education of young people of talent and ability who find that they cannot express their personalities to the fullest in this country and they emigrate across the border.

Now, I would like somebody on that side of the House, showing that he earns the stipend as a Cabinet Minister, to set out for me in specific terms what plans are being made now for the absorption of these talented young people in the useful pursuits of this country. And a good many people outside the House are concerned with the answers to that question also. In the absence of them, in the absence of specific proposals about the development of this country, is it any wonder that I want to drop seven Cabinet Ministers? It only shows my charity, because I get so worked up about the future of this country and its mission in the world that given a little provocation I would drop the whole 23.

Interjection by an hon. member.

**Mr. Sopha:** Maybe some day we will hear a contribution from somebody about what the outlook is, and what road the national policy is going to take. Heavens above, Mr. Speaker, next year this country is 100 years old, next year we will be proud from one part of this province to the other about what we have created here, what we have built, and it will be a time for appraisal of the future of this province and this country, the solution of its anxious problems, the paths of development of this country.

And I say a word about immigration, people. The Prime Minister, I guess nobody else in the House ever reads his speeches except myself, the Prime Minister on another occasion is talking to A. E. Ames and the United States investment group, May 10, 1966, just a month ago. The Prime Minister is telling that group that we have a dependence upon your capital, the very people who engage in the investment of capital, because we are only 19 million.

The greatest indictment on the politicians in 1967, the greatest indictment on the politicians of this country in the 20th century will be the paucity of the number of people who inhabit it. During the first ten years of this century, Laurier persuaded three or four million to come. Three or four million came from Europe in a day when it was fashionable to say to Europe, "Give us your poor, we open our arms, give us your poor." We lost most of them to the United States, those three or four million that came.

There have not been ten years since, when the same number came. No; 200,000 this year and that is up, that is causing The Department of Immigration at Ottawa to go into a great state of euphoria, that 200,000 are coming. What have we instead? We have Sedgwick, that is what we have, Sedgwick.

Sedgwick is a Conservative, he is a lawyer, I do not even know the man personally. But Joe Sedgwick makes a report to the federal government, to show forever the mistake of a Liberal government in hiring a Tory, and he makes a report in which he says that immigration must be selective. Now, he said some other things that I am going to relate to the House. We must bring skilled people; in other words, we must go to our friendly neighbours in Europe and we must denude them of their skills, we must steal their skills

and bring them here as if they did not need them. As if Italy and Greece and Scotland and England and Scandinavia do not need their skills themselves. No; we Canadians, like thieves in the night, will go and denude them of their skills.

Who built the CPR? Who opened the nickel mines at Sudbury and Cobalt and Timmins and Kirkland Lake? Who tapped the wealth of the forests in this country? Was it the skilled people? Or was it people of low estate who came here to find a new life?

Then he says another thing, he says that people who come here must be fingerprinted. Fingerprint them on arrival! That certainly is attractive to a guest, to tell the guest who you invite into your house, to come in only on the condition that you be fingerprinted.

**Mr. B. Newman** (Windsor-Walkerville): Count the silverware!

**Mr. Sopha:** Yes, count the silverware, says my friend, the hon. member for Windsor-Walkerville. A very apt comment.

Fingerprint him, see if he might be a criminal. All right, that is the second brilliant observation Mr. Sedgwick made.

Now, the third one was, he said people in other lands must realize that immigration to Canada is a privilege and not a right. Well, there is something Macdonald said that bears a very great context. I just wish I could lay my hands on it because I noted it down. Macdonald said this, and I want to put this in the context of Sedgwick's statement about being a privilege and not a right:

> The truth is you British Canadians never can forget that you were once supreme. If a British Canadian desires to conquer, he must stoop to conquer.

I think if you consider it, those words of Sir John A. Macdonald are very apt in the context of Sedgwick's remarks about it being a privilege to come here.

I wish to heavens when Champlain and Cabot and Cartier first set foot on the soil of what became British North America that some of the Micmac chiefs and the Algonquins and the Hurons had been there and said to them on their arrival: Now remember, you come, it is a privilege and not a right. They would have stuffed their muskets down the Indians' throats.

But we have become so smug and so complacent, only 19 million of us occupying half a continent, a whole half a continent that a merciful God has bestowed upon us, so we can sit back in smugness and complacency and say it is a privilege, but not a right for anybody else to come and share it with us.

In the context of history, in the development of this nation and the way the British came and conquered the French and took the land from them and the Indians; when you contemplate the words of Joseph Sedgwick in 1966 and all he says about fingerprinting and only skilled people should come, then perhaps it is time to put on the record that it is small wonder, in the words of Holy Scripture, it is small wonder that Jesus wept, many times.

What this country needs is people; people from many lands to help us develop it. I remember Leslie Frost saying—and I will never forget Mr. Frost, a great Canadian, a truly great Canadian of this generation—I will never forget him saying, and this will mark the progress of my life in politics, he said there is something immoral about occupying this half continent without expressing our firm desire to share it with people of less fortunate lands.

We have a moral duty, said Mr. Frost, to do so. So that is the mission of my life.

Laurier said at the opening of the 20th century, by the end of this century we will be 60 million. Well next year when we celebrate the 100th birthday, let us contemplate the enormous amount by which Laurier missed his mark, something over 20 million. That is the indictment of the politicians of the 20th century. The failure to attract people here, that is the measure of where they have let our people down.

We need foreign capital—I go back to where I started—we need foreign capital because we are only 19 million. We cannot save enough to develop our country. We depend upon others to come in. As Mr. Gordon says, and as I reiterate—and here is the plateau on which I pitch my tent, strike my standard—having a dependence on foreign capital, there is a danger that you lose political and economic control. You have to watch or somebody else is making the decisions in an undemocratic way; somebody who is not responsible directly to the body politic is making very important decisions. We talk about political interference, and shortly before February 5, 1963, John Diefenbaker, who has lots of support in this House, was victimized by political interference from abroad, because General Norstadt took the opportunity in Ottawa, did he not, members will remember, to fix John Diefenbaker's wagon and fix it he did, about the acquisition of nuclear arms.

What was the resolution which the House of Commons voted on the fateful night of February 5, 1963? What was it? It was a resolution introduced by Mr. Hellyer, which condemned the government for its defence policy. That is where they voted. Tommy Douglas ended the debate and said, "I need say no more, let the people decide," as the "ayes" outnumbered the "nays" and Diefenbaker fell. Much of his defeat he can attribute to American interference. There is the danger; that is what Mr. Gordon is talking about.

The Prime Minister goes to North Bay, he says we need American investment. He makes specific reference to our mining industry. He does not advert to the fact that most of it is owned abroad; he does not mention that most of it is earned abroad, but he makes specific reference to it. But he fails to set out any guidelines, that is my complaint. He fails to be specific. He fails to generate in me a confidence that the government is alert against the encroachment of foreign influence in our institutions.

But I am optimistic, and if enough of us keep talking about it, then there will be a development of consciousness of our responsibility, and it is a political responsibility—nothing more and nothing less—to protect the freedom of our institutions. Our institutions are strong ones. Let us not forget that. The forefathers of this country and people who have gone before us have erected very strong political institutions in this country, in our Parliaments and our courts.

They outlast people. Do not be dismayed by the present incumbents of the House of Commons at Ottawa. They are only passing phenomena in the transitoriness of human things. They will be gone. The institutions are stronger than them and they will survive. They always have. If those who cry dismay, and say what goes on in our Parliament is not typical, only knew; if they ever opened a history book and looked back at some of the things that have gone on in Parliaments in this country; if they looked at the debates of 1874 when members did almost everything except get the knife out and plunge it in the back of another member, they did just about everything else; if they looked at the debates in the Laurier Parliaments when his McGreavey friends were robbing the government down in Quebec in the contracts; and if they looked at the Beauharnois scandal of the 1930's they would see that those of us who occupy seats in Parliaments these days are Casper Milquetoasts and junior boy scouts, compared to yesteryear. We cannot compete with the pros.

If those who are concerned about a little of bibulousness and partaking of the Bacchanalian essences only knew; if they would open the history book they would see that Sir Wilfrid Laurier, before he swore a Cabinet Minister into office, took a pledge in writing that the Minister would not use alcohol to excess. And the pledge said, "If I break my promise to you, Sir Wilfrid, then you may apply the date to this, my resignation." We are boy scouts compared to those guys, who could really put the stuff away.

**Mr. L. Letherby** (Simcoe East): I wonder, did Sir John A. take the pledge?

**Mr. Sopha:** But the press gets all exercised by the new phenomena they discovered, and some brilliant analyst goes and writes an article about it and says: "Oh, isn't it terrible." A former evangelist gets on the radio: "They are staggering around up there."

No one ever sees him here to have a look himself. He is never here. But it sounds good on the radio.

Mr. Speaker, sir, the House has accorded me patience. Our institutions, I say to you are strong. Next year we will resolve to chart the way, I hope, together, for the building of a great destiny for this great nation.

Mr. J. C. G. Demers (Nickel Belt) moves the adjournment of the debate.

Motion agreed to.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, in moving the adjournment I do not know that I can give you the orders for tomorrow but I presume we will go back to the estimates of The Department of Education after the usual opening business.

Hon. Mr. Spooner moves the adjournment of the House.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, are there going to be second readings? There are some rather important bills. I see my friend the hon. Attorney General is not here. It is only fair and reasonable that we be told whether some of these important legal bills are coming up.

**Hon. Mr. Spooner:** Let us say yes, Mr. Speaker, if they do not appear then they do not appear, that is all.

**Mr. Singer:** Oh dear, with all that talent over there they cannot even tell us what they are going to do tomorrow.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.

No. 143

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Thursday, June 16, 1966

**Afternoon Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JUNE 16, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today students from the following schools: In the east gallery, Robert Land public school, Hamilton, and Naughton public school, Naughton; and in the west gallery, Frenchman's Bay public school, Frenchman's Bay.

Petitions.

Presenting reports by committees.

Mrs. A. Pritchard (Hamilton Centre), from the standing committee on health and welfare, presented the commitee's second report which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 78, The Mental Health Act, 1966;

Bill 137, An Act to promote ambulance services and improve their standards;

Bill 148, The Vocational Rehabilitation Services Act, 1966;

Bill 149, An Act to amend The Homes for the Aged Act;

Bill 158, An Act to amend The Pesticides Act.

Mr. A. B. R. Lawrence (Russell), from the standing committee on education and university affairs, presented the committee's first report which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 150, An Act to amend The Secondary Schools and Boards of Education Act;

Bill 152, An Act to amend The Separate Schools Act;

Bill 153, An Act to amend The Department of Education Act;

Bill 155, The Public Libraries Act, 1966.

Your committee begs to report the following bills with certain amendments:

Bill 151, An Act to amend The Schools Administration Act;

Bill 154, An Act to amend The Public Schools Act.

Mr. D. Bales (York Mills), from the standing committee on legal bills and labour, presented the committee's eighth report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill 67, An Act to amend The Corporations Information Act.

Your committee begs to report the following bills with certain amendments:

Bill 65, An Act to amend The Corporations Act;

Bill 66, The Securities Act, 1966.

**Mr. R. Brunelle** (Cochrane North): Mr. Speaker, I beg leave to submit the final report of the committee on mining.

The committee was appointed two years ago, on May 8, 1964, to study and report on all matters relating to the mining industry in the province of Ontario.

I would like to express my thanks to the 12 members on the committee for their co-operation and their contribution. As chairman, it was a pleasure and a privilege to work with such a fine group of members.

To the hon. member for York Mills, the vice-chairman, may I thank him for his assistance and advice on numerous occasions.

The committee was fortunate indeed in obtaining the valuable services of Mr. George Mason, as its full-time secretary. Mr. Mason arranged our transportation requirements, scheduled our meetings and looked after a multitude of details. I am confident his organizational ability made our tours far more interesting and informative than they would have been under other circumstances.

On behalf of the committee members, I also wish to thank the hon. Minister of Mines, his Deputy Minister and other officials of the department for their co-operation and assistance in providing information whenever it was requested.

Many other departments and agencies of government were called upon from time to time and the response was most gratifying.

The committee wishes to express sincere appreciation for the invaluable assistance received from many other sources.

In May, 1965, this committee tabled an interim report containing three recommendations. One of these emphasized the committee's concern for the need for expanding the facilities of the provincial institute of mining at Haileybury. This way, Ontario's expanding mining industry would be able to recruit a sufficient number of qualified technicians and technologists.

I want to extend our gratitude to the hon. Minister of Education for endorsing this committee's recommendation. His anouncement that facilities at Haileybury will be rapidly expanded was welcomed and appreciated by the mining industry and by the people of the mining communities.

While visiting the mining municipalities throughout Ontario to accept formal submissions and briefs, the committee had many opportunities to hold informal discussions with many mining men, prospectors, geologists and workers, in order to better acquaint itself with the problems of the individual as well as those of management and organized labour.

We were grateful for these occasions and we hope the needs of the people and the industry have been adequately reflected in the large number of recommendations contained in our report to this Legislature.

In the fall of 1965, the committee was fortunate in acquiring as consultant three highly respected and well known men in the field of mining. They are Mr. John Beattie, former director of the Ontario mining association; Mr. Colin Campbell, a former member of this Legislature and a Minister of the Crown, and Dr. George B. Langford, director of the Great Lakes institute, University of Toronto, a recognized authority in many fields of scientific endeavour.

The knowledge and advice of these three mining experts were of inestimable value to our committee. During the past two years, public hearings were held in 16 mining communities. A total of 92 formal briefs were submitted by mining companies, mining municipalities, chambers of commerce, labour unions, prospectors, as well as many informal presentations made by individual residents of mining communities.

Having completed our inquiry, we place before the House the final and comprehensive report containing numerous recommendations.

Recommendations have been submitted on the following subjects: The prospector; mining technicians and technologists; mining engineers; research and development; health and safety measures; size of mining claims; staking limits for miners' licences; office designation and acquisition of a mining area, or an oil and gas area; assessment work on recorded mining claims; lease on mining claims; acreage tax on mining lands and mining rights; ARDA lands; old forms of grants of mining lands; acquisition, storage and retrieval of geological and other exploration data; mining and access roads; resource development roads; provincial parks and other land reservations; financing mining, prospecting and developing; taxation; revenue grants to mining municipalities; and The Ontario Department of Mines.

The committee hopes that the recommendations set forth in this report will soon be acted upon, so that the mining industry in particular and the economy of our province as a whole will be greatly strengthened.

I hope we will have, at a later date, an opportunity to debate this report.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE DAY NURSERIES ACT, 1966

Hon. L. P. Cecile moves first reading of bill intituled, The Day Nurseries Act, 1966.

Motion agreed to; first reading of the bill.

**Hon. L. P. Cecile** (Minister of Public Welfare): Mr. Speaker, a new Day Nurseries Act is introduced to extend this type of service to a greater number of working mothers by authorizing provincial subsidies for private, as well as publicly operated nurseries.

When The Canada Assistance Act is effective, the province will recognize agreements between the municipalities and private day nurseries to accept children on a fee for service basis. The municipalities will then be reimbursed 80 per cent of their expenditures both for the private fees and for the cost of operating a municipal day nursery.

Up to this time, the rate of subsidy has been 30 per cent for the public nurseries only. This method of expanding day nurseries' facilities should prove most acceptable to the mothers who will benefit, to the municipality and, of course, to the operators of private day nurseries.

This new Act also makes it possible for the province to support day nurseries on Indian reservations and to establish nurseries in territories without municipal organizations. The Act defines more definitely the responsibilities of private day nurseries and provides for enforcement of the standards that will

be set out in the regulations of The Day Nurseries Act.

## THE ELDERLY PERSONS CENTRES ACT, 1966

Hon. Mr. Cecile moves first reading of bill intituled, The Elderly Persons Centres Act, 1966.

Motion agreed to; first reading of the bill.

**Hon. Mr. Cecile:** Mr. Speaker, The Elderly Persons Centres Act is a revision of The Elderly Persons Social and Recreational Centres Act. The purpose of the new version is to take advantage of the support that may be available through the projected Canada assistance plan. We hope to be in a position to share in the administration and personnel costs of the centres, of which there are now four established in Windsor, Kitchener, Peterborough and Toronto.

The capital grants remain as before but subsidy would now be payable, as I have said, on operating and maintenance expenditures.

The aim of this legislation is, of course, to encourage the growth of centres or clubs for elderly people which will offer to them hospitality, friendship and a chance to participate in community activities.

We have also made a provision for special grants for research and other services, and facilities with regard to elderly persons. The administration of this Act is likely to be under the auspices of our proposed office on aging. It is considered that community action is desirable in developing this type of service, since the programme that is initiated and supported by the goodwill of the neighbours and fellow citizens of these elderly residents, will have some meaning for them.

## PERSONS AND FAMILIES IN NEED

Hon. Mr. Cecile moves first reading of bill intituled, An Act to provide benefits to persons and families in need.

Motion agreed to; first reading of the bill.

**Hon. Mr. Cecile:** Mr. Speaker, The Family Benefits Act is introduced in anticipation of the Canada assistance plan, which will have its greatest influence upon the legislation involved here.

We have deemed it advisable to consolidate a number of existing Acts relating to the maintenance of individuals and families. The Family Benefits Act will, in due course, replace what are commonly known as the "categorical" programmes presently shared with the federal government.

Statutes to be superseded include The Blind Persons Allowances Act; The Disabled Persons Allowances Act and The Old Age Assistance Act. In addition, other programmes are gathered into this consolidation and further programmes superseded are The Mothers Allowances Act, the two sections of The General Welfare Assistance Act; the one providing allowances for dependent father cases and the other to widows and unmarried women.

This legislation will be implemented subsequent to agreements under the proposed Canada Assistance Act, through which the Ottawa government will undertake to share financially in the total programme.

The establishment of a mutually acceptable means test and other qualifications will be the responsibility of the government of Ontario. We shall be required to continue the blind and disabled persons' allowances programme and old age assistance under present conditions concurrently with the new overall programme until a transitional period has elapsed.

The Family Benefits Act will permit the province to design new programmes that will meet the maintenance needs and other requirements of families and individuals. We are looking toward more flexibility of treatment and a comprehensive service.

We hope at the same time to simplify administrative procedures. You will note that we have substituted the term "benefits" for "allowances," as indicative of our aim to include along with the monthly maintenance payments, those other forms of assistance which may be necessary for long-term cases.

It will be understood that this Act describes the principle intended while the regulations will spell out the qualifications and the range of services and allowances to be granted in the six programmes consolidated here.

I should add that the Act provides for a provincial board of review, which may hear and act upon any complaint that may be brought forward in regard to the administration of this legislation.

## THE CHILD WELFARE ACT, 1965

Hon. Mr. Cecile moves first reading of bill intituled, An Act to amend The Child Welfare Act, 1965.

Motion agreed to; first reading of the bill.

**Hon. Mr. Cecile:** Mr. Speaker, this amendment to The Child Welfare Act is largely designed to lessen the cost of child welfare services to municipalities. We believe that the federal government will begin to share in the cost of children's services under the Canada assistance plan. We are therefore submitting this amendment to make possible a reduction in expenditures of municipalities for children who come under the care of children's aid societies.

To date, the general ratio of cost sharing has been 40 per cent provincial and 60 per cent municipal. This amendment will reverse that ratio. The province will continue to pay 100 per cent of the cost of service to children of unmarried mothers. With the senior government accepting 60 per cent in one area and 100 per cent in another, the net effect will be that municipalities are relieved of approximately 80 per cent of total child welfare costs.

The decrease in municipal expenditures represented by this revision totals about $3 million a year and will continue to be of substantial financial advantage to municipalities in the future.

The societies will also welcome this change as providing greater stability of income in meeting the immediate costs of children in care.

The amendment also includes a section relating to the care of children of Indian parentage, including preventive services. This section is not contingent on the Canada assistance plan and will come into effect under the Indian welfare services agreement which we recently signed with the federal government. It provides for payment to societies by senior governments of 100 per cent of the cost related to Indian children.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, may I ask the Minister a question?

As I understand it, at the federal level now the debate is on a resolution for The Canada Assistance Act. None of the specifics of the bill are yet before the federal House. But do I take it from these percentages the Minister is spelling out in the legislation that the provincial government already knows what moneys it will get, that the Minister already has a precise idea of the moneys he will receive?

**Hon. Mr. Cecile:** No, except that the only thing we know through the conferences we had, and through the communications we had with the federal government, is that it will share equally in the programme. On that basis, we have felt that we would prepare ourselves for the time when the Act is passed and we intend to deal with it in the way it has been expressed now.

But as far as specifics, generally speaking, I confess we do not know.

**Mr. S. Lewis:** The Minister still does not know?

**Hon. Mr. Cecile:** That is right.

**Hon. W. A. Stewart** (Minister of Agriculture): Mr. Speaker, before the orders of the day, I would like to make a statement with reference to the current dairy situation.

Current press and radio reports have linked the government of Ontario with the nonpayment of a promised 75 cents per hundredweight milk subsidy. There have also been suggestions that negotiations would continue with this government so that the producers of manufactured milk could realize $4 a hundredweight for milk at the farm. These reports and statements have been very misleading to the farmers and the general public and should be clarified.

The province of Ontario does not pay any subsidies to the dairy industry and feels that this is a federal responsibility, not only from a constitutional point of view but because the federal government has provided the necessary legislation for this purpose. Product subsidization by individual provinces can only result in unrealistic competition between provinces.

Earlier this year, the hon. Mr. Greene, federal Minister of Agriculture, announced a new dairy policy. And I quote from his statement of March 23, 1966, in the House of Commons, Ottawa:

> The outlook for the new dairy year is for continued deterioration in the economic position of the dairy farmer unless government action, such as I now am announcing, is taken. Unless the producer's confidence in his ability to make a decent living from dairy farming is restored, we face the prospect of shortages. Shortages would, of course, raise the prospect of consumer price increases that could contribute seriously to a higher cost of living. Because of these considerations, the government has decided to make the following major changes in its support programme for the new dairy year:
>
> 1. The support level will provide for an average net return of $4 per hundred pounds of manufacturing milk, testing 3.5 per cent butterfat content. Basis, f.o.b. the factory.

2. The support level will be achieved by direct monthly or quarterly payments to producers from the federal government.

3. The federal payments will be made on a portion of surplus fluid milk.

The agricultural stabilization board will provide details on the application of the new policy to the various categories of producers. The policy will apply in general as follows:

For producers of manufacturing milk the board will take measures designed to permit processors to pay a price of $3.25 per hundred pounds for 3.5 per cent manufacturing milk. Direct payments to producers from the board of 85 cents minus a 10-cent export assistance levy, will be used to bring producers' average net returns up to the $4 level.

Mr. Speaker, you will see from this statement of hon. Mr. Greene that the responsibility for the pricing of industrial milk, or milk for manufacturing, has been accepted by the federal government. This is nothing new. I would like to congratulate Mr. Greene on the sincerity of purpose behind this statement of March 23 last. I felt that I should read this extract from his statement into the record today. It points out clearly the intent and hopes of the federal Minister of Agriculture insofar as dairy pricing is concerned.

However, today we are faced with some confusion as to who is administering this dairy policy. Statements are being made, deliberately or through misunderstanding, which suggest this is a provincial policy and that if farmers are not realizing $4 a hundredweight for their milk, negotiations should therefore be carried out with the province.

I should further explain that the federal subsidy is based on milk testing 3.5 per cent butterfat. This means the subsidy is actually 21.4 cents a pound butterfat. Therefore, the producer who has milk testing more than 3.5 per cent butterfat will receive more than 75 cents a hundredweight subsidy. And a producer with a lower test will receive less, accordingly. This is the federal policy.

In the implementation of the policy, as mentioned by hon. Mr. Greene, the stabilization board of The Canada Department of Agriculture, was to take measures designed to permit processors to pay a price of $3.25 per hundredweight for 3.5 per cent manufacturing milk. These measures were the provision of export subsidies and they offered to purchase butter and milk powder at certain fixed prices.

This province, under The Milk Act of 1965 and through the administration of the milk marketing board, has made provision for a policy of minimum prices to the producer at the plant for the milk he produces. The milk marketing board has set these prices at $3.25 for 3.5 milk. The Ontario processors are therefore in the position of having the price set at the bottom of the scale for the product they have to buy, and the price set at the top of the scale by the offer to purchase of the finished product by the federal stabilization board.

I am advised by the industry that the current offer to purchase prices by the federal government are inadequate. I am given to understand that in the case of roller powder this would be 16 cents per pound at the moment and for spray powder it would be 18 cents per pound. The industry is also faced with the problem of some powder stocks which were built up prior to May 1, 1966.

In addition, the processing industry has experienced concern that the province of Quebec does not have minimum producer prices for milk. The processors advise me that because of this situation, where we find the province of Ontario with a minimum buying price and the province of Quebec without a minimum buying price, the Ontario processor is placed in a very difficult position and is losing product sales to the province of Quebec.

The hon. members of this House have heard me say on many occasions how important and necessary it is for the two provinces of Ontario and Quebec to work as closely together as possible in dairy policies. Not only because of our close proximity, but because between the two provinces over two-thirds of the total milk production of Canada is produced.

I am sure it is obvious that while minimum producer prices for milk can be set theoretically at any level in this province because of the legislation, from a practical standpoint the Ontario milk marketing board is limited in its action because of the absence of a similar legislation in our sister province.

I hasten to add that these comments are not intended to be words of criticism for the province of Quebec. I know that within their industry and at government level, they have been giving the whole matter of dairy policy and the entire dairy situation a great deal of study.

I would therefore like to advise the House that this morning I was in personal conversation with the hon. Mr. Greene, federal

Minister of Agriculture, and pointed out to him the current pricing problems I have just mentioned. I related to him, as well, the confusion which apparently exists in the minds of at least some members of the public as to the province's position and their role in the present policy.

I emphasize to him that Ontario dairy farmers are concerned and restless because they have not as yet received any of the promised 75 cents a hundredweight federal subsidy. On this matter Mr. Greene advised me that the delay has been due to the necessity of having returns from plants giving the details of each producer's shipments of milk. Mr. Greene said that the first cheques had gone out last Friday and I was given to understand that the subsidies would soon be in the hands of all the farmers. And then, from here on, this would continue on a routine monthly basis.

However, I also emphasized to Mr. Greene the problem which exists because of the lack of minimum price control in the province of Quebec. At the same time, I strongly recommended to him that the federal support for the finished product should be 17 cents a pound for roller powder and 19 cents a pound for spray powder. It is felt that these prices are necessary if we are going to avoid forcing some plants out of business and at the same time, realize the best possible return to the primary producer.

I would like to go on public record today in offering my hand in all sincerity to the new Minister of Agriculture for the province of Quebec. We will be quite prepared to work with him, and particularly with reference to dairy products—in fact, in any matter concerning the agricultural and food industry which will be of mutual benefit to our two provinces.

I would like to conclude with a further quotation from hon. Mr. Greene's statement of March 23, wherein he said, and I quote:

> The policy on which we are embarking is designed to bring economic stability to the dairy industry and to insure adequate domestic sources of dairy products for Canadian consumers.

As mentioned earlier, this province, and all those associated with the dairy industry, welcomed Mr. Greene's policy announcement last March. Price support for the dairy industry is the responsibility of the federal government and it has been accepted as a responsibility by that government. We will do everything possible, as we did today, in co-operation with the industry, to bring matters of concern with reference to the administration of this policy, to the attention of the federal government at Ottawa. Mr. Greene has taken a very realistic step in the development of this policy. We look forward with anticipation to the establishment of the national milk commission under The Canada Department of Agriculture, as a further development of this federal dairy policy.

The dairy industry is an important industry nationally. Milk and milk products flow across provincial boundaries. Any provincial interference in milk prices could be construed as interference with the intent and purpose of the federal policy and without a doubt would jeopardize its success.

It is unfortunate, Mr. Speaker, as I mentioned before, that this public misunderstanding with reference to the responsibility of Ontario in the payment of subsidies under the current federal policy has arisen, and I therefore felt that a public statement was warranted today.

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, before the orders of the day, I should like to take this opportunity to draw to the attention of the hon. members of the House a significant highway improvement project of considerable importance for the further development of the economy of Renfrew county in particular, and for a considerable part of the Ottawa valley as well.

I am referring to the decision of the government of Ontario through The Department of Highways to participate with the federal government and the province of Quebec in a new interprovincial bridge across the Ottawa river in the area between Renfrew and Pembroke. More precisely, the location on the Ontario side is the settlement of Chenaux, site of an Ontario Hydro generating station some four miles east of Haleys station, which, as many of you know, is situated on Highway 17.

The new steel and reinforced concrete structure will replace the existing one, some 400 feet to the north, or upstream. The main or central span will be 192 feet long, with two spans of 160 feet each, for a length of 512 feet overall.

The bridge is being designed to carry higher-than-average loads. Roadway width will be 28 feet. The basis of cost sharing with respect to the main structure is 50 per cent by the federal government, 25 per cent each by Ontario and Quebec.

Maintenance of the bridge will be the responsibility of the two provinces, to be divided on a 50-50 basis. Ontario and Que-

bec will assume the full cost of their respective approaches to the bridge.

By mutual consent of the three parties to the agreement covering the main structure, it was decided that The Quebec Department of Public Works would appoint the consultants to design the bridge and supervise its construction, as well as call for tenders and award the contracts.

Tenders will close on July 6.

I am pleased to advise the hon. members that Ontario contractors are permitted to bid for this work as they are on all such projects in which the government of Canada is involved.

Under a separate agreement between Ontario and Quebec, The Quebec Department of Public Works will also be responsible for the construction of the Ontario approaches, this being considered much the most feasible procedure in the particular circumstances obtaining.

The government of Ontario, through The Department of Highways, is undertaking the substantial investment which will be required in connection with the new bridge primarily for the sake of economic development in that part of eastern Ontario.

The company that now has under way construction of a multi-million-dollar kraft pulp mill close to the Quebec end of the bridge, holds large timber limits on the Ontario side of the Ottawa river in Renfrew county from which it will draw by truck much of the pulp required for the new mill. For this reason, as well as to adequately accommodate other heavy vehicular traffic, a high load capacity was specified for the bridge.

As part of the total plan for greater economic development, I am pleased to add that The Department of Highways assumed on June 1 a four-mile section of county road running easterly from Haleys station on Highway 17 to the bridge site, to be numbered Highway 653.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, before the orders of the day, I have an announcement which I am sure will be of interest to the hon. members.

Approval has just been given to sites for the Quinte regional detention centre, the Kawartha regional detention centre, and the Carleton detention centre.

These centres, upon completion, will provide facilities for treatment, rehabilitation and work programmes on the local jail level, in keeping with modern correctional practice. They will also allow for the segregation of different classes of inmates, and will provide facilities which are not at present available for men and women awaiting trial.

The following counties are taking part in this co-operative effort:

Quinte regional detention centre, representing the counties of Frontenac, Hastings, Lennox and Addington, and Prince Edward.

Kawartha regional detention centre representing the counties of Peterborough, Victoria and the united counties of Durham and Northumberland.

Carleton detention centre representing the county of Carleton and the city of Ottawa.

All three groups, Mr. Speaker, have engaged architects who are actively working on the drawings and plans at the present time.

I would like to congratulate members of these groups and their personnel for their promptness and enthusiasm in dealing with this most progressive programme. We appreciate all these efforts, knowing that they will result in an early start on construction.

**Some hon. members:** Hear, hear!

**Mr. F. R. Oliver** (Grey South): Mr. Speaker, I have a question for the hon. Minister of Agriculture. It is not often that you get a detailed answer to your question before you ask it, but in this case the hon. Minister is really moving ahead—or backwards—but he is moving, at any rate.

**An hon. member:** In circles!

**Mr. Oliver:** I was about to ask the Minister if the government were prepared to guarantee to milk producers $4 a hundredweight at the farm. He has now answered that, saying that they are not prepared to do it.

May I say this, Mr. Speaker, by way of observation. My hon. friend said that there was a great deal of misunderstanding among the farmers. There is no misunderstanding at all. They appreciate what the federal government is doing; they understand, I think, the delay that there is, and what they want the hon. Minister to do is to make up that difference between the plant and the farm, and he can do it if he wants to. All he lacks is the will. All that talk is just a lot of verbiage, that is all.

**Some. hon. members:** Hear, hear.

**Mr. Speaker:** Order!

I presume that is a supplementary question and if the hon. Minister of Agriculture wishes to answer it—

**Hon. Mr. Stewart:** I would say, Mr. Speaker, that in view of the statement that I have made—and I must confess that the statement was prepared long before the hon. member's question ever reached my attention, either by telephone or by sight.

**Mr. D. C. MacDonald** (York South): Not before the tractors march, though.

**Hon. Mr. Stewart:** Of course, the hon. member for York South would know a lot more about the tractors march than I do; his people are out organizing it.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Hon. Mr. Stewart:** I would say, Mr. Speaker, that both the past and the present Ministers of the federal government have clearly indicated to us in the many hours of discussion that we have had with them that they felt that it was clearly the responsibility of the federal government to determine manufacturing milk price subsidies if such were warranted. This is certainly their intent, and we intend to go along and work with the federal government in this regard.

**Some hon. members:** Hear, hear!

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, I have a question for the hon. Prime Minister. Is he aware that residents of Kenora and certain other centres in northwestern Ontario are denied coverage by the CBC of news events at Queen's Park, due to the new CBC policy which prefers to give coverage solely from the Manitoba Legislature to residents of these centres over CBC television satellite stations? If so, has the hon. Prime Minister protested to the appropriate authorities such denial of coverage from this Legislature to these residents of Ontario over this vital communications medium?

**Hon. J. P. Robarts** (Prime Minister): As the leader of the Opposition points out, this is a very recent policy of the CBC and I am attempting to find out exactly how extensive a policy it is, and whether it could be termed a fixed policy which they have adopted in full knowledge of what is entailed. When my investigations in that area are complete, I will decide who I might make representations to in order to ensure that this part of Ontario has access to news of the rest of the province to which it is entitled.

**Hon. Mr. MacNaughton:** Mr. Speaker, I have the answer to a question asked me by the leader of the Opposition yesterday. The first part of his question had reference to Highway 585 from Nipissing to Cameron Falls and Pine Portage. The present condition of this road is characteristic of spring breakup, particularly in the northern part of the province. It is a low volume road, 250 vehicles average annual daily traffic. The department is presently preparing to carry out the normal remedial maintenance work to put the road in satisfactory condition.

Part 2 of the question concerns Highway 628 from Highway 11 and 17 to Red Rock. A contract—65-156—for 5.1 miles of grading, drainage and granular basin paving, is presently under way and will complete Highway 628 from 11 and 17 into Red Rock. This work was shown on the department's highway construction programme for 1966-67, distributed to the hon. members of the Legislature prior to the presentation of the department's estimates in March.

Part 3 refers to Highway 11 between Fort Frances and Atikokan, and Atikokan and Shabaqua Corners. The paving of Highway 11 between Fort Frances and Shabaqua Corners is in some sections completed and in others is under way or programmed for this year. To be more specific, I have mentioned that the section 1.9 miles westerly from Fort Frances, including the revision of the CNR crossing, is scheduled for resurfacing to be awarded this summer.

For a distance of 38.7 miles east of this point a paving contract was awarded on May 4 this year, with work to commence immediately.

The balance of the mileage, 34.1 miles to Atikokan, is presently under way and is a carryover of uncompleted work from last year's contract 65-142. Contract 65-142 also takes care of hot mix patching at various locations, a distance of approximately 16 miles east of Atikokan.

A further contract for ordinary resurfacing is programmed for 1967, for 14.7 miles east of Shabaqua Corners easterly.

In reply to part 4, with reference to broken stretches of highway from Highway 17 and 71 from Kenora to Fort Frances, I would like to point out that the department has now under way a paving contract of 5.3 miles easterly from Kenora. A further contract will be scheduled to complete the balance of this stretch to Longbow Corners.

There is presently under way a contract for 8.3 miles of grading, drainage and granular base southerly from Nestor Falls. This

will be followed with the award of a paving contract this summer from 8.3 miles south of Nestor Falls. The department has programmed for 1967, a 9-mile contract for grading, drainage and granular base.

The remainder of Highway 71 north and south of Nestor Falls is programmed for complete reconstruction in a five-year period, with scheduling of most critical and deficient sections taking priority.

The department also has under way on Highway 11 and Highway 11-71, a grading, drainage and granular base and paving contract for 7.7 miles from Barwick easterly to Emo; and a further contract easterly to Devlin, a distance of 6.8 miles, will be awarded this summer.

**Mr. Thompson:** May I ask a supplementary question in connection with question 4?

I notice, Mr. Speaker, the hon. Minister refers to 5.3 miles, 8.3 miles and 9 miles. Has he considered, as he does for example with Highway 401, that there could be a concerted effort to do the whole job at one time?

**Hon. Mr. MacNaughton:** Mr. Speaker, there is a very great amount of work scheduled on Highway 71, as I pointed out, with attention being paid to those critically deficient sections first. There is a full programme scheduled for completion, and this characterizes the way we handle this sort of thing on any highway in the province. But there is a full programme scheduled, and much of this work is under way or contemplated for the very near future.

**Mr. Thompson:** Mr. Speaker, I have a question for the hon. Minister of Economics and Development. May I put this on the record?

**Mr. Speaker:** I suggest that, in view of all the questions that have to be asked this afternoon, that you leave that one over until tomorrow.

**Mr. Thompson:** Mr. Speaker, I have a number of questions for the hon. Minister of Health; should I leave them also at this time?

I also have two questions for the hon. Minister of Education, and I am bringing them up at this time because they were drawn to my attention. I can hold these for the estimates, or for whatever the hon. Minister feels is appropriate. My first question—

**Hon. W. G. Davis** (Minister of Education): I think, Mr. Speaker, that one question should be asked now because we have passed that point in the estimates.

**Mr. Thompson:** Yes. Is the hon. Minister aware that students who attend grade 13 in such areas as Red Lake, Ontario, and who wish to take post-secondary education, are attending university and other institutions in such provinces as Saskatchewan and Manitoba at costs ranging from $1,000 to their parents?

And if so, Mr. Speaker, what steps are being taken to facilitate their attendance at post-secondary institutions in Ontario and to alleviate this hardship to parents?

**Hon. Mr. Davis:** Mr. Speaker, this was the question I thought might be raised in the department estimates, but I will answer it now anyway.

We have not been made specifically aware of any individual situations as far as Red Lake is concerned. The only observation I could make on this question is that the facilities do exist within the province of Ontario, and I would think the same range of courses would be available to these students. I would suggest that the same amount of financial support, the support they could receive here in Ontario, would compare favourably with the western provinces. I think, Mr. Speaker, it may be that some of these students are going to the University of Manitoba or Saskatchewan because of the difference in admission requirements. They could be allowed into those universities, perhaps, with Ontario's grade 12, or without the equivalent standing for grade 13 that is required by Ontario universities. This is perhaps one reason for it, Mr. Speaker. I should point out that roughly, well, perhaps eight per cent of the total student population in Ontario universities come from outside Ontario, and we know of a number of students who leave this province to go either to the western provinces or to the maritimes.

I think to deal effectively with this, we would have to know more specific reasons as to why they are at universities in Manitoba and Saskatchewan.

**Mr. Thompson:** Mr. Speaker, I would like to follow up with a supplementary question during the estimates on this.

Is the Minister aware there are two high schools offering academic courses within nine miles of one another at Schreiber and Terrace Bay, Ontario, and that neither offers vocational or technical training in these industrial

towns, necessitating children to leave their homes and travel to larger centres for technical training?

If so, what steps are being taken so that these children in reality can have equality of educational opportunity?

**Hon. Mr. Davis:** The educational situation at both Schreiber and Terrace Bay is being studied at the present time, with the purpose of widening the opportunities that are available. Three officials from The Department of Education are to visit those two communities next week with a view to making some recommendations as to how the situation might be bettered, so that the opportunity will in fact be somewhere within those municipalities.

**Mr. F. Young** (Yorkview): Mr. Speaker, I had a question of the hon. Minister of Labour. He indicated to me that he might not be able to get into the House early this afternoon, not knowing the length of time the early orders might take. I wonder if the Minister would be prepared to answer the question this afternoon or does he still wish that I leave it until tomorrow?

**Hon. H. L. Rowntree** (Minister of Labour): I am prepared for the question.

**Mr. Young:** Is the Minister planning further efforts to bring management of the Tilco plant in Peterborough to the bargaining table to effect a settlement of the labour-management dispute in that plant?

**Hon. Mr. Rowntree:** Mr. Speaker, I am personally aware of the dispute known as the Tilco case in Peterborough. And from the very beginning I have interested myself in the matter. The early days of the dispute also coincided with the appointment of Mr. William Dickie as the chief conciliation officer of the province. Indeed, prior to assuming his official duties I asked Mr. Dickie to personally look into this matter, anticipating his assumption of that office. Since then, he has supervised this matter himself and in substance it is not an easy matter to resolve.

Meetings have continued with counsel for both the union and the company, with the union leaders and with the management of the company. Quite frankly I do not want to say any more about the case. I cannot, of course, comment on the merits of it, but the fact is that both sides have adopted almost intransigent positions.

Further meetings have been scheduled and there will be other meetings this week—I am not sure whether they are due today or tomorrow—at which time as great an influence as possible will be exerted to try and facilitate and expedite the speed-up of a resolution. But I regard it, as I think everyone does, as a most unfortunate situation.

**Mr. Thompson:** The Minister of Lands and Forests had to be called away and I agreed with him. Because of this I withhold my question.

I have a question for the Minister of Economics and Development. What personal contact has been made by representatives of The Department of Economics and Development to encourage the location of the Boysey-Cascade kraft mill in Fort Frances?

**Mr. Speaker:** I am sorry, the question to the Minister of Energy and Resources Management and the question to the Minister of Mines should be asked.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I have the answer to the question asked by the hon. leader of the Opposition yesterday. Does he want an answer today?

His question was:

> What loans have been granted to industry, including the Ontario-Minnesota Pulp and Paper Company at Kenora, to control water pollution in the Winnipeg river?

The answer is "none."

**Hon. G. C. Wardrope** (Minister of Mines): Mr. Speaker, I have a question here asked me by the leader of the Opposition. If he would like a reply, I have it ready.

**Mr. Thompson:** I was going to—

Interjection by an hon. member.

**Mr. Thompson:** Not at all. I am very interested, as many are, in the answers. I had asked, and I had refrained from asking some of the questions out of courtesy to the Ministers who have not been here. But I will be glad to shoot all my questions.

Interjections by hon. members.

**Mr. Thompson:** What plans—and I would like to correct that statement very much, the snide remark usually comes from that corner from a rather frustrated little man.

This is to the Minister of Mines: What plans are there to construct a 30-mile road north of Kenora from Warner Lake to Caribou Falls so that ore from mines in the area will not have to be shipped directly to Winnipeg?

**Hon. Mr. Wardrope:** Mr. Speaker, I want to thank the leader of the Opposition for asking me this question. And also for his trip up to our area, where he spent several days. I think he came back with a picture of great growth and prosperity in a marvellous area and wonderful climate.

The Metal Mines Company Limited is not interested in this road from Warner Lake to Caribou Falls. It does not cost them any more to ship to the smelter at Sudbury via Manitoba. That road was already built. We surveyed the proposed new road from Warner Lake to Caribou Falls and estimated the cost, but the mine was not interested. Therefore, it was not proceeded with as they did not wish to pay 50 per cent of the cost, their share under the programme of roads to resources. It is a road 22 miles in length as against a much shorter route via Manitoba.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 16th order, House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF EDUCATION

(*continued*)

On vote 516:

**Mr. R. F. Nixon** (Brant): Mr. Chairman, the vote is headed "miscellaneous grants" and we are asked in the House to provide $1,314,000 for the distribution of assistance, largesse, to a long list of associations and community efforts which surely are deserving of our support. The Canadian national institute for the blind, $100,000; curriculum institute, $25,000; Ontario temperance federation, and so on; these have received support in the past.

The item that I always consider to be quite a stunner, Mr. Chairman, is the last one on the list. Bearing in mind that the list of grants is referred to as miscellaneous, we have at the bottom a further miscellaneous, to be paid as may be directed by the Minister, of $299,900.

The public accounts available to us indicate what the hon. Minister in his discretion has done with this money in the past. Once again there appear to be very useful efforts in the community that have been supported, but in this way, I suppose, much more directly by the hon. Minister. We in this House have had no part in the decision to award support in these community efforts.

In looking down the list here, many can be selected as being of outstanding value. I do not know what the Crest Theatre Hour Company is. I assume it is associated with the Crest theatre. I am familiar with Fairbanks house in Petrolia, a very historic location doing some very interesting work in the development in the local area.

The Ontario library association two years ago got $29,000, as well as a grant in the other estimate.

One part that did interest me deeply is that under miscellaneous the hon. Minister had seen fit to award a $50,000 grant to the Shakespearean festival at Stratford. Nothing in my view could have more merit than this grant, but I must say that we in this House have been deprived of the opportunity to take part in the award of this grant, which has probably been the most successful cultural effort we have put forward in the province of Ontario.

I would say very strongly that it is very bad budgeting to award a miscellaneous grant of this size, $300,000. All of the organizations are of a nature that surely could put their needs to the hon. Minister in time for them to be included in the rather extensive list that he does put before us at this time.

With this in mind, Mr. Chairman, I would move:

> That the size of item No. 1 in vote 516 be reduced by $299,900, to correspond with the amount that is identified as miscellaneous to be paid as may be directed by the Minister.

**Mr. K. Bryden** (Woodbine): Is the hon. Minister planning a comment?

**Hon. W. G. Davis** (Minister of Education): Mr. Chairman, I assume that somebody from the other group would wish to make some observations. Would you wish to do it and then I will perhaps try and deal with both remarks at the same time?

**Mr. Bryden:** Mr. Chairman, what we have to say is perhaps to elaborate on what the hon. member for Brant has already said.

I would agree with him that the money in the past has been spent, as far as one can determine, for the benefit of worthy organizations. When we vote in support of the hon. member's motion, as we will, it will not be with any thought in mind that such organizations should be prevented from getting the assistance that they may very well merit.

It should be pointed out, however, that even if the motion carries, as it should, the government will still not be prevented from making grants to organizations which can put

up a reasonable case. It is always possible, if some organization comes forward with a good case that was not anticipated at the beginning of the year, for the hon. Minister to go to the Treasury board and get approval of an additional expenditure of money.

This matter has been before the public accounts committee. I think it is two years ago that the committee recommended grants should not be paid out at the discretion of the hon. Minister. We recommended in the first instance that the grants, where they could be anticipated, should be actually listed in the estimates along with all these others so that the House could have the information before it before passing judgment; and we suggested that secondarily the grants should be paid out only with the approval of the Treasury board.

I think it was last year the hon. Provincial Treasurer was before the committee. He did not really accept the first part of our recommendation, but he did say that the government agreed that in future all grants should be approved by the Treasury board before they are paid out. I do not know if that procedure is now being followed. If it is, then why does it not say in the estimates, "miscellaneous to be paid with approval of the Treasury board?"

According to any words that are before us, and I will await the Minister's clarification, we still have the old pork barrel type of system, where the hon. Minister in his own discretion decides who gets grants. It may be that these words do not reflect current practice. If not, then I would suggest that on future occasions the wording should be changed to correspond to the practice. If the words do in fact reflect current practice, then I think the practice ought to be changed, at least to the point that the Provincial Treasurer agreed to a good deal more than a year ago.

However, even that, in my opinion is not satisfactory. My recollection, when the public accounts committee inquired into this matter, was that the information given to us was to the effect that most of the grants were paid out year after year to the same organizations in approximately the same amounts. Now if that is so, why can they not be listed in the same way as all the others? I believe that from time to time this type of explanation has been put before the public accounts committee, that the government does not want to commit itself in advance, and that it wants to treat certain grants as not being, shall we say, automatic, but as being renewable from year to year.

If there is any such argument as that, Mr. Chairman, I really do not think it has much logic in it. If an organization has been accustomed to getting a grant every year, I think for all practical purposes it has become automatic. At any rate, the government is not really committed to giving grants every year, even to the ones that are listed here. Next year, if one of the organizations concerned is not worthy of getting a further grant, it is quite possible for it to be dropped from the list.

In the overall picture, however, Mr. Chairman, it is just incredible that the hon. Minister of Education would keep coming back year after year with a miscellaneous item amounting to $1,000 less than $300,000. That surely is beyond reason. It is unreasonable to ask this House to issue a blank cheque for $300,000. This, I think, is what is in the mind of the mover of the motion. It is certainly what is in my mind. There is no reason why the Minister cannot specify the overwhelming majority of the grants that he has in mind under this item.

I assume that he already knows precisely what he is going to pay out. How else could he arrive at a figure of $299,900, unless he had actually added up specific amounts that he already had in mind? If he had put in a figure of $300,000, in other words a round sum, he would be more likely to convince me that he does not already know what he is going to pay out under this item.

**Mr. D. C. MacDonald** (York South): A 99-cent sale—

**Mr. Bryden:** My leader says that this is a 99-cent sale.

**Mr. MacDonald:** For the $300,000, you say—

**Mr. Bryden:** You mean you get an even total down below, the total for miscellaneous grants? Well, that is not exactly what you would call a round sum either.

**Mr. MacDonald:** That is what you call cooking the books.

**Hon. Mr. Davis:** The last three are round.

**Mr. Bryden:** However, Mr. Chairman, I can understand there can be some cases where the hon. Minister, and ultimately, I hope, the government, could decide that a grant is worthy when it could not have been anticipated at the beginning of the year, but I do not think that could be said of grants totally, almost $300,000.

Surely the hon. Minister knows what he is going to pay out with respect to most of the grants he has in mind and, if so, he should have listed them in this vote. If there are a few of which he cannot be absolutely sure I would say for this group here, at any rate, that we would not object if he put in, say, a figure of $25,000 for miscellaneous, subject always to approval by the Treasury board. We do not think that it should be left to the discretion entirely of the Minister.

Indeed, I would go further. I would say that all these Treasury board approvals should come back to this House the following year as supplementary estimates so that the House can at least pass on them after the event and express objection if it has objection. This is a matter though, that is not in the jurisdiction of the hon. Minister of Education. This is a matter that is covered by The Financial Administration Act. I think it is a bad feature of that Act that Treasury board orders and warrants do not come back to the House by way of supplementary estimates for approval. But apart from that, at least there should be Treasury board approval for any grant that could not possibly have been foreseen. In addition, the amount of money allocated for that purpose should be kept to the lowest possible level and $300,000 is out of all reason.

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** Mr. Chairman, my colleague has dealt with the substance of this motion. He has indicated that we will support it and we certainly shall, but I cannot help but draw your attention to the fact that within the votes of this very department, we have had precisely the opposite stand presented by precisely the same member. Back in vote 502, we fought a battle to get rid of the use of "unforeseen and unprovided," a vote of $5,500, and it was the hon. member for Brant who got up and said that this was all very fine. What the leader of the Opposition does not know is that while he was out discovering northern Ontario and was gurgling his approval "hear, hear" while the hon. member for Woodbine was speaking, the Liberal Party reversed their position on this issue this week.

We are glad to see a conversion on it, this is the correct stand. But if they are right now they were wrong earlier in the week when the hon. member for Brant led the whole Liberal caucus into support for the government in defence of the $5,500 in the second estimate of this department.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I was—

**Mr. Chairman:** The member for Bracondale—unless you want to speak on that identical point.

**Mr. Thompson:** I would like to say that I appreciate this approach on the part of the leader of the new party. I may say that it may be very useful for him at times to be in the House as well as getting out and seeing northwestern Ontario, too, to get some substance for some of his arguments.

However, apart from that, sir—

**Mr. Chairman:** I wonder if the hon. member would stay with the vote.

**Mr. Thompson:** —let me say that we have been concerned in this party consistently with the use of Lieutenant-Governor's warrants, and the fact that indiscriminately there is an approach by this government to spend without having the approval of the Legislature. I have stated on a number of occasions that there should be at least approval for these supplementary estimates—

**Mr. MacDonald:** Your colleague did not say that earlier this week—

**Mr. Thompson:** I wish that the leader of the new party would listen carefully, instead of bustling in with his narrow, partisan approach. All is wrong with everyone, except him.

I am talking about the supplementary estimates, and the fact as underlined by the hon. member for Woodbine and I would say, Mr. Chairman, that I frankly regret the fact that he is leaving because not only to his own party, but to this House he has made a very worthwhile contribution over the years.

However, let me return. When it comes to, for example, a small item of unforeseen items, of course we recognize that you have to have some flexibility. On the other hand, when you have "miscellaneous" and under "miscellaneous" you have another "miscellaneous"—

Interjection by an hon. member.

**Mr. Thompson:** I wish the hon. party leader would just keep quiet, instead of keeping on with rancor, and so on.

**Mr. Chairman:** Order, order, please!

**Mr. Thompson:** Thank you, Mr. Chairman.

**Mr. Chairman:** I would ask the members to listen to the leader of the Opposition.

**Mr. Thompson:** Of course, sir, there is a difference in this kind of situation. But "miscellaneous," and then further down another "miscellaneous" item! Naturally, we are concerned about this. I was fully aware of what the hon. member for Brant had agreed to. He is concerned because he may possibly have—it is not very likely, although there may be considerations—to administer this department himself. Therefore, sir, he naturally realizes you must have some flexibility in some of the areas. But it is going too far when under miscellaneous items are other miscellaneous items.

**Mr. Nixon:** Mr. Chairman, if I may be permitted to comment on this very item.

**Mr. Chairman:** If the member for Bracondale will defer to you, most assuredly.

**Mr. Nixon:** Very briefly: I think it is interesting to note that my good friend, the hon. member for Woodbine, in his comments on the very motion that is before us, naturally thought that the $300,000 was too much to be listed as a miscellaneous item. But surely it would be possible, he said, if the hon. Minister undertook to reduce this to perhaps $25,000, he would permit it to remain under miscellaneous items. I suppose he did that without consulting with his leader, and the hon. member for York South is rather aggravated because their pristine purity has been besmirched by this "flexibility" on behalf of the hon. member for Woodbine.

I feel that our position is abundantly clear. The previous item was a small one; it had to do with the business office of the department itself and we certainly stand by the vote we made then and the one that is before the House at the present time. We are very glad that the NDP is going to join us in our effort to have the $300,000 miscellaneous item reduced to $1.

**Mr. Chairman:** The member for Bracondale.

**Mr. G. Ben** (Bracondale): I want to get back to item 516.

**Mr. Chairman:** Is it on the same point?

**Mr. Ben:** I tried to get back to the point. It is not on the same point; it is getting back to the original point, item 516, Mr. Chairman, if you will forgive me.

**Mr. Chairman:** We will welcome anybody who gets back on the vote.

**Mr. Ben:** Mr. Chairman, I support what was said by the two previous speakers, but I would like to point out that I have another reason for it.

First of all, I am not satisfied that all these people are worthy of grants. The hon. Minister has never indicated in this House just what these people do to merit these grants. He has not pointed out what all these people do.

For instance, I am at a loss to understand why, if the Minister knows who is going to be receiving grants, does he put certain of them under fixed grants, and then others to the same association under miscellaneous grants?

In the records we have before us here, ten of the groups who received grants which were set forth in the estimates also received additional grants from this miscellaneous account.

The Canadian association for adult education received $5,000 in its original grant, then received an additional $5,000 out of "miscellaneous." Why? Why split it into two? Why did the Minister not say that this association was going to receive $10,000?

The federation of Catholic parent-teacher associations, in the first instance, were down for $1,000. Subsequently, they received an additional amount under miscellaneous grants.

The Ontario educational association, in the first instance, was down for $10,000 and then received a subsequent grant of $2,000.

The same applies, but not in those exact figures, to the Ontario federation of school athletic associations, the Ontario institute of painters, the Ontario library association, and the public school trustees' association.

Why did the hon. Minister not simply state in his estimates: "This is what we intend to give"? Is this some kind of a lever that he is using to ingratiate himself with these groups by putting a small amount in and then subsequently increasing it?

I would also like to ask the Minister why there are so many of what appear to me to be similar organizations. Just how are these organizations distinguished, one from the other, in what they produce? For instance, there was a grant to the association Canadienne-d'education d'Ontario, which I presume is for the encouragement of bilingualism instructions in Ontario. But there is another organization which appears, to me to have exactly the same name, l'association des commissions des ecoles bilingues d'Ontario.

Exactly what do these organizations do? How do they differ? What do they do to merit receiving grants from this province? What is their contribution to education in this province?

Then, there is an item in the estimates for a sum to the society for crippled children. Surely this cannot be for education, Mr. Chairman, because if it was for education, it should be the total responsibility of The Department of Education. There should be absolutely no need to give grants for the education of crippled children because it should be the sole responsibility of this government, and if they are giving grants, in the furtherance of the education of these children it means that they are neglecting it in the first instance.

Now, how does the hon. Minister justify that particular aspect of it?

I do believe that the hon. Minister should send to every hon. member a complete outline of what these organizations do in the way of advancing education in the province of Ontario; what benefit the people of the province of Ontario have received, from these grants.

Surely, sir, we are not going to give grants to every group that calls itself an association that has some educational aspect to it. It is about time that we put this down on a practical basis and helped those who are helping education in Ontario, not simply those who are holding a little round table conference in some back room.

**Mr. Bryden:** Mr. Chairman, I do not want to start up again the flurry of a few minutes ago, but I would like to make a comment or two. I think perhaps I was working so hard to be reasonable, that I almost fell over backwards. When I said I would not object to an item of, shall we say, $25,000 for miscellaneous grants, it should be noted, Mr. Chairman, that it would be for miscellaneous grants controlled by Treasury board.

In other words, it would still be an item for a specific purpose, and would not in any sense be in the category of unforeseen and unprovided; in other words, a vote of money for no designated purpose whatsoever. I cannot understand how anybody could support that type of budgeting, but I am not going to resurrect that debate.

**Mr. Chairman:** Let us get back to 516.

**Mr. Bryden:** I am not going to resurrect that debate, Mr. Chairman. I just say I cannot understand how anybody could support it.

Actually, I would say that perhaps one would be unduly generous even in suggesting that there should be an item of miscellaneous grants under this general category of miscellaneous grants, in view of the fact that there is, under The Financial Administration Act, a procedure clearly laid down for paying out money when it was not anticipated at the beginning of the year that it would have to be paid out. I think we should follow the procedures laid down and we should not use these old fashioned procedures of getting money voted without any clear designation of what it is for.

I still say that I would not in this case, since it is designated at least in an area, object to a small item for miscellaneous grants not designated. But I would point out that it really is not necessary to have even that in here.

The hon. Minister surely can list all the grants where he knows for sure he is going to pay out money, and if later in the year he finds there are some additional ones that are worthy of support then he should follow the procedures laid down in The Financial Administration Act.

The difficulty with this type of vote is that there is a sort of Parkinson's law that will apply to it. If they have the money, there will be a temptation to dole it all out, and causes that, on a hard-boiled consideration of alternatives, might not be considered for grants will get them because there happens to be a bit of money left in the fund.

I do not know if that is the way the hon. Minister operates or not, but—he shakes his head, saying not—naturally he would never admit that he does such a thing. But the point is that this type of item in a vote is wide open for that type of abuse and I think, Mr. Chairman, that in the interests of sound budgeting we should not have an item that permits abuse.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, I would like to lend my support to the hon. member for Brant, in moving the elimination of this miscellaneous grant, because I do not think it is right to have such a sum included. There are enough grants in here that I do not think should be in this department.

For example, the Canadian national institute for the blind. I think that should be under The Department of Health and should not be included in the list of miscellaneous grants.

There is the institute of public administration of Canada. That should, in my estima-

tion, come under The Department of Municipal Affairs. I do not see where that would have anything to do with this department.

Then there is the $10,000 to the Ontario federation of school athletic associations. To me that would have been better put into the Ontario fitness programme. Last year they gave, as the hon. member for Bracondale mentioned, $8,000 in the one, and in the miscellaneous they added a further $2,000 That $2,000 could have just as easily been given under the Ontario fitness programme, as all funds were not expended in that programme last year.

I do not think any grant should be given to any association at any time without the submission of a financial statement showing proof of need for the grant. All associations and organizations are more than willing to accept funds, but I think they should prove to the hon. Minister that these funds are needed, that they do not have the funds to conduct the operation of their association in a financially fit way. Where there is need, then the grant should be made available. But to give the Minister the authority to spend $300,000 as he sees fit, I think is wrong in principle.

**Hon. Mr. Davis:** Mr. Chairman, in speaking against this motion, I recall that we did discuss this in some detail last year. I fully recognize the desire of the Opposition to have this enumerated or laid down in the estimates as specifically as possible. But I would point out that the department does receive a number of requests that come in after the estimates have been finalized, and I would think that the hon. members opposite have every opportunity to question the individual items. Certainly, as far as I am concerned, I would be delighted to make available to the membership at large a list of those organizations that have received this additional support.

I was a little intrigued by the various arguments from across the way as to whether we should, as a matter of principle, have a small sum or no sum. I will not go into the various arguments. I should make this observation, if the hon. leader of the Opposition were here, in that he seemed to endorse the idea of keeping the $5,500 in one item, because he felt the hon. member for Brant might some day want to use this himself in the administration of the department. I could only observe to the hon. leader of the Opposition that I have great respect for the hon. member for Brant. I am delighted he is a young man, because he may have a long time to wait.

**Mr. Nixon:** Actually, I am looking for Lands and Forests.

**Hon. Mr. Davis:** I should also say this, Mr. Chairman, that we face from time to time a situation where named grants are, as they are here set out, where the organizations concerned come in and do establish a legitimate need for further sums.

I was a little intrigued by the observations from the member for Windsor-Walkerville, because I see an item here that either he or the late member from Nipissing was particularly interested in, and suggested this might be an appropriate way of assistance. I believe there is even an item in the public accounts of last year that was of specific interest to a member of the party opposite. And these things do happen. These organizations come in with quite legitimate needs after the estimates have been established, and I think all the organizations that have received these grants from the government certainly are deserving of the government's support.

It is interesting, really, that the main pressure the Minister of Education is subjected to is not that we are trying to find ways of using all the money, but we are not sufficiently generous. I can recall not too many days ago when the hon. leader of the Opposition said that our fund here for the CNIB was not sufficient, that we should be doing something additional which might come out of the miscellaneous grants. I think this was not more than a couple of weeks ago.

I could go into the details of the various organizations: The Crest Theatre Hour Company; this is an organization directly connected to the Crest theatre. This group has travelled to the various parts of the province putting on performances for the high schools. I think one can say that this has been money very well spent. It has received—

**Mr. Bryden:** How often has that grant been paid; was it just once and—

**Hon. Mr. Davis:** Mr. Chairman, if I recall correctly, this will be the second year that we will be doing this. There was some doubt as to whether the Crest Theatre Hour Company was going to carry on, but they will for the 1966-67 tour season.

**Mr. Bryden:** Why can it not be itemized right here?

**Hon. Mr. Davis:** Pardon?

**Mr. Bryden:** Why could it not be itemized along with the others?

**Hon. Mr. Davis:** When the estimates were being drawn up there was no definite decision that the Crest Theatre Hour Company would in fact be doing this tour again in 1966-67.

We have a similar situation, I believe—though not identical—with the national theatre school. They received some assistance last year; they have asked for further assistance this year. But it has not been determined, because the national theatre school receives support from the federal government, I believe, the Canada council and from the other provinces. So there was no final determination as to what the total extent of the department's support would be.

We do know they are going to receive some assistance, but the final amount has not been determined. I would say, without getting into the problems of Treasury board orders and so on, that certainly the organizations that have received assistance here deserve the support of the government.

**Mr. Bryden:** Mr. Chairman, there are a couple of questions I would like to ask the Minister. First of all, are these grants that are under this miscellaneous category approved by the Treasury board before they are made?

**Hon. Mr. Davis:** Mr. Chairman, there is no specific approval of the smaller items. The major items such as the national theatre school and so on are discussed with the hon. Provincial Treasurer but not, I believe, with Treasury board, unless it is necessary to go back for further funds.

**Mr. Bryden:** The Minister means that if he went over his $299,900, then he would naturally have to go to Treasury board?

**Hon. Mr. Davis:** Yes.

**Mr. Bryden:** Well, I would at least put this case to the hon. Minister—and also the hon. Provincial Treasurer in his absence—that these grants should not be paid at the discretion of one Minister. As I indicated earlier, Mr. Chairman, the Provincial Treasurer himself agreed with that principle more than a year ago. I do not see why he did not implement it. I will not belabour the point, but I do think that they should all go through Treasury board. Mind you, once you say that, then you really say there is no need for the miscellaneous items because you can get them through Treasury board in any case. At least, if Treasury board approves they can be paid whether the miscellaneous item is here or not.

The other point I would like to raise with the Minister is: Taking say last year's experience, he gave us two or three examples of grants where the amount of money could not be precisely determined six months earlier, when I suppose the estimates were drawn up. I indicated earlier that I realize that that problem arises, but would that be a fact with regard to all of the amounts that were paid out last year? First of all, how much was paid out under this miscellaneous item in the 1956-66 fiscal year and what justification was required? Were all of them in the category where the amounts could not have been foreseen, or were there some that had been paid the previous year and perhaps even the year before that?

**Hon. Mr. Davis:** Mr. Chairman, the last year's amounts were roughly $270,369. I could give the hon. member a list of several of the organizations where there was no decision made, or in some instances, no request made before the estimates were prepared. Fairbank house, for instance, which the hon. member for Brant referred to, that was for $5,000; the Crest Theatre Hour Company; the national theatre school was $40,000; national ballet school—$10,000; the Canadian union of students—$2,000; the Indian-Eskimo association some $10,750; a special grant to the Quetico conference and training centre—$15,000; I am just reading out the major items. And then the Stratford Shakespearean festival foundation some $50,000.

**Mr. Bryden:** Just take that last one, Mr. Chairman. The Minister says that last year—that is the 1965-66 fiscal year—$50,000, which was roughly a fifth, a little less than a fifth of the total amount, was paid out to the Stratford Shakespearean festival. And precisely the same amount was paid out to the same festival the previous year. Now, I am putting it to the House, Mr. Chairman, that that is a grant that could have been anticipated. It was substantial amount of money and should have been listed under the itemized grants here.

I believe that that is true of a large number of these grants that are now, shall we say, camouflaged under the omnibus heading of "miscellaneous." When the grant is made year after year, it seems to me that it should be itemized. Indeed, I would also say this, that where the Minister knows that he is likely to make a grant to an organization, but cannot state the precise amount when he comes into the House, he could at least list the organizations that he anticipates under this last item of miscellaneous. And

where he has one that appears to be recurring I do not see any reason in the world why it should not be itemized. I would point out, Mr. Chairman, that the fact a grant is itemized here does not mean that we have to pay it. if it should occur that the Minister or the government subsequently decided that the organization did not merit the money, they certainly would not be under any obligation to pay the grant just because the money was voted. I think that we should have a clearer indication than we now have of some of these organizations to which the money is going to be paid.

**Mr. Newman:** May I ask the Minister, how detailed a statement does he get from the organizations showing financial need?

**Hon. Mr. Davis:** Oh, Mr. Chairman, the detail varies from one organization to another. Some come in great detail, some organizations' detail is not nearly as substantial. But I can assure the hon. member that the people making representation make a very strong case before the department agrees to their request. We get a number of requests, obviously.

**Mr. Newman:** Well, Mr. Chairman, I would assume that anyone who would make representation would make a very strong case. They certainly would not stand any chance if they did not make a strong case.

**Hon. Mr. Davis:** That is right.

**Mr. Newman:** Now, are these grants given to associations that have a provincial or national influence, or they local associations?

**Hon. Mr. Davis:** I would say that generally speaking, Mr. Chairman, the organizations are provincial in nature, although there perhaps have been one or two local grants. We made a grant, for instance, to the Italian community education centre here, I believe, in the city of Toronto, COSTI. We made a grant to them because they were doing, we thought, quite good work. There may be one or two others of a local nature, but generally speaking, they are of provincial or national significance. An example is the Canadian education association, which is the national educational association, as the hon. member knows. So I would say the great bulk of the grants are either provincial or national in scope.

**Mr. Chairman:** Mr. Nixon moves that item 1 in vote 516 be reduced—

**Mr. MacDonald:** Mr. Chairman, will there be an opportunity to deal with other specific items—

**Mr. Chairman:** There is only one item under 516, and the subject he is referring to is the last one listed under the item.

**Mr. MacDonald:** I realize that.

**Mr. Chairman:** The policy has been that once the vote has been taken and has been defeated, it automatically carries the vote.

**Mr. MacDonald:** You mean the whole vote?

**Mr. Chairman:** Yes! In this particular case, there is only one item under the vote.

**Mr. MacDonald:** No, but my question is, there are one or two other items—

**Mr. Chairman:** I suggest the hon. member deal with them before I put the motion.

**Mr. MacDonald:** Fine. If I may have the floor then, I would like to deal with them at this point.

The first one I would like to deal with, Mr. Chairman—there are two—the first one is the visitant provinciale. Now, this was launched back in 1947, and the government at that time made a grant of some $3,000. In 1960, it was raised to $4,000. It is interesting to note that in the intervening years, the number of people involved has gone up from 237 to 3,124 last year. As a tribute to the efficiency with which the organization operates it is interesting to note the unit cost has been reduced from $33 back when they began in 1947, to $14 in 1965, and the organization has, in the meantime, gone out and raised other donations. The donations last year amounted to $18,000.

Now my information is that a request has been made that this grant be raised to some $10,000 and I am curious as to why the government regards this with rather a jaundiced eye. My curiosity is the greater because I note in the first estimate that we have passed $250,000 for programmes of cultural exchange. I recall that the hon. Minister indicated the exact nature of these programmes is still a little undecided because of some recent events in the province of Quebec and conceivably might be undecided for some weeks to come. Since both of these are really aiming at the same objective, I am wondering if the Minister can explain to me why the government does not regard with favour the request for an established organization involving more than 3,000 people doing a good

job at an economical cost, when it asks for an increase from $4,000 to $10,000.

**Hon. Mr. Davis:** Mr. Chairman, the hon. member for York South has demonstrated one of the problems. We do have the representations now from this group and it is being considered by a committee within the department whether their request will receive consideration. Obviously, if this vote happened to be cut to $1, it would be very difficult to do so. But I would say that this is receiving consideration at the present time.

Of course, this applies to many organizations. I am sure I could bring briefs from each and every one of them that would impress the hon. member for York South that they should all be receiving more than they actually are. The problem is a matter of just how much we can afford to give these various organizations.

I would say that the vote earlier in the estimates of the $250,000, as the hon. member will recall, has not been defined as to how it will be used with the other provinces, particularly Quebec because of recent events, but I do not think that the two are contradictory in any way.

It is not that we do not endorse the activities of the group the hon. member is interested in. It is just a case, Mr. Chairman, of how to determine how much, in fact, we can allocate to these various organizations. But, I gather from the remarks of the hon. member that he has had an opportunity to see some of the material that has been presented to the department and which is under consideration at the present time.

**Mr. MacDonald:** Mr. Chairman, I am glad to hear that it is under consideration and I certainly will not do anything to prejudice a favourable consideration.

**Hon. Mr. Davis:** Perhaps you would not reduce the vote to $1—perhaps $6,001?

**Mr. MacDonald:** I want, Mr. Chairman, to make two comments. One; that while the programme for the cultural exchange is not yet defined, it is actually the same kind, and I am certain that that programme could be achieved with $2,444, rather than $250,000—

**Hon. Mr. Davis:** So you could just take it from there—

**Mr. MacDonald:** —and you could add it on here.

Second, Mr. Chairman, the Minister perhaps is being a bit facetious, but when we vote against this motion that will come before the House in a moment—when we vote for this motion, rather, to eliminate it —we are not voting for non-consideration of this.

As my colleague from Woodbine has indicated, any time you have as valid a cause as this one, you can go to the Treasury board and get action. Indeed, that is precisely the way you should do it.

There is one other item, Mr. Chairman, that I want to raise. There is a vote for the Canadian association of adult education. Conceivably, my question should not be raised here but I do not know where else in the estimate it should be raised. In the hon. Minister's lead-off remarks, he noted that Dr. Roby Kidd had been appointed to head a branch of continuing education, or adult education. Would the Minister indicate if this means that he is proposing a new branch within the department which is not listed in the estimates? If so, where will it fit in; in which of these categories or in which branches, will Dr. Kidd be working?

**Hon. Mr. Davis:** Mr. Chairman, I think it is fairly well spelled out in my preliminary remarks. Dr. Roby Kidd is going to join the staff of the Ontario institute for studies in education. One of the branches of the institute will be directing its activities to study and research in the field of adult education. Dr. Kidd is going to head that particular department.

**Mr. Chairman:** The member for Brant moves:

That item 1 in vote 516 be reduced by $299,900.

All those in favour, will please say "aye."

All those opposed, will please say "nay."

In the opinion of the chair, the motion is lost.

Call in the members, please.

Mr. Nixon moves that vote 516 be reduced by $299,900.

All those in favour, will please rise.

All those opposed, will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 24, the "nays" 52.

**Mr. Chairman:** I declare the motion lost and vote 516 carried.

On vote 517:

**Mr. Nixon:** Mr. Chairman, I have just a couple of questions. Is there anything in

the hon. Minister's plans to provide a college of education in connection with Lakehead University? The people who go in for teacher education there at the secondary level have to come down into southern Ontario. Since we have a university there that would benefit from the addition of this faculty, I would heartily recommend that for the provision of this type of education in the north, we should have a college of education established at the Lakehead.

**Hon. Mr. Davis:** Mr. Chairman, we have had representation from both the Lakehead and from Sudbury for an OCE in both those areas. There has been no decision made as to whether such a college would be established. I think, too, that we would have to consider whatever is done with both OCEs and teachers' colleges with respect to the report on teacher training. But I would say, Mr. Chairman, that there are no immediate plans to establish an OCE at the Lakehead, although they have made this suggestion to us.

I think, in fairness, Mr. Chairman, I should point out that the numbers there at the university are perhaps not large enough even at this moment to be able to establish an OCE that would be an economical and educational unit. But we have had representations and I would have to say that we are not in a position to make this decision.

**Mr. Newman:** Mr. Chairman, may I ask the hon. Minister if there is any truth to the rumour that the department plans to establish an OCE at the University of Windsor?

**Hon. Mr. Davis:** Mr. Chairman, as I recall the report on teacher training, there was a suggestion in it that we consider the movement toward faculties of education. So I would think that anything that might take place with respect to any organization of an OCE would have to be considered in that context.

**Mr. Newman:** Mr. Chairman, is there programmed staging of the construction or of the implementation of OCEs at various universities?

**Hon. Mr. Davis:** Mr. Chairman, the one at Western, Althouse college, to all intents and purposes is completed. The agreement with respect to McArthur college at Kingston has been negotiated and finalized with Queen's University. The principal has been appointed. They are now acquiring books for their library services and we anticipate the actual physical construction of the plant to start as soon as the plans have been prepared.

**Mr. Newman:** Surely, Mr. Minister, you have at this stage some information as to what year you would plan to have a college of education set up at Sudbury and at the University of Windsor, one at—

**Hon. Mr. Davis:** No, we do not, Mr. Chairman.

**Mr. Newman:** Thank you.

**Mr. Chairman:** Vote 517?

**Mr. Nixon:** Mr. Chairman, the hon. Minister has heard my views on the matter of the University of Toronto schools before and I am not going to raise the recommendations that have been made by his own committees previously. But, is it possible for him to make clear to what extent this adjunct to the college of education in Toronto is supported by provincial funds?

**Hon. Mr. Davis:** Mr. Chairman, I do not think it is easy to separate it from the OCE, but I would think it would be in the neighbourhood of $250,000 to $260,000.

**Mr. Nixon:** There has been some considerable discussion by educators of the need for a school which, in fact, will draw out of the community those with an outstanding ability along academic lines, in much the same way as the hon. Minister has decided that those with less than outstanding abilities, should be concentrated in special schools where a special programme fitted for their requirements would be offered.

Naturally I would be against schools for an intellectual élite. I feel that these students are of great value to the general scholastic situation. They act as a leaven for their fellow students and further, that those with academic attainments something less than average, should by the same token have the advantage of going into the general school system.

But I would ask the hon. Minister if his views in any way have changed on the continuing policy of the government for supporting this school which, of course, is not co-educational; which has little or no function in the instruction of training teachers because of its special features; and in many respects has become a symbol of the intellectual élite in this city. Surely we should be considering gradually phasing it out of the realm of public control and finance, and setting it up under its own board of governors.

It has a long and valuable past. A good many of my own colleagues attended it. The hon. Minister of Agriculture's friend, Joe Greene, is a graduate. Our mutual friend, Charles Templeton, attended the school. My hon. friend, the member for Downsview, is a graduate, and so it can be plainly seen that its graduates are of the highest calibre indeed.

The fact remains, however, that there is some reason to feel that it, as a public institution, is of limited value. I wonder if the hon. Minister could see any value in setting it up under its own board of governors, so that it would come out from under the direct control of the college of education and the hon. Minister.

**Hon. Mr. Davis:** Mr. Chairman, I should point out that it is not under the direct control of the Minister at all. We have no so-called control. The association is with the OCE. The only interest we have in UTS is through the financial support that is given to OCE.

**Mr. Nixon:** Does the university have anything to do with it at all?

**Hon. Mr. Davis:** Only through the university's connection with the Ontario college of education. But the department has no connection, other than financial. The staff is hired independent of the department. All we do, Mr. Chairman, is contribute this sum to the Ontario college of education.

**Mr. Nixon:** What objection could there be to having its own board of governors then?

**Hon. Mr. Davis:** Well, Mr. Chairman, there has been no request for this, and obviously if it had its own board of governors and were to be completely separated, then the question of any support from the government, I think, would then come into some question.

**Mr. Chairman:** Is vote 517 carried?

**Mr. J. Renwick** (Riverdale): Mr. Chairman, before we leave that, just what is the connection between University of Toronto schools, the University of Toronto, the Ontario college of education and the hon. Minister's department?

For example, in what way is the headmaster of the school appointed?

**Hon. Mr. Davis:** Mr. Chairman, the headmaster of University of Toronto schools is named by the dean of the Ontario college of education.

There is an agreement between the University of Toronto and OCE, but I cannot go into details. I would be prepared to get more specific details for you, but their provisions are for cross-appointments of staff, various approvals, and so on. The relationship is between the University of Toronto and the Ontario college of education.

The government provides, through The Department of Education, the costs of the operation of the college. This is our involvement in it.

**Mr. Bryden:** Who appoints the dean of OCE?

**Hon. Mr. Davis:** The dean of OCE is appointed by the Minister and the president of the university.

**Mr. Bryden:** You mean by the Minister, yourself, and the president of the university?

**Hon. Mr. Davis:** That is right, and the same applies to the two other colleges of education. I should not say it is a joint appointment; but both organizations approve of the appointment.

**Mr. Nixon:** Mr. Chairman, one further comment on this vote. I would congratulate the hon. Minister on the fine building that has been achieved at the Althouse college of education in London. I telephoned the student aid branch of the hon. Minister's department the other day about a student who wanted to go to Althouse college. She did not know there was such a college, but finally found it on the list. I presume eventually this very fitting name for the institution will come into general use.

I feel that, particularly in the setting of Western University, the architecture of the building is outstanding and it is in such contrast to the rest of the campus—which has fine buildings in their own way—that I congratulate the hon. Minister on having achieved such an excellent institution.

Vote 517 agreed to.

On vote 518:

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, on vote 518, I wonder if the hon. Minister could take just a minute or two, perhaps longer, to explain to the House exactly the status of Ryerson, its position in the educational spectrum, with the development of the community colleges.

I think it fair to say that there is much concern within the student body to have a definition of their position. There is a feeling on the part of many of the Ryerson students

to whom I have spoken that they are gradually being equated in their own mind and in the public mind with the colleges of applied arts and technology. They are not at all sure of their relationship with the community colleges, or perhaps whether the relationship is rather closer to that of a university. Perhaps, since the field is gradually becoming more defined, the hon. Minister could make some comment about this unique institution we have.

**Hon. Mr. Davis:** Mr. Chairman, as the hon. member points out, we are in a period of some flux as far as this type of post-secondary situation is concerned. I think if one were to have asked this question, say, seven or eight years ago when we were at the same stage with our college of applied arts and technology programme, the answer would have been much easier. But Ryerson has, in some fields of endeavour, I think, progressed beyond that stage. It is becoming one of the leading polytechnical institutes. I was going to say the leading one in Canada, really. So it is difficult to tell the hon. member at this stage just what the relationship will be to the new college programme.

I think it is fair to state that in the field of technology, the courses, the type of programmes that have been developed at Ryerson over the years, will act as the prototype for the technology part of the new colleges of applied arts and technology.

The Ryerson polytechnical institute, as the hon. member knows, does function under its own independent board of governors. I am not in a position, Mr. Chairman, because it is difficult to look ahead, say five or six years to say what exactly will happen, and whether Ryerson will move on into the areas of more sophisticated technological training. You have examples south of the border, of course, like Cal Tech, MIT and so on. It is very difficult at this stage to predict.

I can only say that whatever the future holds for Ryerson, it will in no way downgrade its present situation, and it can look forward, in my view, particularly with the expansion that is planned, to an ever-increasing place in the educational structure of this province. I do not know that this is really a great deal of help to the hon. member because I am really not in a position specifically to define it here today. This has not been thoroughly evaluated at this time.

**Mr. S. Lewis:** Well, that is really what prompted the question because I think it is fair to say that everyone is wondering. There are some who contemplate degree-granting status for Ryerson. It is not a new concept, but there are some who anticipate it or hope for it. That, too, I gather is still in the realm of question.

I might suggest to the Minister, Mr. Chairman, that Ryerson therefore finds itself in a very anomalous and, in some ways, invidious position. I do not know how strongly the board of governors feels, I have never had occasion to discuss it with members of the board, but I would say that the students, and some of those on the administrative council, feel rather compromised and a little sensitive about this institution in the general spectrum, and there would be some value in achieving some kind of definition. I appreciate the difficulty of the Minister to be more specific. But in view of the community college development, I think it is imperative that Ryerson be established at some point in the whole process, rather than caught in what is now becoming an ever-increasing flux.

**Mr. Nixon:** Mr. Chairman, I wonder if the Minister can tell us to what extent there is federal participation in the planned expansion of Ryerson?

**Hon. Mr. Davis:** Mr. Chairman, this comes under the agreement, of course, and 50 per cent of the capital costs for expansion will be borne by the federal government.

**Mr. Nixon:** What does this amount to?

**Hon. Mr. Davis:** The operating costs are $3 million-something; the balance is around $11 million. Some of that will be used for property acquisition. I would say that the actual construction costs for the first phase will be in the neighbourhood of between $9 and $10 million. So it would be between $4 and $5 million.

**Mr. Nixon:** Is it because of the federal participation that the decision has been made not to provide the normal student amenities that would be found for the housing of the student administrative council, or residences, or parking?

In talking to the students down there, they feel that here is a post-secondary institution right in the heart of the city and its walls go right out to the sidewalk, although it has become a very beautiful place indeed in many respects and a functional education plant.

It seems very difficult to see the new Ryerson with its towers and so on, without the additional provision for the students who must get their education—if they come from

outside of town, living in boarding houses, perhaps driving their cars to an area where parking is at a very great premium, and not having any outside recreational facilities at all, as my friend, the hon. member for Woodbine, mentioned.

Further to this, there has been some complaint—and I know the Minister has no jurisdiction over this since it is set up with its own board of governors—but the library is inadequate as supported from the funds that are provided by the Legislature. I am told by one of the students that he has calculated that there are 4.3 books per student, which is a very low ratio indeed for an institution that is supposed to be educating at the post-secondary level.

Further, I would like to ask the Minister his view of what will be done with the radio facilities down there. He has said before that he feels they might be elevated along with their television facilities into the nucleus of our own educational television network.

I was interested to read the other day in a column of the *Globe and Mail* some criticism that the FM service from Ryerson is being put out on a commercial basis and, in fact, is being bought by stations as far as the maritimes and Boston and down in Windsor. Does the Minister believe that this institution should get on a competitive basis with the CBC in provision of these special facilities? What is the future of broadcasting equipment and facilities down there?

**Hon. Mr. Davis:** Dealing with the questions perhaps in reverse order, the broadcasting facilities had never been considered for any use by the department as far as television is concerned. This has never been part of any projected thinking. With regard to the television studio and the equipment there—it is doubtful whether this would be really too helpful as far as the ETV development is concerned. Ryerson, of course, is using this equipment for their own training programmes. So that after very careful consideration it is doubtful that the facility there would be used, although this has not been finally determined.

With respect to the library, I shall make note of this and mention to the board of governors that there is some suggestion that the number of books is not sufficient.

With respect to student residences, my understanding is that the board in its planning recognizes a need for student residences. Part of the difficulty in the past—I think I am right in this—has been associated with the central mortgage and housing corporation legislation, which provides for loans to student residences of universities. I think this is correct. And there has been a request made to central mortgage and housing to alter their legislation so that the other institutions or post-secondary institutions would qualify.

**Mr. Nixon:** Does the plan for providing assistance to universities for residences apply to Ryerson?

**Hon. Mr. Davis:** The new plan will be administered or jointly developed between The Department of Economics and Development and The Department of University Affairs. If this amendment is made to The Central Mortgage and Housing Corporation Act, this type of programme would be available to the Ryerson board of governors. So that this might be one way of the board developing some residential facility.

Mr. Chairman, I am not in a position to comment on parking because I have not discussed this personally with the board, although I do recall in the plans that were unveiled here there was some consideration of parking. I would have to check this out for the member.

**Mr. Nixon:** How about the recreation facilities?

**Hon. Mr. Davis:** I do not know how this would relate to the federal-provincial agreement. There is a student office, I think it is Kerr hall, on the south side opposite the main Ryerson bulding. I think this is owned by the students themselves, as a matter of fact. And of course they have fairly adequate recreational facilities in that they have within that institution a reasonably good gymnasium and swimming pool which are available to the student body.

**Mr. Bryden:** There is certainly no room for outdoor sports.

**Hon. Mr. Davis:** No, I could not agree more; there is a dearth of facilities for outside physical activities.

**Mr. Nixon:** Was it considered when the new plan was put forward that in fact Ryerson could have been moved to where there was room for expansion? That must surely be very valuable real estate. Was that considered?

**Hon. Mr. Davis:** Mr. Chairman, I cannot go back to the original expansion of Ryerson. I can only say that the board in this new expansion, considered very carefully whether this might more appropriately be done elsewhere. It was decided that with the basic

facilities there, the lab, TV, radio, and a very expensive investment in that the land itself was more expensive, by developing it there in the long run it made greater economic sense because of the centre core facilities.

And as you will recall from the plans, I think the board has shown rather substantial courage in that this is quite a new concept. As I recall it, they are going up some 17 storeys on these four towers, which is rather unique in educational circles and will make much greater utilization of the land.

**Mr. Renwick:** Mr. Chairman, would the hon. Minister tell us what the total budget for Ryerson is for the current year and is this grant a grant partly of operating expenses or partly for capital purposes?

**Hon. Mr. Davis:** Yes, Mr. Chairman, the total for operating will be $3,187,000 and the capital programme is $11,750.

**Mr. Renwick:** Is that total budget of Ryerson or does Ryerson have other funds or sources of funds available to it?

**Hon. Mr. Davis:** No. This is the total. It is a fee-paying institution but it has no other source of funds other than fees and the moneys granted to it by the Legislature.

**Mr. Renwick:** What is the total budget then of Ryerson, if it is dependent entirely on fees plus the $15 million which is available under this item, $3 million of which, as I understand it, is operating grants?

**Hon. Mr. Davis:** The total operating costs of Ryerson amount to $4,783,500. The revenue, made up primarily of fees—and I think there are some other small sums coming in for rental of auditorium and gymnasium and so on from time to time—totals $1,597,000, leaving $3,186,500, which is the sum that is being voted by the House for the operating costs of Ryerson.

Vote 518 agreed to.

On vote 519:

**Mr. MacDonald:** Mr. Chairman, on 519—

**Hon. Mr. Davis:** I wonder, Mr. Chairman, before we get into this—and I imagine there will be some discussion of this item—I would like to amend this to read "grants to colleges of applied arts and technology and salaries, allowances and expenses of the Ontario council of regents." So that will be included in this vote.

**Mr. MacDonald:** The same figure?

**Hon. Mr. Davis:** The same figure, the same amount, yes.

**Mr. MacDonald:** Mr. Chairman, I wanted to raise a number of points with the Minister, but hope that I can finally lay the groundwork for coming to grips with what I think is the basic problem and the most controversial problem with reference to the community colleges. I think it is interesting, Mr. Chairman, at the outset just to pause and acknowledge the size and the proportion of the educational field these institutions are ultimately going to occupy. I was interested in a comment attributed to Mr. Sisco in the *Globe and Mail* on January 29, when he noted that only about 12 per cent of the province's young people reach university and then he is quoted directly as saying:

> We are aiming at the middle 50 to 60 per cent, the sub-professional, non-executive people who will not have degrees.

Just a week or so ago Dean Staiger, who has taken a continuing and critical view of the whole development of community colleges, was speaking to a national seminar on community colleges in Toronto on June 1. Without going into the detail—

**Hon. Mr. Davis:** His figures are rather large.

**Mr. MacDonald:** —without going into the details of his calculations, he comes up with a speculative figure of 150,000 people attending these colleges in 1976 and a total outlay at that point of some $210 million. In other words, here is really an effort to tap, as he envisages the development of community colleges, a great pool of talent which has not been able to avail itself of the opportunities of post-secondary education in the past.

Mr. Chairman, I hope with your approval, I want to digress from this estimate itself to consider some figures in relation to our universities. I hope that I have your approval for the reason that I find it rather difficult to separate these two and to make the point that I want to make without taking a look for a moment at the enrolment figures for universities. Indeed, my problem underlines my conviction that I hope some time soon we can rationalize the division between these two departments and, just as you have taken student aid out of education and put it where it really belonged—in University Affairs—that we will now take community colleges and other post-secondary institutions and put them where they belong, into a department that

may have to be renamed, but which will encompass all the post-secondary education.

To consider whatever enrolments you are likely to get in community colleges, I think you have to take a look at what is happening at the universities. I have not been able to chase away the feeling that one of the reasons why this government is taking a rather firm stand against the proposition of considering courses in our community colleges equivalent to the first two years of university is because they have what they believe is a rather convincing counter-argument, that there is no need for it at the moment, because we have all the space in our universities that we require. And this is the point that I want to start with and examine.

Government spokesmen have been rather smugly contending that Ontario has met this challenge of postwar babies who have been beating at the doors of our universities. Last fall, they assured us that there were enough spaces for everybody, in fact I am told from what I think is a rather well-appointed source, that the figure of extra spaces was in the range of 1,500. I am also informed that next year some 3,200 new spaces are likely to emerge in our various universities so that conceivably we will have up to some 4,700 spaces for the new enlarged enrolment that is coming each year with larger freshman classes. And the argument will be used once again that the situation is being handled very comfortably.

Mr. Chairman, this is all very fine, except that comparative statistics, when one looks across this country as a whole, indicate strongly there are thousands of Ontario young people who are not getting to our universities. And I was interested to discover as I was rereading the Bladen report, on page 13, to find a table in which they set out the percentage of 18- to 24-year-old people, the population within each province, who are enrolled at the universities. And the percentages are these: In the Atlantic provinces, 8.2; in Quebec, 9.5; in Ontario, 8.4; in the Prairies, 9.9; in British Columbia, 11.6; the average for Canada is 9.2. Mr. Chairman, it can be seen from this that the only part of Canada which has a lower percentage of its young people enrolled in universities is the maritimes.

**Hon. Mr. Davis:** Mr. Chairman, I want to interrupt the hon. member.

**Mr. MacDonald:** I know, grade 13.

**Hon. Mr. Davis:** And it makes a very definite difference, just about doubles the percentage.

**Mr. MacDonald:** Well, whether it doubles the percentage, I do not know. It is only for one year and then those who go on from grade 13 are enrolled in university afterwards.

**Hon. Mr. Davis:** So that in Ontario it is 12 per cent, which is higher than the national average and, I think you will find, higher than our sister provinces. However, I do not want to interrupt.

**Mr. MacDonald:** Let me concede for a moment this argument that you are going to have some variation in your figures if you include grade 13. But the fact of the matter is that those who do not go further than grade 13 and who go on into the universities are included in these calculations here, so that I do not think the grade 13 can be taken to demolish the whole contention that is adopted by the Bladen report. And it is significant to note that in Canada as a whole, on the basis of these figures, 10 per cent more young people are enrolled than in Ontario; in Quebec, 13 per cent more; in the prairies, 18 per cent more; and in British Columbia, 38 per cent more.

Now, I will concede the percentages are not very meaningful. What does this add up to if one translates it in terms of students who are not getting to our universities? Instead of indulging in the idle boast that we have licked the problem of providing adequate university spaces and have a thousand or more spaces to spare, let us face the fact that if Ontario were sending to its universities as large a percentage as the national average, we would have nearly 5,000 more students in our universities.

**Hon. Mr. Davis:** This, Mr. Chairman, is not right. However, go ahead.

**Mr. MacDonald:** Well, I do not just know what the Minister means when he says it is not right.

**Hon. Mr. Davis:** Well, Mr. Chairman, you have to take into account that the University of Alberta includes in its university enrolment all those in the faculty of education. If you are going to use these comparative figures, you must include in them the students at the teachers' colleges here in the province of Ontario. It makes a very definite difference. And once again you get into the whole question of grade 13 and the various age groupings that the hon. member is using. I do not mean to interrupt the hon. member, but I think we should be fairly definite in the terms of reference we are using.

**Mr. MacDonald:** All the Minister is doing is in effect challenging the comparative figures of the Bladen committee report as put here.

**Hon. Mr. Davis:** No, I am just saying that the Bladen committee report when they were doing this did not take it into account because they were dealing with university situations only, something different in nature from the Ontario post-secondary institutions. And they did not take into account that our grade 13 is the equivalent academically of the first year at some of our sister universities, or rather some of our sister provinces in their universities, and it makes a very distinct difference.

**Mr. MacDonald:** Well, I repeat what I said before, it is for the first year, but those who do continue into the university after the first year, grade 13—

**Hon. Mr. Davis:** But it alters the percentages all through the piece.

**Mr. MacDonald:** The Minister is trying to defend a rather bad situation. I want to persist in making my case and come to the conclusion that I think has to be looked at rather carefully here. I was pointing out that if Ontario's figures were below the national average on the basis of a Bladen report table —and incidentally, the Bladen committee table is based on the published and unpublished data from the Dominion bureau of statistics. Is the Minister, in effect, suggesting that the DBS which is doing comparative studies all the time, is not taking into account these figures which he says completely misrepresent the real facts of this situation?

**Hon. Mr. Davis:** No, I am just saying, Mr. Chairman, how we define terms. There will be some who will argue there are more university students in the province of Quebec in the age group than in Ontario. But you have to take into account the whole concept of the classical college which is grades 11 and 12, and which under DBS, I think you will find, are included perhaps as university students. They are not, of course, so considered here in Ontario.

**Mr. MacDonald:** Do you think we will find them, or is the Minister asserting that he will find them?

**Hon. Mr. Davis:** I would have to check this out specifically, but I believe that you will.

**Mr. MacDonald:** I think the Minister is beginning to make arguments on his feet.

**Hon. Mr. Davis:** No, no—

**Mr. MacDonald:** On the basis of the facts—

**Hon. Mr. Davis:** I just know there is a higher percentage of students in Ontario universities in that age group.

**Mr. MacDonald:** For the moment, Mr. Chairman, we will just have to set aside our differences and perhaps come back and resolve them at another time. I would like to make my case on the basis of what I presumed were valid statistics and, indeed, when I checked with somebody around the University of Toronto and presented him with these figures, he was rather startled. But, the comment was there had been a very serious check of the statistics used in the Bladen report, and I find it a little strange that the Minister now feels they can be thrown out the window and that they are not representative.

However, if Ontario, on the basis of these statistics in the Bladen report, was sending to its universities as high a percentage as Quebec, it would have 6,700 more students enrolled. If it was sending as high a percentage as the prairies, it would have 9,000 more students enrolled and if it was sending as high a percentage as British Columbia, it would have 19,000 more students enrolled. In short, Mr. Chairman, the figures indicate that thousands, even tens of thousands of Ontario young people are being denied the opportunity for a university education, judged not on the higher enrolment levels in American universities, but on those of Canada as a whole or of other Canadian provinces.

Now, this means that we have solved our problem of inadequate university spaces by the simple expedient of keeping the students out. Or to put it another way, we have solved our problem by failing to remove the barriers which stand in the way of our young people as they contemplate university enrolment, and that brings me back to the important question in relation to the new community college development.

Controversy has raged over the question of whether or not these institutions will offer something of a dead-end experience in education—as it was described, I think, by the Toronto *Daily Star*, and a comparable description appeared in the *Globe and Mail* when this argument was more current a few months ago—a dead-end experience, with limited opportunities for transfer to university, or whether they will have a balanced programme, including a core of liberal arts, as well as a technical orientation, which

they have been officially given to this date.

In short, will our community colleges seek to offer the first two years of university? To date, the government has argued that there is no need for this, because all the spaces that are necessary can be found at the moment in our universities themselves. Now, obviously we need both because there are serious deterrents which are keeping, as I have attempted to document, tens of thousands of our young people from going ahead to university. One of those deterrents is cost. I have dealt with this at other times in these estimates and elsewhere; its cost in terms of the rise in living costs; its cost in terms of tuition fees. I will just make that point and leave it for the moment, because I want to concentrate on two other deterrents which I think are extremely important and are very relevant when one considers community colleges, namely, geography and what is referred to as the cultural or the psychological blocks to higher education that often stop young people, particularly from low-income or working-class or rural backgrounds to going ahead to university.

Dealing with geography first. If our community college system ultimately places an institution in every urban centre of 20,000 population, with a surrounding population of 80,000 to 100,000, it would put 95 per cent of Ontario's high school graduates within 30 miles of a college, and 75 per cent within 10 miles of a college. In short, virtually all would be within commuting distance. Experience has indicated that this results in a startling increase in enrolment, particularly if the community college offers the first two years of university.

Speaking in the public lecture series sponsored by the York central district high school board last year—and incidentally, if I may just digress here, Mr. Chairman, I want to commend that board for the calibre of that series of lectures which is given each year. Last year, the printed version had a foreword from the Prime Minister. This year there is a foreword from the hon. Minister of Education, so they are certainly getting full support from the department here. But certainly the calibre is outstanding. Among their speakers last year was an American by the name of Dr. Edmund J. Gleazer, who cited the instance of one Florida community.

Ten years ago when there was no community college within that area, seven per cent of high school graduates were going ahead to university. Today, with a community college right in the area, the percentage of the high school graduates going on to community college, for many of them the first two years of university, has risen from seven per cent to 50 per cent—52 per cent, as a matter of fact.

Furthermore, there is a great deal of evidence to suggest that what might be described as the "cultural barrier" to a higher education is lowered when the element of distance is eliminated. Young people will go to a community college as readily as they will go to high school, no matter what the family background, if the college happens to be right in the community and within commuting distance.

To sum up, this open-door policy, with an opportunity for the first two years of university to be taken at the community college, sets up a selective process by which an adequate proportion of young people are introduced to higher education. Our percentage is far too low. We did some calculations in the House—the Minister did—in which he got it up to 20 per cent and with the grade 13 in it is up to about 23 per cent. He compared this to an American comparable figure of 28 per cent. My information is that the American comparable figure is in the range of 40 to 45 per cent. So we are quite some distance behind the same achievements in the United States.

It also establishes a selective process whereby there is a weeding out in the first two years of many, if not all, of the 33 per cent who drop out in our universities at the present time. Mr. Chairman, this is one of the things which has always puzzled me about the attitude of most of the universities in the province of Ontario with regard to community colleges and the role they might play as a junior college providing the first two years of university training. It would seem to me that with universities who tend to take a rather snobbish attitude as being a higher level of learning institution—which they are, nobody would deny it—that they would welcome an opportunity to weed out that significant proportion of young people who go on to a higher level of education still not exactly certain what they are after; still not exactly convinced as to what they want to do. In fact, sometimes they go only because their parents happen to have the wherewithal to send them and they squeak in on the qualifications and entrance standards. They go in and they take precious places in the university for the first one, two or three years, and then they drop out.

It would seem to me that if you had your

community colleges engaged in this weeding out process, providing at least some years of higher education, you would weed out those whose interests were not really of the nature that would justify their occupying these more precious places, so to speak, in our universities.

**Hon. Mr. Davis:** So you would turn the university into a two-year institution.

**Mr. MacDonald:** Not necessarily. All I am saying—

**Hon. Mr. Davis:** That is what you are saying.

**Mr. MacDonald:** No, you are concluding. You are drawing from my remarks that all first-year and two-year people would go to the junior colleges. I am not necessarily arguing that, for the moment. All I am saying is, that it seems to me that if you have an opportunity to go to a junior college in the community, close to home, all across the province of Ontario, then you would get some clarification of the plans of these various people. Those who were just going to the university to get a bit more higher education would not bother with the university at all, they would be content with the community college, which I trust is going to be a somewhat less expensive institution, and this just seems to me to make good economic sense.

This is the way, in my view, that you can tap the pool of talent which has been neglected traditionally by our higher education. The community college is a key institution in the whole educational system, because it can do much to restore the social mobility which our class-structured educational system, now bolstered by the whole impact of automation, has almost completely destroyed.

Perhaps I can leave that matter for the moment. I think this raises a key point with regard to the universities and with the community colleges, and it might be better to deal with that now and we can get to other elements that I would like to raise at a later point.

**Mr. Nixon:** Mr. Chairman, I would like to comment on this situation further. As you know, I had something to say about community colleges and the policy of the government in this regard in my opening remarks in reply to the hon. Minister when these estimates began.

I must say that I do find myself in agreement with the hon. leader of the NDP in this connection, and I would further say that the offering of a choice to the students who wish to proceed to a university degree at the local level, or going away to university, is not an unreasonable one at all. Surely the hon. Minister understands that the suggestion is not that they all be funneled through a two-year junior college before they can go on to a degree.

My own impression is that as well as there being a financial and geographic barrier to a degree, there is an academic one that is becoming unrealistic in the province of Ontario.

We have standards in our elementary and secondary system, so that the graduate who does achieve his standing and his certificate at the end of grade 13 now should surely be able to continue to earn an academic degree, or attempt an academic degree in this province. It is this that has formed a safety factor that permitted the hon. Minister for the past years, and will permit him in the future, to say that we have ample university places. Because, as has been pointed out, we simply keep out of the universities the large numbers of young people who could benefit from continuing academic education.

This academic barrier is constituted by the requirement of having 60 per cent and more before the graduates of our public system can continue to university. I think in the minds of a good many members here this is justified by the assumption that they could not possibly handle the university work. I contest this sincerely and as strongly as I possibly can, because even at the selection level of 60 to 70 per cent, depending upon the university and the course, we still have the serious attrition rate of 33 per cent of dropouts in the universities themselves.

The results in the grade 13 examinations over the past years have formed a good way —I suppose it has also reduced its efficiency— of selecitng the students who would go on to university work. But if this academic barrier were removed and the government policy, which is at present to accept all students at the community college level who have their school leaving certificate, then surely we would give them the chance to continue to show their academic capabilities at the community college level.

I would be the first to say that the number of those who went into community college in the transfer course, if it were instituted who would be dropouts, would be rather high. They could transfer to some of the more technically slanted courses that are to be presented. But at least every one of our graduates from the high school system at the grade 13 level would have the opportunity to continue his academic training until such

time as he fell afoul of the examination system and was simply weeded out, or realized himself that he would have to take some other path in his schooling development.

This is a real objection to the present government's policy. We are all aware of Dean Stager's interest in this, and the useful articles he has written in the *Canadian Forum* and the copies of his talks that are available. But his view, and I agree with it wholeheartedly, is that the hon. Minister is offering a watered down compromise, missing the vital core of community colleges:

> Mr. Davis appears to offer little that is different from the existing technical institutes; there will just be more of them.

As I said a few days ago, this is a serious responsibility that the hon. Minister is taking almost exclusively on his own shoulders. He has gone into the United States to assess the programmes in the various parts of that country. He has come back and, in his own words, adapted it to our use here. I know it was with some pride that he said we do not slavishly follow what has been done in other jurisdictions. This is a good attitude to have, but in this case he has made a mistake in that he has not provided for the transfer courses that I submit will have to be introduced if we are going to give the equality of opportunity we must have.

I noticed with interest a very small comment in one of the papers a day or two ago that was not for special attribution to the department. It indicated that the Minister was ready to set up some special committees at the community colleges which would in fact have the responsibility for assisting with these transfers. I would say this is insufficient. It is going to leave us up in the air as to who is going to have the opportunity to go on to university.

I still feel there is plenty of room for our good students who do not fit in with the general accepted pattern that would be laid down by the principal of the college and his committee, that would select these people for transfer.

I well remember during my own university days the way certain students who equipped themselves with briefcases and a good number of questions from the front row of the lecture hall, were able to progress rather more rapidly in the esteem of those in authority than those who were perhaps not so quick to fit into what the administration would say would be the normal pattern.

I think you are not doing a service to the people of the province by even providing these committees. I think you are simply acceding to mounting pressure to make the community colleges have a broader and more useful service in the community than they will have as they are presently planned.

**Mr. Newman:** Mr. Chairman, I would like to join with the two previous speakers in agreeing with the comments they have made concerning the community colleges.

As the hon. Minister has the college programme planned today, he is instituting a programme 5 without paying the individual, because all the community college is going to end up as is a glorified technical school.

**Hon. Mr. Davis:** I wonder if the hon. member would answer a question?

Does he consider the Western Ontario institute of technology a glorified technical school?

**Mr. Newman:** When we take over the administration of The Department of Education, we will have the answers for the Minister.

**Hon. Mr. Davis:** I would just like his definition.

**Mr. Newman:** Mr. Chairman, as it is presently constituted, the individual attends the community college and he comes to a dead end. There is no place he can go following the community college. What university will accept him in Canada?

**Hon. Mr. Davis:** There are students leaving Ryerson today from the engineering technology course and going to the University of Toronto.

**Mr. Newman:** This is not Ryerson we are discussing.

**Hon. Mr. Davis:** We are talking about the same courses.

**Mr. Newman:** According to the hon. Minister's comments in the House, this certainly was not going to be any Ryerson. It was going to be a community college, it was going to be a two-year college, it was going to be such that the individual could not proceed, and only the selected few could proceed to university. Unless the Minister will correct me, I think that I am right in my assumption.

I happen to live in a border town, and because of the opportunities that our friends to the north of us make available to us, many of our students who could not be, or are not, accepted in Canadian universities, cross the border.

Detroit institute of technology has at present approximately 225 students who would not be admitted into Canadian universities. Our friends to the north of us, and when I say to the north of us I refer to the city of Detroit, because we happen to be the largest city south of the United States, the largest city in Canada south of the United States. And it is because of the policies of this government that students in our area cannot attend Canadian universities. I certainly think—

**Hon. Mr. Davis:** Why not?

**Mr. Newman:** Mr. Chairman, show me a Canadian university that will accept students with a grade 12, grade 13 with a low percentage. They are put on a selective list, and if they do not happen to be in the upper numbers of that list they have no place to go in a Canadian university; they have to go to American universities.

Our students here would certainly be more than pleased to go to some of our Canadian universities were they able to get admittance. But these students will go to an American university; they will graduate from there and come right back and teach in our Canadian universities.

They are accepted because the Minister's own department advertised just recently in the Detroit *Free Press* for American graduates. So you can see that the department has not provided a programme for the student who would wish to continue his university education on the technological level that could be provided. The community colleges, as the Minister has envisaged, do not meet the need of the individual who wishes to go to a university following his graduation or following his two years apprenticeship in the community college.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, I just want to say a word about this. I was disappointed, like other members in our party, when the hon. Minister made his statement saying that there was not going to be an academically parallel course in the community college system. He did say at the same time that there would be credits given, I believe, for the exceptional few. But the fact of the matter is, as my colleague the member for Windsor-Walkerville has said, there are a good many students across the province who just have not been able to meet the standards academically for entrance into some of our universities. Subsequently, they have gone to the United States, they have taken their degrees and have come back here and in some cases, as he pointed out, they are engaged in teaching at the university level.

I had a case just a few weeks ago, where a young chap—he is 19 years of age—he had 57 per cent in his grade 13 examinations and last year he was not able to gain admission to any of the universities because he did not have the required 60 per cent. He subsequently entered a teachers' college. This year he tried his examinations and I was informed a few days ago that he passed those examinations. He went down—and I do not mind mentioning the name of the university involved—he went down to the University of Waterloo and he tried to get into that university in view of his one year's experience at teachers' college. They still refused him and said that he had to wait to get in under the mature clause.

He went to the Lutheran University at Waterloo and he tried to get in and they said the same thing. It was my understanding that this was one avenue that the community college would provide for these people who did not have the standards perhaps, but in the end would make just as good a student and would do just as well, as far as I am concerned, in the final analysis. I do not think there is any question about it, I think eventually not having the desire to wait for three years to gain admission to the university and take the course of his choice, he will go to the United States and take a course similar to the one that he should have been taking up here.

We talk about the brain drain, well certainly this is adding to it and actually promoting the condition. I had felt that if the community college system would provide an academically parallel course in its setting, this would be one way in which students of this type would be able to go on to university. They would not be placed in the position of either going to the United States or sitting around for two or three years until they would be able to get in under the mature clause.

So, I say once again that I am very disappointed that the hon. Minister has apparently acceded to the demands of the university presidents and is not going to provide the academically parallel courses that I had hoped would be part and parcel of the community college system.

**Mr. T. L. Wells** (Scarborough North): Mr. Chairman, I would like to say a few words on this vote on behalf of another great group of students in this province that our friends here want to forget completely. This is the

group of students who have now taken, or will in the future be taking, the four-year courses in our high schools and who have decided on their own volition that they do not wish a university education in the traditional and accepted sense as we know it today, and who are looking for a unique post-secondary institution that can give them post-secondary training. Then they can go out and find jobs as the graduates of Ryerson have been doing. In fact they do not even have to find jobs; there are people down there begging them to come to work in journalism, radio and TV, and many of the various technological fields for graduates from Ryerson. There is a great group of young people in our province today. This is the kind of post-secondary training they are looking for.

I think this is the gap these institutions are going to fill. They are going to provide training in an acceptable and good way for people who want to go into small business; for young people who want to go into the sales and advertising and merchandising fields; for all the great number of technology people who are needed to supplement the university specialists in engineering and in various scientific endeavours today. While I do not in any way want to play down the academic content of the courses in these institutions, because I know that they will have a high academic content to supplement and to go along with the technological courses that they give, I think we must not lose sight of this vast group of students for whom these post-secondary institutions are attempting to, and will, serve.

I would like to say that I am happy that in Scarborough, the board of governors for a college in this area has been appointed, and anyone who would look over the list of the members of the board of governors will see that certainly the academic end will not be forgotten. There will be adequate co-ordination. The principal of Scarborough college, part of the University of Toronto, sits on the board of governors of the college of applied arts and technology in Scarborough. Members from the Scarborough board of education sit on it. As a matter of fact, the chairman of the college board in Scarborough is a professor at the University of Toronto. So it is quite obvious, I think, that these people are going to have a feeling for both the academic and the technological training that these institutions will be carrying out. I feel sure in my own mind that these new institutions are going to fill this gap for this great number of students who are looking for a new form of post-secondary education.

**Hon. Mr. Davis:** Mr. Chairman, just to answer some of these—

**Mr. Chairman:** I wonder, Mr. Minister—it is just a moment or two before five—whether you would like to defer the answers until after the private members' hour.

Hon. Mr. Rowntree moves the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, we would like to call resolution No. 31 as shown on page 6 of the order paper.

## NOTICE OF MOTION

**Clerk of the House:** Notice of motion No. 31, by Mr. R. G. Hodgson:

Resolved,

that, in the opinion of this House, a fair share of manufacturing plants should be located in future away from large population centres to facilitate orderly development of Ontario.

**Mr. R. G. Hodgson** (Victoria): Mr. Speaker, I move, seconded by the hon. member for Kingston, resolution No. 31 standing in my name.

In placing this resolution on the order paper, I thought it wise to explore at this time, the question we have in our province and its future; the question of how we could retain and expand the advantages of private enterprise in creating some new cities in this province and at the same time give great assistance to some of the small towns and villages located in places that will be centres of expansion in the years ahead.

Such questions arise primarily because of the growth of this province which is leaving some parts behind in the expansion ratio in ways that could not be imagined a few years ago. One of the bases of this question has to do with the explosive growth of technology. We have only to look at the consideration being given to government-sponsored technical development in the field of high-speed urban and ground transportation. We do not know entirely what the commercial aspects

of these new approaches may be in the large extent as yet.

Some of the uncertainties would be reduced with the passing of time and with further technical development, but there is, meanwhile, a very competitive programme moving forward in the United States. This could, if unchallenged, absorb much of the initial market. If the market demand was the only determinant, the product would possibly materialize at a time when a need for it and the proper potential would be commensurate with the risk. But the competition that is forcing this development in the United States would be the one, in my opinion, that has the most meaning for us at this time, wherein they are concentrating on the idea and concept of great new towns in their answer to urban sprawl. These new centres, complete with sewers, office buildings, and so on, are rising all across the United States. They are being built and planned on land that only yesterday was farmland or forest. At least one more new city is added to the list almost every month.

Behind all this activity is the modern pressure of urban growth. We are adding thousands of people each year to the population of this province in the urban areas. This means either build new cities or greatly expand the old cities which are rapidly running out of room in which to expand. It is entirely possible that all our new potential cities in Ontario could be built with private funds.

We, as a government, have very much to learn from these cities in the United States in planning, construction and environment programmes. We could also look at what is happening in the old city of London, England, and use some of their methods in the persuasion of having industry follow the plans that will be necessary to have the proper environment for the population of the future here in Ontario.

Some of the reasons for Ontario at this stage in its history to take a good look at this possibility is the fact that land taxes can be considerably lowered and very likely remain lower over the long haul, because of the extent of planning and preparation in advance in such new centres.

These planned approaches would include sewers, roads, schools and water systems. Life can be happier in the new towns, say their sponsors, because recreational facilities are built in. Country clubs, swimming pools, protected forests and parks, are only part of what could be created in such centres. The taking away of the congestion of the old cities, reducing of traffic problems, easing the strain on public utilities, reducing the crowding in schools and in many other areas, making life more liveable for those who would choose to remain in the present metropolitan areas, are entirely possible.

In any event, from the foregoing let us assume there are conditions in which public investment in an entirely commercial programme is justified. This would lead us to the question, when is public investment—that is government investment—in the public interest justified?

I can suggest a few conditions: only when the public will get value in the fulfilment of a need; when it makes possible what otherwise would be impossible by spreading the risk over the whole province or the nation; when it maintains industrial advantages, thus contributing a favourable balance of payments or forestalling the adverse balance that could follow as a result of allowing other countries as competitors to get ahead in the field.

Another condition is, of course, when it contributes to our security. This security is now defined in terms of both economic strength and superiority in physical equipment. I believe another condition would be when a desirable environmental atmosphere for the advancement of living conditions and enjoyment of our population could be achieved.

I would like to take you back to the subject of technology that makes some of these projects possible. We must ask ourselves, what about this technology in existence? To a degree it has been a stimulus of government programmes, but an equal factor certainly has been the motivation of competition and competitive incentives, the willingness to venture where every potential is possible, that has resulted in a whole complex of capabilities in this country.

I therefore wish to deal with one of southern Ontario's greatest potential areas for imaginative development that we have left comparatively untouched in our planning. This would be the area starting on the outskirts of Toronto, in particular at the centre of Markham, which at this time could have a green belt partially incorporated in its planning to divide it from the growing metropolitan area. But time is pressing on us in this regard.

The next centre, of course, would be Uxbridge, which also could be planned to be a new satellite city. And then as we proceed eastward on the CNR line we come to the village of Sunderland, in Ontario county, and then to the town of Lindsay, in Victoria

county, which is my riding. With the many great towns and villages in between, it could be taken into consideration for their potential in the area development of this province. By applying a study for rapid rail transit, we could, on the present CNR line create an equal potential developing area of new cities in our future that would relieve the strain on our food lands and unreplaceable agricultural farms along the Great Lake metropolitan area.

Therefore, in the next few minutes I hope to portray to you some of the ideas and concepts that could be incorporated into what I believe is a necessary progressive move for this province and our future. I must warn you it is something that I think this government must get into all the way.

Why would a businessman or a food processor worry about population trends as long as they are going up? There are at least two good reasons:

One, the food processor is vitally concerned with the need for continuing increases in crop yields per acre, not only to raise food production but to help hold consumer food prices. This increasing productivity, involving as it does fewer and fewer farms producing larger and larger crops, carries with it the problem of surplus farm and small town population.

Two, as a businessman and taxpayer, he must be interested in the mass of problems and in the cost to convert the metropolitan centres into attractive, liveable places. This picture of greater and greater population concentration is, to me, unpleasant and expensive and, I would hope, not inevitable. It makes for a more impersonal existence, higher taxes, more government controls and in most ways what can be considered a distorted existence, at least by the standards that we know today. Yet we are on our way to this rather dismal prospect if we continue for the next 30 years the trend toward urban concentration that has characterized the past 30 years.

We know that the combination of metropolitan industrialization and scientific farm development has caused many thousands of rural people to go to the city areas. What problems we created for ourselves in doing this. Had industry expanded by decentralization to a far greater extent than now is the case, and had it gone into the hundreds of small towns the rural citizens who could not make a living on their farms could have found jobs in local industry and the overcrowding of our city areas would be far less. One day the merit of industrial decentralization will be recognized and accepted throughout the world.

I believe it is in order to suggest that in Canada the disproportionate industrial concentration in the metropolitan areas not go further and further and also to suggest that the manufacturing people themselves can do a service to our country by allocating a fair share of their new plants to the rural areas.

We already have critical urban problems. These problems will be compounded if the trend toward the metropolitan area that has characterized the past 30 years continues into our future.

Hon. members might ask what will stop this greater and greater big-city concentration. People are going to move where they want to and the mobility of the Canadian people is well established. If the jobs are available in the metropolitan areas, the people are going to those jobs.

By the same token, if jobs are available in the small towns and cities away from the metropolitan areas, I think most of the people in these rural areas will not move. They prefer to live in the areas where they were raised. They also know that smaller places are friendlier. If one runs into trouble, the neighbours will help and not just look the other way.

The industrial plant of the future should be placed into broader context because any discussion of the cities of the future must be oriented to where people are going to live and work. This subject is of interest and importance to me, and to you, as most of you here are intimately identified with the future of man in his environment.

Before we can consider the effects of the electronic age on our patterns of living, we must first examine some of the primary forces that shaped cities as they now exist.

Until the industrial revolution, the European city existed for essentially one reason—protection. People had to come in from the fields at night to keep from getting killed.

It could also be said today that some people like to leave the city here for the same reason.

With the industrial revolution, the city entered its major period of growth. Industry and commerce were centred in the city, close to its market place, and close to the available forms of power and transportation. These basic criteria for locating industry and commerce in our cities, market place, power, transportation, are no longer valid to the

same extent. Thus industry continues to move out.

The political climate today is committed to the philosophy that industry must move out and no matter how hard local politicians work, it is politically impossible in a major city to provide the kind of incentives that will hold industry to the metropolitan centre, and as industry moves out, people move out, as people live where they work and more important, where they play. Call this a trend if you will, but it is basic and it will continue in my opinion. One can say that the positive values that are so achieved by the new trend are the open spaces, better residential quarters, ample recreation areas, contact with nature, they are all general reasons.

I have heard it said that a book, *City Sense*, is based on the assumption that city life is desirable and exciting and that this is an assumption shared by most of the human race. This is not shared by most of the human race, and I do not think many of you share that assumption, but this is the type of wishful thinking we are subject to every day.

We are told in effect, to feel guilty about deserting a city. Today, in 1966, we are entering a critical growth period. The post-war baby boom of the late 1940s is about to become the marriage and family boom of the late 1960s. Where do you think these new families, most of them middle-class, will live? In the urban redeveloped areas? No. Our population growth will not be in the centre of cities. We in Canada forecast that in the next 20 years we could have double the population of today living in metropolitan areas. Nothing that the city fathers or the city foundations can do will keep all these people in today's cities.

The key part of any study involved would be the examination of the nature of industrial researchers who have a great influence on locating research facilities, because the primary goal of these facilities is to try to attract and then stimulate these people. The researcher is, of course, very much an individual. He is highly trained, extremely intelligent, and generally has a wide range of interests beyond his own speciality. He is, I like to think, the typical man of tomorrow. Surely he is the perfect nominee for the so-called exciting desirable challenging and diverse life the city offers.

Well, the researcher is not buying city life. A study showed that he considers local education a most important community factor, not only because he is concerned about his children's schooling, but because he places the local school system's character as an accurate index of the community cultural level, and this is the clincher: his own desire to identify himself with the entire educational process.

Also important is easy access to a university, preferably less than 30 minutes travel time. Other factors include availability of good housing, attractiveness of the community, taxes, local recreational and cultural facilities, churches, medical facilities and convenient shopping. Far down the list is the distance to our metropolitan centres.

Too much of our thinking on city planning aspired in the 1930s. Of course, people in business and institutions need to communicate, but the city need not continue as a communication centre. One of the major differences, of course, has been television. For all its shortcomings, television has brought the culture of the world to every corner of the country, and we are only at the beginning.

David Sarnoff, who has a pretty good record in predicting these things, recently said that we are on the brink of a communications revolution that will change the patterns of life as the industrial revolution of the 19th century. Before the end of this century we will have achieved instantaneous sight and sound communication anywhere in the world among people and among computers. We will send and receive business documents, scientific data, blueprints and photographs, all electronically. You and I will attend and participate in meetings like this one, without ever leaving our offices. Maybe we will all just sit at home and project our work, our questions, our information and our decisions, to some vast network of computers.

Where does this leave our cities? It does not. Perhaps we will not, but our children will certainly see the day when the Torontos, Oshawas and the Hamiltons will cease to be dominant factors as living and working centres. We will change our whole definition of cities. Our gathering places will be an infinite variety of communication centres from which we will control the tools of production and marketing and finance.

Our cities as know them today will evolve into civic centres for the government's social, health and welfare activities and for the arts, but few will live there.

Nothing can stop this evolution. Neither you, nor I, nor all the city planners, politicians and sociologists combined. For even if today we would eliminate all the tax and transit, crime and education problems of the city, we could still not induce people to re-

turn in any great numbers. Man has a basic desire for individuality. That is why teenagers wear their hair long. And he welcomes the option of not living on top of his neighbour.

Where does this all lead us? How will our cities evolve towards the communication centres and civic squares of tomorrow? One of our most crucial battles is to escape the stranglehold of the automobile. It is a battle we cannot afford to lose. It is also a battle we cannot really win within our existing cities.

For 1966, we have heard of millions of dollars that we will spend on our highways in the future, and millions that we will spend on our railroads. Do you think they are going wild in the race to conquer space? But do not worry. In 1966 there will be more contracts involving more money to build parking garages than space and missile bases in Canada and the United States combined.

The current preoccupation with automobile travel is an adolescent stage in circulation planning. Rail, rapid transit, has been unfairly neglected in an automobile era. For over 50 years, transit has received almost no share of the kind of design attention given to the automobile, the airplane and the elevator or truck. But we must not look upon these next 5, 10, even 15 years, as anything more than a period of transition in our ways of living or working with each other.

For better or worse, the architects, the engineers and builders, are the natural leaders in determining the character of the environment in which our children will live. Need I add that our record to date is something less than perfect? One of the most encouraging signs of progress in our thinking today is the move by universities to revamp their architectural programmes.

Our schools are recognizing that architecture must not deal simply with the physical design for structures, but with all the problems of environment within which those structures must function. This horizon broadening should not be limited to architectural education. It is desperately needed in the engineering disciplines as well. Our studies and our work in sanitation, air pollution, water supply and transit must all be conducted, not as individual projects, but within the broad framework of man and his environment.

Such changes in educational direction may well be the first steps leading to a tremendously exciting day after tomorrow, where we will develop the knowledge and the capability to successfully relate man to a far better environment than any of us have today. We are all deeply involved in this whether we live in Toronto, Oshawa or Hamilton, because it is up to us to provide leadership and encourage the atmosphere within which true innovation in environmental design can replace simple modification.

Let us not continue to have this mantle of leadership simply thrust on us; let us welcome it.

I think I have shown a leaning toward locating a fair share of manufacturing plants away from the big population centres at this stage in our country's development. My purpose has not been to disparage the big city but rather to indicate the importance of avoiding further unnecessary overcrowding and additional distortions in our already large centres that will result in failing to provide jobs in the rural counties for the coming millions from those rural areas who will need non-farm, non-forestry, and non-mining jobs. Thank you.

**Mr. S. Farquhar** (Algoma-Manitoulin): Mr. Speaker, I am delighted to take part in this debate, or the discussion on this resolution.

I want first of all to congratulate the member for Victoria for his initiative in presenting this resolution for debate in the House and for the constructive approach that was taken to this very important matter. I am especially glad to participate, as I say, and I wonder if the hon. members appreciate to the full the importance of this topic. This is a matter which should be given more than an hour of the time of the House and there should be comments from every member of the House on this matter. Problems resulting from the concentration of industry in a few major centres as well as every member's ideas on the solution to these problems should be placed on the record at every opportunity so that in the developing of these solutions every possible bit of information would be available to those on the Treasury benches, responsible for policies in connection with a more planned and a more balanced economy in this province.

In my own opinion, as I have said, an hour is far too little for a discussion on a topic with the scope and the breadth of this one.

I will go one step further and I will say that I doubt if any particular hour's debate in the House during this session could be as important to the wellbeing of Ontario as this one. We are all familiar, Mr. Speaker, with the widespread contention regarding federal

designated area regulations with respect to setting down incentives for the attraction of industry into areas of slow growth. I am quite prepared to agree that there are weaknesses in the criteria used to stipulate these areas, but we should not be too quick to criticize these criteria until better ones are found. This province has been singularly lacking and reluctant to offer a better programme of incentives or better criteria to establish need.

I think it is fair to say, Mr. Speaker, that whatever political party or government approaches the recognized imbalance of Ontario's economy with something resembling specific action, it is going to be recognized as having made the most outstanding contribution of these times.

So far, from this province, we have seen no specific action and heard nothing in the many speeches on regional government that would sound like anything but political talk. Certainly we have seen nothing that constitutes ambitious action along this line. At least the federal government has shown itself willing not only to recognize this imbalance, but to do something about it, however much we might criticize area designation and wars on poverty.

Some members may be aware of an organization recently formed in northern Ontario which has taken upon itself the rather high-sounding name of the committee of the north. This is a voluntary group, Mr. Speaker, made up of mayors and reeves and other elected municipal officials, as well as presidents of chambers of commerce and boards of trade, who have dedicated themselves to a major effort to correlate the problems and the potentials of the north and other outlying areas, and to try to generate political action with respect to an attack on these problems.

The hon. member for Cochrane North (Mr. Brunelle) and myself, as well as federal members of Parliament, have been included on this committee. It is interesting to note that this group has spent so far its own time and effort on two occasions to approach governments, but so far they have not felt that there would be any real merit in approaching this one. I might also say that a good many of these elected officials in the areas are pretty good friends, or were, of this government. It must be recognized, Mr. Speaker, that these are the people who have their finger on the pulse of the localities; who are familiar with the needs; and who have been given local authority to make constructive approaches to government based on the knowledge of their communities.

This committee has taken the approach that while there have been many dozens of bits and pieces of surveys by various departments of this government, what still is urgently needed is an overall survey of northern Ontario and other depressed areas which would properly, and in detail, document the potentials, the assets and the shortcomings from a broader base than a survey developed by local pressure from a specific area, because these in many cases overlap ongoing and existing surveys.

After all, Mr. Speaker, we cannot properly approach solutions which would involve specific kinds of industry for specific areas without having first of all related these ideas to an overall plan based on all of the problems and all of the potential resources in areas of low economic endeavour.

It is quite understandable that the federal government would not be prepared to contribute funds and personnel towards the hundred bits and pieces of surveys. But this committee was given to understand that The Department of Industry in Ottawa would look with favour on a request from Ontario for help in developing a really comprehensive and all-embracing survey and documentation of assets on a broad scope in all those parts of Ontario suffering from a lack of industrial effort.

So, at the beginning of an Ontario plan to seek out what is necessary for these areas, I ask the hon. Minister of Economics and Development to obtain the necessary authority from his Cabinet colleagues to abandon some of the strictly localized survey efforts in favour of a request for federal participation in a survey of the scope that I am talking about.

Mr. Speaker, the spreading around this province of the many buildings and the personnel involved in running the affairs of this government was not included in the wording of the member's resolution. However, I beg leave to suggest that as an evidence of this government's intention, it is most important that a real hard look be taken at some areas of national betterment other than economic betterment. I think it is vital that this province show good faith by moving towards decentralizing institutional industrial development. If other departments of government could consider establishing facilities around the province with a view to spreading them in the way that The Department of Education does, depressed communities would begin to believe that the many speeches on regional development meant something.

For instance, Mr. Speaker, if I can digress for a moment, I want to make reference to the establishment of the centre for continuing education in Elliot Lake to the tune of some $1.25 million—of capital dollars—to which this government contributed; and quite apart from the exciting value of the programme there, this establishment has gone a long way towards the stabilization of that unfortunate economy.

This is another debate, Mr. Speaker, but I just want to develop an instance of what I mean.

As long as The Department of Health, for instance, refuses to establish certain facilities, other than in the major hospitals, and as long as other departments of government continue to establish their facilities within a small radius around the Golden Horseshoe, no one in the uneconomic areas is going to believe that there is any real intention by this government to decentralize industry.

In the latest announcement of the hon. Minister of Agriculture concerning the organization of small farms into larger units under the ARDA plan, I am not at all sure that in some cases the economic ends that he reaches for could not be achieved if these same areas received even a small transfusion of population, which would result from the introduction of the right kind of industry into some of these areas.

I am afraid, Mr. Speaker, that a good many people in some of these so-called depressed areas do not feel that this government really believes in equality of opportunity.

**Mr. A. E. Thompson** (Leader of the Opposition): Quite right!

**Mr. Farquhar:** And the more speeches these people hear about the fact that Ontario as a whole is booming, the more bitter they become. We cannot deny that the prosperity of Ontario is at an all-time high. Provincial averages of retail sales, the standard of wages, and the volume of manufacturing certainly proves this fact. But for the purposes we are discussing today, Mr. Speaker, we must get away from talking about provincial averages. Let us talk about another kind of average for a moment.

We must realize that more than 60 per cent of the industry coming into Ontario settles within a 25-mile radius of Toronto, that there are 32 per cent more people employed in manufacturing in Metropolitan Toronto than in seven provinces combined. In the four counties around Toronto, which represents about 35 miles in each direction, almost as many people are employed in manufacturing as in eight provinces, that is all of the provinces except Ontario and Quebec.

These conditions, contrasted with other parts of this province, bring me to the conclusion that this province has not really tried and even yet is not really trying to interest industrial people to establish themselves in the regions around Georgian bay and in northeastern and northwestern Ontario. And I can tell you that there is an increasing concern that this government tends to look upon and use the far reaches of this province as nothing more than a recreational facility for industrial Ontario, a place to relax after the day's work, so to speak.

This government seems to forget that this country I speak of supplies the resources that ensure their livelihood, many of them resources that could be processed locally to keep our population from drifting away.

The hon. Minister of Economics and Development said on several occasions during his estimates that he had no designated area incentives in his pocket, but this province can and should offer many incentives to the placing of industry where it would do the most good.

For the purposes of a balanced economy, there are many tax incentives and depreciation allowance arrangements that I think could be worked out with the federal government. I think hydro and water supply incentives could be arranged. I am sure transportation incentives could possibly be the one, single most important concession. The highway building programme could place more emphasis on development than it does on road counts. There are many advantages that could be held out to industry and there is no reason I know of that the appropriate departments cannot develop legislation for this authority.

Mr. Speaker, I again congratulate the mover. I assure him of my and this party's support and I urge this government to listen to these suggestions and to act.

**Mr. K. Bryden** (Woodbine): I could not imagine that there would be anyone in the entire universe who would not be prepared to support this resolution. It is about in the same category as being in favour of motherhood—or against sin. It is nothing but a vague generality, a platitude, a pious platitude. It really offers nothing whatever to deal

with the problems that this province is up against.

It has all the earmarks of being produced rather hastily in response to what the chief government Whip apparently considers to be an urgent need.

When we finally, after years of pushing, got a modicum of consideration on the question of the private members' hour, the chief government Whip insisted that half of the total time available—and the total time is only two hours a week—should be devoted to government resolutions.

**Mr. Speaker:** Order, order!

I am afraid that the member now is not on the resolution and I would ask him to specifically have his remarks based upon the resolution itself.

**Mr. Bryden:** I am putting forward a theory that I think is valid as to the origin of the resolution. I think that is relevant to the discussion of the resolution.

**Mr. Speaker:** The member's remarks are not on the subject matter.

**Mr. Bryden:** This private members' hour was designed fundamentally, I think, to provide an opportunity, very limited as it is, for the Opposition to exercise initiative in the House. We all know that in the growth of the parliamentary system the role of the Opposition, not only here but in many areas, has been gravely truncated. Anyone with an understanding of parliamentary government, I think would view that trend with some apprehension.

We got an arrangement under which—

**Mr. J. H. White** (London South): Mr. Speaker, on a point of order, that information is not correct, sir. The private members' hour here is the same as at Ottawa and Westminster. It is for all private members, including private members on this side of the House.

**Mr. Bryden:** Yes, this of course reveals the thinking of the chief government Whip. He does not recognize that an Opposition has its own special and peculiar role in the parliamentary system. He wants to put the Opposition in precisely the same category as private members on the government side, and I am submitting to the House, Mr. Speaker, that—

**Mr. White:** You have lots of opportunities.

**Mr. Bryden:** —that betrays a total lack of understanding of the parliamentary system.

At any rate, I am not objecting to the government private members—

**Mr. Speaker:** Order, order!

I am going to have to ask the member to desist from developing the present argument much further and come back to the subject matter of the resolution. I do not think we should debate the matter which he is now debating. The debate should be on the resolution itself. With all deference to what he is saying, I would ask him to cut short his remarks on the present argument that he is trying to develop, and come back to the subject matter that we have in this resolution.

**Mr. Bryden:** The subject matter, of course, Mr. Speaker, can hardly be graced with the name of a subject matter. It is as I say, a pious platitude, a vague generality—

**Mr. White:** There are a lot of them—

**Mr. Bryden:** —yanked together, it would appear, in order to permit the government back benchers to take up 50 per cent of the total time available for private members' bills.

I see that another one is now being brought forward which is to be discussed on some later occasion and I have no objection. I believe that time should be available for the discussion of resolutions and bills that government private members bring forward, but I do not really think we have to go to this length of having them drummed up—

**Mr. White:** Mr. Speaker, on a point of order. We have a very long list of speakers on this resolution. If the hon. member for Woodbine is not interested in it, let us pass on to the rest of the list.

**Mr. Thompson:** That is not a point of order.

**Mr. Bryden:** Mr. Speaker, I am interested in the very fact that this sort of vague generality should be submitted to this House as a resolution. It does not really lay any policy before us at all. As I say, we have heard some interesting proposals, some with which I disagree, but that is neither here nor there — some interesting proposals from some of the private members on the government side. I think there have also been a good many interesting ones from the Opposition side, but I think that this hour should be used to put forward concrete policies, suggesting as to what can be done. We have a resolution that suggests precisely nothing and a speech that was interesting but still was, to a certain degree, in the realm of science fiction.

I say to a certain degree—

**Mr. R. G. Hodgson:** Just a minute; the hon. member says that my speech was not constructive in any way. There are people in my riding who will think that it is very constructive; I can assure the hon. member of that!

**Mr. Bryden:** I have no doubt they will feel that. Whenever a member gets up and says that he thinks something should be done to bring industry into Victoria, he can always make something of it. But the point still remains that no industry is going into Victoria! That is obvious. And why? Because this government has no policy at all.

I will say this much on behalf of the member for Victoria, and will associate myself with him 100 per cent on this, that his resolution and his speech indicate conclusively that the government has been doing nothing in this field. The very fact that it is necessary to bring forward such a resolution is evidence of that. The unfortunate part is that the member for Victoria will go back to Victoria and say, "I made a speech about this. I am down there really pitching for you fellows to get some industry up to Victoria." And on the basis of that, he will suggest to them that they should vote for the government that has done absolutely nothing to get any industry to Victoria, and my—

Interjection by an hon. member.

**Mr. R. G. Hodgson:** Mr. Speaker, this member—

**Mr. Speaker:** Order.

I am afraid this particular debate is getting somewhat irrelevant and I would appeal to the hon. member again to see if he can develop some argument along the lines of the subject matter contained in the resolution.

**Mr. Bryden:** Mr. Speaker, I think the reaction being provoked indicates I have really hit the nail on the head as far as this resolution is concerned. It is a piece of third-rate politics to cover up inaction; to enable certain government backbenchers to go back and have something to talk about as an excuse for the inaction. This is the nature of the resolution; it contributes nothing. There is not one suggestion in it as to what can be done to decentralize industry in this province.

Everybody knows that it is a problem, as the resolution says. The real question is, what does one do about it? The government does not know. We discussed this matter with the hon. Minister of Economics and Development under his estimates. And the sum total of his policy, pretty well, is to have a sort of minor mortgage brokerage operated by the government to provide mortgage funds for some small enterprises in a number of remote localities. That is about the sum total of his policy.

**Hon. Mr. Rowntree:** Is that bad?

**Mr. Bryden:** That is quite good, as far as it goes; that little infinitesimal contribution to the problem is good within infinitesimal limits.

**Hon. Mr. Rowntree:** As a principle, it is good.

**Mr. Bryden:** I have said 50 times that it is good, except that it does not begin to touch the problem.

**Hon. Mr. Rowntree:** But the principle of it is all right.

**Mr. Bryden:** Well, I suppose one grain of salt is better than no grains of salt; let us put it that way, and I think that sums up in total the contribution that the government has made to this problem.

**Hon. Mr. Rowntree:** Maybe it sums up the essence of your address!

**Mr. Speaker:** Order, order!

**Mr. Bryden:** That is a very easy way to dispose of what anyone has said; take one of his comments and say "et tu." Well, it does not really take much intellectual effort to do that.

Mr. Speaker, I am at heart a city dweller. I was brought up in the country but I must say that I have never been greatly enamoured of the joys of bucolic life. I am much happier to live in a city such as the city I am living in now. That is no reflection on people of different views; I know that others have totally different opinions. At the same time I think all of us, even those of us who are by instinct, or at any rate by nature, city dwellers, can appreciate the problems that are arising by the extreme concentration of industry and population in a very small part of the province.

The government talks frequently about prosperity in this province. Actually, if one takes the overwhelming majority of the area of the province, one can say that this province is one of the major depressed areas in Canada. It is merely a relatively small part which, as the hon. member for Algoma-Manitoulin pointed out, brings up the overall average and conceals a serious difficulty existing in large,

sections of this province where there is no growth or very little growth.

And so we have this problem of little or no growth on the one hand and excessive growth on the other. In this Golden Horseshoe area, we are faced with the prospect of building—and we are well on the way to building a vast concrete jungle in which human values will be almost totally destroyed. We have an asphalt jungle with human beings filed away in human filing cabinets, 25 storeys and so high, living in a polluted atmosphere, without really the basis for a fully human existence. I may say that in the process, we are destroying some of the finest agricultural land in the world. We dig holes in the ground and bury the topsoil that took millions of years to develop. I would say that a civilization that destroys the sources of its own food supply has a limited future ahead of it. Yet this is the kind of problem that we are facing now.

Obviously, it is desirable to try to slow down the growth of some of these metropolitan areas and we hope, as the hon. member for Victoria suggested, thereby to encourage the growth of other areas. You cannot separate those two processes; one is tied up with the other. But we have not even laid the basic foundation for doing that; we have not even laid the structure of municipal government that will encourage it. We passed a bill in this Legislature not too long ago with regard to metropolitan Toronto and we did not even include in that bill—and when I say "we," I mean the House as a whole, which had to accept the government bill—but the government did not even include in that bill a provision whereby the Metro government could control the growth on its own fringes. So we are faced with a repetition of the same old ribbon development and urban sprawl which gave rise to the original problem. We did not even learn from the last lesson.

So when we say that we would like to see a growth of industry in areas remote from the metropolitan centres, we can certainly all agree with that, but the question is how are we going to do it?

I have not been keeping time, Mr. Speaker, but I think I am pretty close to to the end of my time. All I will say is this, that we cannot carry on with the hit and miss, laissez faire private enterprise approach of the government. We are going to require substantial planning at all levels. Even that does not necessarily lead to a true solution, but obviously the path we have been following in the past is simply intensifying the problem which the resolution itself suggests we should be solving.

**Mr. W. D. McKeough** (Kent West): Mr. Speaker, unlike the previous speaker, the hon. member for Woodbine, I propose to spend five or ten minutes talking about resolution No. 31, standing in the name of the hon. member for Victoria.

I am not just too sure what truncated means but when the member for Woodbine started going, I never thought of him as being truncated. To wander as far away from the subject as he did in the last 15 minutes, to me destroys the purpose of this private members' hour completely.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. McKeough:** It seems to me, Mr. Speaker, that the private members' hour is a chance more than anything else to disagree, and I am afraid I have to disagree with the motion put forth by my hon. friend, the member for Victoria. I have sympathy for the resolution but I cannot support it on the basis of some of the wording which is contained therein. According to the member for Woodbine, this puts me out of the universe but that is not worrying me too much.

The resolution as I read it—and I think this was borne out by the thoughts of the member for Algoma-Manitoulin and finally by the member for Woodbine—implies incentives, and this is what worries me about the resolution and leads me to the conclusion that I cannot support it. Very simply, I am of the opinion—perhaps it is an old-fashioned opinion, I think it has a great deal of virtue still left in it—that industry must locate where it should be located.

We have known this for a long time but it seems to me that increasingly this province, this country, is not only competing in markets which are extra-provincial, they are now continental and, indeed, world-wide markets. And it is all very well to provide incentives which in themselves will not cost very much money, will not deplete the public purse to any great extent, to encourage an industry to go into a locale. But what we may be doing is putting that industry in the wrong place and finding ourselves in the position of finding that either industry is not going to compete effectively and efficiently in world markets, and the industry then goes out of business, or we find we have to go on subsidizing it forever. And I do not agree with either proposition.

I suppose what I am saying is that—and I

believe this—industry should be located in this golden triangle because it is close to the centre of the market, because it is directly on the seaway and I think this is where it should be.

I think there has been an interesting development. Ten years ago, 15 years ago, all the industry was locating in Metropolitan Toronto, in Scarborough and Etobicoke. Now we see places such as Brampton growing; there is a rapidly increasing industrial complex in the Kitchener-Waterloo area and other areas of the province. I think industry of its own volition and sensibly, efficiently, is spreading out from the metropolitan area.

I have some knowledge of this, Mr. Speaker, and I have some knowledge, I think, of the problems associated with incentives. Some years ago, I suppose two years ago now, three of the municipalities in my riding were declared slow growth or depressed areas: Chatham, Wallaceburg and Tilbury, and there was tax holiday legislation applied to all three of those communities. Now, it so happens that none of those communities are now so-called slow growth areas. The thing that worried me about some of the fuzziness in this resolution and some of the fuzziness, I think, when you start talking about incentives, is that in my humble opinion, at the time those tax holidays were granted in those three communities there was no need for them. The towns of Wallaceburg and Tilbury had five, six or seven or eight years ago both been slow-growth areas, Wallaceburg and Tilbury had both received, if I may use this expression, a real kick in the pants in the same way that Windsor did when the Ford Motor Company left Windsor. The same thing was true in Wallaceburg and it was also true in Tilbury, they got real kicks. At that time, when the situation was serious, some sort of incentive by the federal government and, indeed, this government, should have been carried out. I think I would have favoured it at that time, but when the incentives finally came two years ago, Wallaceburg and Tilbury were both on the way and are now on an economic upswing. And those incentives, I submit, Mr. Speaker, were not necessary.

The city of Chatham, as I say, I do not think it ever knew it was in an economic downturn, they never knew they needed the incentives. Part of the reason that the federal government or the economists of the federal government decided that these were slow-growth areas was because there are a number, and have been and probably still will be, a great number of agricultural employees who register with the NES during the winter months.

**Mr. Thompson:** The member agrees with incentives but it is the timing he disagrees with.

**Mr. McKeough:** I agree with incentives in a very serious situation and I have named two or three. When Schultz left Wallaceburg, when Ford left Windsor—I do not agree that they should be applied holus-bolus. Where I am familiar with where they were applied—

**Mr. E. Sargent** (Grey North): Who is to judge—

**Mr. McKeough:** Well, that is what worries me too because whoever judged the last time in my opinion made a mistake.

I think we are generally agreed in this House—perhaps I am wrong—but I came to the conclusion some tme ago we are generally agreed and I think the municipalities of the province are agreed that fixed assessments given by municipalities were a wrong thing. If fixed incentives are wrong at the municipal level, then in my opinion incentives, unless it is of real urgency, are equally wrong at the federal level if they are tax incentives, excessive depreciation allowances and so on.

As I said, those three communities on their own—

**Mr. Sargent:** Oh, the member is all mixed up.

**Mr. McKeough:** It is awfully nice to have the member for Grey North back, but pipe down.

**Mr. Speaker:** Order!

**Mr. McKeough:** Those three communities I think on their own and certainly some of the firms which have moved in have taken advantage of the tax holidays—why would they not—but I think all or nearly all of them would have moved in without the benefit of the incentive legislation. And I submit that the taxpayers of the province and of the country have lost that tax revenue, because they would have probably moved in, in any case. We have two Eaton automotive plants, one in Wallaceburg, one in Chatham. Motor Wheel, which is a subsidiary of Goodyear; Ontario Steel which is a subsidiary of Rockwell, have expanded; Fram, a large American company, is expanding. These things are going on and I think there is a pattern. These are related in part to the automotive agreement, more particularly they are related to the fact that we are on the so-called Grand

Trunk of the province of Ontario. We have good highways, we have adequate transportation in terms of rail facilities, we have power, we have natural gas, we have energy, we have made provision for water supply, we have sewage disposal, and I may say that any one of those industries would never have located either in Chatham or Wallaceburg if we did not have sewage disposal. These are the sort of things which I think is the responsibility of the government to provide and I think through the Design for Development and the co-ordination of government activity which will follow, municipalities will have those services available.

As I say, Mr. Speaker, I think there are positive ways and I have tried to outline some of them that these commendable objectives can be achieved but the words in the resolution "a fair share," "orderly development," Mr. Speaker, those words make me awfully fearful, they are just too much socialist gobbledygook for me to support.

It being 6 o'clock, p.m., the House took recess.

No. 144




# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Thursday, June 16, 1966

Evening Session

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Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO



The House resumed at 8 o'clock, p.m.

**Clerk of the House:** The 16th order: House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF EDUCATION
*(continued)*

On vote 519:

**Mr. Chairman:** Previous to the supper hour, I think the Minister of Education was going to give some answers.

**Hon. W. G. Davis** (Minister of Education): Mr. Chairman, I was under the impression the hon. member for Riverdale had some observations he wanted to make. I was going to see if we could not cover them all at once.

**Mr. J. Renwick** (Riverdale): I have some remarks that I would like to make. I would prefer to wait for the hon. Minister.

**Hon. Mr. Davis:** All right.

Mr. Chairman, in dealing with this vote and the questions that have been raised by the members opposite, I would like to make the initial observation that it is with some regret that the hon. member for Windsor-Walkerville designated the western Ontario institute of technology within his community as a glorified technical school because, Mr. Chairman, this is not a very good description of the institution.

I think, Mr. Chairman, we should—

**Mr. Chairman:** One moment please. The member for Windsor-Walkerville has stood in his place on a point of order.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, I made no such comment. I simply mentioned—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Newman:** If the hon. Minister's intentions are to have two-year programmes with dead ends then the institute becomes a glorified vocational school.

Interjections by hon. members.

**Hon. Mr. Davis:** Mr. Chairman, I recall exactly what the hon. member for Windsor-Walkerville said. As I have stated—and there have been several announcements—the institute of technology programme will become a faculty, or part of the applied arts and technology programme. I just repeat that it is regrettable that this be designated as a glorified technical school, because this is not the case.

I would go further, Mr. Chairman. There have been several statements about dead-end institutions, deluxe technical or vocational schools; and I find this very inconsistent with what should be, I would think, the philosophy of the two parties who sit opposite. Surely, Mr. Chairman, we have reached the point where we can recognize an engineering technologist, a technician, in his relative way, as having as important a part in our life in this province as a graduate from any other profession. Mr. Chairman, I think it is essential, in this day and age, that we recognize this concept, that we accept the fact that these avenues, these approaches to education, have very great validity in this day and age, most important.

Mr. Chairman, I will come back to that in a few minutes. I now want to deal with some of the statistics that were used by the hon. member for York South, and it is not often that I take exception to the mathematical inclinations of the hon. member for York South. I think I have to draw some things to his attention.

**Mr. D. C. MacDonald** (York South): And to Dr. Bladen and DBS.

**Hon. Mr. Davis:** Yes, I will deal with all of what Dr. Bladen has in his report, and DBS.

As I read the figures that the hon. member for York South has given to the House, and also released to the press, basing his calculations on the Bladen report he says that of the age group 18 to 24 there are in

university 8.2 per cent in the Atlantic provinces; in Quebec 9.5; Ontario 8.4; the prairies 9.9; British Columbia 11.6; and in Canada, the national average, 9.2 per cent.

Mr. Chairman, let us look at the figures in another way, and I would suggest perhaps in a more accurate fashion.

The enrolment—and this goes back to the 1964-65 figure—the university enrolment in that age group is 50,793, which is 8.4 per cent. This is the figure that the member for York South has used.

Mr. Chairman, I should point out that in the other provinces—in British Columbia, the western provinces—particularly Alberta—the enrolment in the faculties of education are included as university enrolment and included in that age group. So that to reach the same analysis here in the province Ontario, I suggest Mr. Chairman, that you must add at least 6,462 in the teachers' colleges alone, which brings the percentage up to 9.2 of the same 18-24 age group population.

To that, Mr. Chairman, you would have to add a figure, and I cannot give you an exact figure.

**Mr. MacDonald:** Mr. Chairman, may I ask the hon. Minister a question?

**Hon. Mr. Davis:** Yes.

**Mr. MacDonald:** Is the calculation that you are making now vis-à-vis Alberta, true of all the other provinces, too? Do they all—

**Hon. Mr. Davis:** It is true to a degree, a substantial degree in British Columbia, it is true in Alberta. I cannot speak for the Saskatchewan faculty of education; I do not believe so, or Manitoba.

**Mr. MacDonald:** Well, you are only exploding my contrast with Alberta, not necessarily the others.

**Hon. Mr. Davis:** You had coupled them altogether with the prairies. It does explode it with British Columbia, because the faculty of education is included in their university, and I will get around to grade 13, because it is also of some significance.

Mr. Chairman, if you were to include, which is a very legitimate inclusion, the population in grade 13 in this province, for the same—

**Mr. K. Bryden** (Woodbine): Oh, no.

**Hon. Mr. Davis:** Oh, yes!

**Mr. Bryden:** You have been reaching up to now; now you are going beyond all reason.

**Hon. Mr. Davis:** No, no! For the same age group with what there are in Alberta, Saskatchewan, Manitoba and for most portions of Quebec and the Atlantic provinces, there is no equivalent of grade 13, except in New Brunswick and a small percentage in British Columbia.

Mr. Chairman, if you were to add these figures, you would come to 14.4 per cent of the age group, 18 to 24. If you were to add to that the students in the institutes of technology, which—

**Mr. MacDonald:** You will soon have all of them in.

**Mr. Bryden:** Why not put the kindergarten in too?

**Hon. Mr. Davis:** Mr. Chairman, with great respect to the hon. member for Woodbine, I think even he can draw a distinction between grade 13 and kindergarten, and it is a very relevant figure.

Interjections by hon. members.

**Mr. Bryden:** Terminal grades are all the same thing, but you do not seem to know it.

**Hon. Mr. Davis:** Mr. Chairman, dealing specifically with Quebec—I had the opportunity during the supper hour to get the figures that might be of some help to the House. I give you some illustrations.

In Quebec—and these are using DBS figures, 1963-64—the grade 11 enrolment in Quebec, 55,557; in Ontario, 79,716. Grade 12—this is a very interesting figure—the enrolment in grade 12 in Quebec, 12,973; in Ontario, 63,408. Grade 13—they have a very limited grade 13 in Quebec—545; in Ontario, 29,461.

The reason is very simple. With Laval, I believe with Montreal and perhaps Sherbrooke, they have the college classique, as they are called, where they take graduates from grade 11 or grade 12 into an introductory year. These are included in the DBS statistics as university students, which, of course, they are not considered in the province of Ontario.

I could give some other figures that could be helpful to the House, and again I use the province of Quebec.

In 1963-64, university enrolment was 53,579; the normal schools, 14,421; the post-secondary technical, 6,977; secondary, grade

12, 12,973; grade 13, 545, or a total in that relative age group once again of 88,495.

For the province of Ontario in the same period of time; 1963-64, university, 44,191; teachers' colleges, 6,390; post-secondary technical, 4,743; secondary grade 12, 63,408; grade 13, 29,461, for a total of 148,184.

Mr. Chairman, I suggest with respect, this is a very valid comparison of the numbers in the educational programmes in these two provinces. I think it is very valid. If you will look at the figures—148,000 for the province of Ontario and 88,495 for the province of Quebec.

I would draw the hon. member's attention to another table in the Bladen report. Here again the figures do not include the teachers' colleges as far as the province of Ontario is concerned. But these are projected enrolments, and basing it on a percentage of increases in university enrolment in the various areas, in the Atlantic provinces—on page 18—the projected enrolments for 1970-71, the increase in the Atlantic provinces is 69 per cent. These could be carried out to some decimal, I am sure. Up to 1974-75 the figure is 126 per cent. Quebec, 90 per cent and 132. Ontario, 107 per cent—this does not include the teachers' colleges—and 205 per cent.

**Mr. MacDonald:** I saw all that. I was not discussing projections, I—

**Hon. Mr. Davis:** But these are the plans. The projected enrolments reflects also the reality of today's situation without any question. The prairies, 96 per cent and 180; B.C., 62 and 115. On a national average, 91 per cent and 159 per cent.

Mr. Chairman, I do not suggest for a moment that we do not have some shortcomings as far as our educational programme is concerned, but I think if we are going to make comparisons with our sister provinces, and other jurisdictions, we should do it from a very valid standpoint. With respect, I suggest that the percentages of those who go on to post-secondary education, or the number of youngsters in the school system, say from the grade 12 level on through to the culmination of their university or post-secondary experience, the percentage in Ontario compares very favourably with the sister provinces across Canada. I want to make this point abundantly clear. I have some other statistics here, but I am not going to go into any greater detail as far as the statistics are concerned here this evening.

Dealing with the other observations—

**Mr. MacDonald:** Mr. Chairman, would the Minister permit a comment?

**Hon. Mr. Davis:** Yes.

**Mr. MacDonald:** It seems to me that, if the Minister's case is valid, I think it is time the Minister and the government should have drawn this forcibly to the attention of DBS, to Dr. Bladen and to everybody who has been using these statistics. What the Minister in effect is saying is that these responsible statistical bodies have been comparing apples with oranges down through the years. I suggest that, if the Minister is correct, it is about time he should do this. Indeed, I think he should have done it a long time ago. The fact that he did not defend it up until now, I suggest is just—

**Hon. Mr. Davis:** Well, we got into this some two years ago.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Chairman, might I have the indulgence of the House to report to the members of the House on a matter of some public interest? I have been informed in connection with the Toronto transportation dispute that the employees have ratified the agreement which was reached. I think all members of this Legislature would want to commend both parties to the dispute, both the Toronto transit commission itself and the employees and their representatives, for having reached a settlement on a matter which from any approach was a matter of major significance to southern Ontario.

**An hon. member:** The socialists do not like that, they are sorry it is settled.

**Hon. Mr. Davis:** So, Mr. Chairman, while I really anticipated we would get into the question of university pupil places in the estimates of The Department of University Affairs, I want to say that there really have been no smug spokesmen for the government. There have been factual statements. In fact we had sufficient pupil places for those students who wished, and who were qualified, to enter university this past September.

I know the member for York South is not really disappointed because I know he is interested in these young people getting in. I know that he is a little discouraged politically, because three years ago—and I think we can look back to some of his speeches in *Hansard*—he predicted we would never reach this objective.

**Mr. MacDonald:** You keep them out and then—

**Hon. Mr. Davis:** No, Mr. Chairman! I cannot accept the argument that they are kept out. The university admission standards are set and they are in most instances, I would think, pretty valid standards.

Now, Mr. Chairman, we get around to the question of the concept of the colleges. I do not want to speak at great length of time here tonight. I can only say to the members opposite that this is a new development in education in the province. It is difficult for me as Minister to come to the House and say specifically what these institutions will be like five, ten years hence. The relevant thing, the important thing, is that we are starting the programme; that we are planning it, in my view, on a very sound basis economically and geographically. We get around to the discussion of the transfer or parallel courses and there should be a distinction drawn between the transfer situation and the university parallel course because I think there has been a confusion in terms. I do not think anyone disagrees with the principle that the student who has the ability, and shows this ability, should be in a position to move from one level of education to another. No one rejects this proposal.

I point out that it is difficult in a practical way, and it will take a period time to bring this about. But it has, in fact, been done. You take Ryerson polytechnical institute. A graduate of the three-year engineering technology programme is granted admission if he has first, second or, in some instances, third class honours, into the second year of the engineering course at the University of Toronto. This is one of the high percentage courses, and I think it is in an excellent illustration of how this thing can and will be worked out. This is a transfer situation, Mr. Chairman, and I do not think there is any debate in this House as to the desirability of this feature, none whatsoever.

I cannot, Mr. Chairman, outline course by course, because we do not know the number of courses or types of courses that will be developed in these institutions over the next number of years. This development, Mr. Chairman, is going to be with us forever, shall we say, as far as education is concerned. To define it all in one evening, or one year, or even in three or five years, is very difficult to do. They are still debating this in the United States where they have had these institutions for 25 years.

But, Mr. Chairman, we get around to the university parallel course. This is where we have built into the legislation—and I think it is important that the members recognize this—we have built into the legislation something that is unique and I think educationally will make very good sense. That is the right of the college of applied arts and technology board to enter into an agreement with an existing university so that a course can be established in affiliation with an existing institution to offer the first or the second year of the university programme itself.

I am sure the hon. members have read many editorials, many articles emanating from the United States, where students from the small liberal arts colleges, or even the community colleges—and, in fact, in some of the junior college programmes—where the so-called right of transfer exists. In fact, it does not, because there are not sufficient pupil places at the university level to accommodate them.

Second, Mr. Chairman, in many of these colleges on the basis of accreditation alone they are not accepted into some of the universities in the United States. So, obviously, if we can develop a programme here that where the need does arise, where there is a place for the first or second year to be offered of the university course, if it can be done in affiliation with an existing Ontario university, then that student is, in fact, guaranteed admission into the third year of that programme. I think, Mr. Chairman, this makes far greater sense than embarking upon a watered-down so-called parallel programme that may or may not have validity as far as the university is concerned.

I ask the hon. member for Scarborough West—you have one of the very excellent new colleges, Scarborough college, situated within that municipality—can the hon. member explain to me the logic of creating in the new college of applied arts and technology, which in theory could be 100 yards away from Scarborough college or maybe five miles away, a parallel programme that is identical to the college programme being offered in Scarborough college where they are within two or three miles of each other, when at the present moment Scarborough college anticipates for some time to come the needs of the people within that community? Mr. Chairman, there is no logic in it. We cannot afford it; we could not staff it; we could not develop the type of programme that would make sense.

However, I give you another example, Sault Ste. Marie. We have developed a vocational centre which will become part of the college of applied arts and technology programme. Algoma college has been given a charter, they have entered into an affiliation

agreement with Laurentian University. Under the terms of this legislation, the new college board can, and we think may, take Algoma college into a form of administration where they can share the recreational, the library, the other facilities, because they will only have in their initial year perhaps 100 students in the university course. Well, this is one of the areas where it makes sense and where it will, I believe, probably follow this pattern.

Mr. Chairman, this concept does not discourage people moving on or who are anxious to enter university. But you have to draw a distinction between our existing situation here and our neighbours to the south. We do have the grade 13 year and I suggest to you that academically it stands really on a par with any first year junior college programme you will find in the United States. It does. This first year, comparable to the American junior college programme, is offered free to the young people of this province. This must be recognized as being part of the educational structure and you just do not say: "Grade 13, you disappear because maybe we can offer two years of partial university courses in the new college programme."

Mr. Chairman, this is a different concept, we are going to inter-relate disciplines. I am sure the hon. members across the House, who have had some experience will realize that at the universities they tend to separate the various disciplines. It is our hope in the college programme we will take more of a conceptual approach relating disciplines in the liberal arts field. There will be a high content of liberal arts instruction. We will also have courses—and this is where I think they can fulfil a very useful role—we will have courses whereby a youngster—perhaps no longer a young person, who has grade 11, maybe grade 12—obviously not the qualification to enter university, they have left the school system—but under the regulations, if they are over 19, they can come back. It is obvious that many of them would not want to go back to the secondary school environment so they will be able to take courses at the college that will be equated with—not exactly the same, and I think this is relevant—but can be equated with whatever the final year of the secondary programme is.

Also, Mr. Chairman, the recent development—and it is highly relevant—of the college entrance board situation will facilitate this whole question of mobility from these colleges to the university.

Mr. Chairman, I want to make it very clear that I think the time has come when we must realize that these institutions which will integrate and take in the institutes of technology and vocational centres are valid educational institutions in their own right; that with the applied arts and the general arts programme we will have a concept and a college programme here that will suit the needs of this province, and I suggest to you may set something of an example for other jurisdictions.

We are at a different stage of development than many states of the Union. The hon. member quoted somebody, I forget whether he was referring to the Florida system or California system. In California, as I am sure the member for York South knows, the University of California is only obliged to accept 11.2 or 11.6 per cent of the graduating high school class. In Ontario we are accepting at the moment all of those from the graduating year who seek admission. The balance in California go into the junior college programme and then on through. But, Mr. Chairman, this is relevant to the—

**Mr. Bryden:** The University of California is not the only one in California.

**Hon. Mr. Davis:** The University of California is the major university in the state of California.

**Mr. Bryden:** It is not the only one, there is Stanford.

**Hon. Mr. Davis:** Oh, I know, but Stanford, with great respect Mr. Chairman, does not handle the great percentage or bulk of the students in the state of California. The University of California has some 8 or 12 campuses, I forget how many now. This is the state university, it is the one that is related to the junior college programme.

I would say too, Mr. Chairman, as I read the material and assess the situation, there is a tendency—and I think it is an important one—for the junior college programme in the United States to move to a degree towards more technology programmes, semi-professional courses, that are not unrelated to what we are developing here in the province of Ontario.

I was interested the other day; I think the gentleman who came to speak to the members opposite at their conference, Dr. Ianni, when he was here, outlined something of interest. I saw the headlines—500,000 qualified American students not allowed or will not be allowed into universities. Mr. Chairman, if you were to take 10 per cent, 50,000; take a third of that, I do not know what you would arrive at, say 15,000. In Ontario this would be the equivalent of 15,000 students

in our own province. This is what Dr. Ianni was saying about their own system.

**Mr. Bryden:** It is about on a par with the rest of your statistics.

**Hon. Mr. Davis:** I just read the headlines where he said half a million were going to be refused admission. But Mr. Chairman, I do not want to go into this in any great length on this occasion. I only say to the members of the House—I think the member for York South has touched on it—the magnitude of this programme. We are talking literally of tens of thousands of students, both in the day programme and the evening programme, by the mid-1970s. It will be no easy task. I do not suggest for a moment there will not be a lot of hurdles to cross before we can come up with the ideal situation.

I want to make one concluding remark. There have been some references to the committee of presidents. Mr. Chairman, they did submit a brief but I should point out the faculty association also submitted a brief which was quite comparable to the university presidents. I should point out that the teachers' federation also submitted some thinking, which was more or less on all-fours. I should point out on the grade 13 committee, if you read their report—what we are doing, really, in concept, is very much along the lines that have been suggested.

Mr. Chairman, I perhaps have taken sufficient time to endeavour to explain what we are attempting to do.

**Mr. R. F. Nixon** (Brant): The point that the Minister makes, that the colleges can in fact work out an agreement with university to offer the continuation courses, is—

**Hon. Mr. Davis:** Not continuation courses, the first and/or second year of the university programme; not continuation.

**Mr. Nixon:** From which continuation is possible.

**Hon. Mr. Davis:** Yes, right!

**Mr. Nixon:** The point is, however, that they may not be able to do this in the communities where they are most seriously needed. There are many communities, not too far from London for example where the number of people who could take advantage of the facilities at the University of Western Ontario could be increased considerably if that university were in fact to enter into agreements the way the Minister has suggested. What we want is for the Minister to require these agreements so that these schools which are away from Scarborough and from Toronto—where there are elaborate facilities close at hand in the community—would be able to have this advantage that has presently been lacking.

The second point I would like to make, Mr. Chairman, is the fact that the Minister continues to accept the large number of our graduates who do hold school-leaving certificates, but who still cannot get into the prescribed university courses, and must leave the trail of academic education entirely. This magic number that permits them to enter the university is a changing number, some years it is 60 per cent, some years it is 66 per cent; but the Prime Minister of Ontario himself, when this was discussed previously, said that he felt that somewhere between 55 and 60 per cent should be a sufficient academic level to admit them to the universities. If the universities cannot accommodate the people, surely the community colleges can do away with this barrier that is keeping so many thousands of our people away from a continuing academic opportunity. Admittedly many of them will not be able to go on and take a degree, but two years beyond high school is of course very valuable, and those who are at the top will be able to transfer to the university.

**Hon. Mr. Davis:** Mr. Chairman, I quite agree. There will be courses for people in the general arts field to take a further two years—

**Mr. Nixon:** Well, what is applied arts and what is general arts? The Minister is offering applied arts. What is this, cookbook reading?

**Hon. Mr. Davis:** Well, Mr. Chairman, if one includes a course, say in journalism as cookbook reading, I do not know but that it is an applied arts course. I have also said there will be a general arts course that will be of a conceptual nature, which I suggest will more appropriately serve the students who have the 50 or 55 per cent than will the straight, shall we say discipline approach, that is taken by the universities. These courses will be available at the colleges, no question about it.

**Mr. Nixon:** But how do they lead to a degree?

**Hon. Mr. Davis:** Mr. Chairman, the hon. member just said that many of them will not lead to a degree, and there is no need for them to lead to a degree.

**Mr. Nixon:** I did not say there was not a need. I believe there is a very real need that they lead to a degree, and if they cannot come up to the standards at the end of the first or the second year of the community college, then of course they must accept failure, the way one-third of our students in universities now accept failure. But at least they will have had an opportunity in the public system beyond grade 13.

**Hon. Mr. Davis:** Of course, Mr. Chairman, we are attempting to develop courses that will not result in failure. We are attempting to develop courses that will suit the needs of those students who are attending and will not lead to the frustration and discouragement of failure, because we feel that is not necessary.

**Mr. Nixon:** When the day comes that academic failures cease altogether, then we will have reached a true millenium. And if the hon. Minister's courses are of the type that a student can enter—

**Hon. Mr. Davis:** Is not that what we should be—

**Mr. Nixon:** —at kindergarten and assure himself that he is going to go through the rest of his life without meeting failure of some type, then I would submit that we will have passed from this worldly vale of tears, and I do not know whether the hon. Minister is capable of that or not. I doubt it, and I do not believe he should be.

**Hon. Mr. Davis:** I can assure you I doubt very much if the Minister is capable of this. I would point this out to the hon. member: To a very substantial degree we have succeeded in accomplishing just what the hon. member said we cannot accomplish at the secondary level. We are reaching a point where a much higher percentage of our students have found courses where they do in fact succeed. I do not say we will ever achieve the point where everybody passes. But surely, Mr. Chairman, we should be endeavouring to develop a programme which will lead students to some sense of accomplishment, graduation, and not just because it has been our traditional thinking for years, that university is the only goal in life. We should be willing to accept the fact and encourage students to move into other areas where they will not meet these frustrations and these discouragements and, in the final analysis, make just as important a contribution as they would in some other field.

**Mr. Nixon:** Mr. Chairman, this may be losing a bit of its value, but I do want to say that we must accept the fact that we are not going to tamper directly with the university system. This is agreed on all sides, and still this level of academic achievement does have a 33 per cent dropout rate, whether it is from failure or from other purposes.

**Hon. Mr. Davis:** I think it is highly unfortunate.

**Mr. Nixon:** At the other end of the scale, it is true that there have been the one-, two- and four-year courses provided for those who, in the hon. Minister's words, are provided with something that they can accomplish. The fact remains, however, that many have been directed into these courses who might very well have accomplished something beyond this. We are concerned with what we are going to do with those who have taken the four-year course and even this year are going to be dumped on the labour market with what I would consider inadequate preparation for facing the trials of the community.

**Mr. V. M. Singer** (Downsview): The hon. Minister should be ashamed.

**Mr. Renwick:** Mr. Chairman, I am delighted that we have finally broken the Minister's tri-partisan approach to education here. I think it is very important that the hon. Minister should realize that the very items which he strains to show as objectives that his government have achieved, are in fact the very root causes of what is wrong with the educational system in the province.

**Mr. T. L. Wells** (Scarborough North): That is just your opinion.

**Mr. Renwick:** I will be speaking about the hon. member for Scarborough North in a minute or two.

The hon. Minister fails to recognize the validity of the figure which my hon. leader put before him, which stated simply that 8.4 per cent of the age group to which he referred are the only persons who are in the degree-granting universities of the province.

Now, regardless of who you add or subtract, you cannot take away from the fact that the figures which he gave are the students who are in the degree-granting universities of the province.

What the hon. Minister has not referred to at any time in the course of his remarks about this particularly fascinating vote is that a substantial number of young people, in their teens, are disenchanted with the value of the society which is mirrored in his educational institutions.

**Hon. Mr. Davis:** With great respect, Mr. Chairman, they are not mine—

**Mr. Bryden:** Well you are the Minister and these are institutions for which you are ultimately responsible.

**Mr. Renwick:** I may say that the disenchantment of a large section of the adolescent population with the educational system amounts to a certain extent to a complete denial of the values of that educational system and a complete rejection of them by some. I noticed the other night that the hon. Minister saw fit to use, and to adopt, what the hon. member for Sudbury said in a patronizing tone about the adolescent in Yorkville village, or the young people in Yorkville village.

I would suggest that perhaps the hon. Minister, if he has not already done so, might go and participate some time in a discussion with the people about whom he referred in Yorkville village as though they are in some way deviating from the society. They will in due course, when they have seen the light, return to that society. I am suggesting that that group knows more about conducting their affairs in a parliamentary way, in a democratic way, than is perhaps mirrored on many occasions in this House.

One of the points I would like to make as a side issue is to suggest that the members of the group of young people, who are in Yorkville village were in the magistrate's court, does them a disservice.

**Hon. Mr. Davis:** Mr. Chairman, I did not mention anyone being in the magistrate's court.

**Mr. Chairman:** I would remind the member for Riverdale that we are now dealing with vote 519, with the grants to the applied arts.

**Mr. Renwick:** I would simply point out that the persons who caused the trouble in Yorkville village two weeks ago, and mirror to a large extent the difficulties which young people have in our society, came from the very homes that cater to the educational system which the hon. Minister is perpetuating in the province.

**Mr. A. H. Cowling** (High Park): A pretty good system, too.

**Mr. Renwick:** If the hon. Minister will ignore the interruption and direct his attention to the fact that his statement that he has available in the university system in the province of Ontario places for everybody who wants to go, and when he only has the number of places available which he does have, this should give the hon. Minister not cause to be proud, but cause to be very much concerned that, in the democratic province of Ontario, which is supposed to have, in the hon. Minister's words, an open educational system, only that number of persons are able in any year, or have the desire, or the incentive, or the financial means to go to the university.

**Hon. Mr. Davis:** Mr. Chairman, it is still a higher percentage probably than in any other province.

**Mr. MacDonald:** If you are right, it is statistical juggling.

**Hon. Mr. Davis:** It is not statistical juggling, they are facts.

**Mr. Renwick:** Mr. Chairman, the point I want to make is to stay away from comparisons with United States or other provinces.

**Hon. Mr. Davis:** All right.

**Mr. Renwick:** I am simply saying that in 1966, if 8.4 per cent of the age group in the province of Ontario who are eligible to be in university are the only ones who are in university, this hon. Minister should be the Minister who is standing up insisting that he is going to break through in the educational system of this province. He should provide the opportunity for a tremendous number of other students in the province to go on to institutions of higher learning.

**Hon. Mr. Davis:** Mr. Chairman, could we not use this statistic which, I think, has greater relevance, that roughly 12.6 of the age group 18 to 21—this is inclusive, this is four years of university—are in universities in this province at the present time. I think this is really, shall we say, the more relevant, if you can have more relevance.

**Mr. MacDonald:** The ones that everybody uses—

**Hon. Mr. Davis:** With great respect, Mr. Chairman, the statistics that others are using do not present the true picture.

**Mr. MacDonald:** They do not present the picture, but—

**Hon. Mr. Davis:** Oh, no.

**Mr. Bryden:** The statistical experts present one figure; you say they are all wrong.

**Hon. Mr. Davis:** Oh, no.

Interjections by hon. members.

**Mr. Renwick:** Mr. Chairman, the hon. Minister said we should accept a figure of 12.6. Would he tell me what he includes in 12.6?

**Hon. Mr. Davis:** The 12.6 takes in the university only. No teacher colleges, no institutes of technology, or other post-secondary institutions; universities as we define them here in the province of Ontario. That is what I include in the 12.6 percentage. As I said some months ago, the plans—and I agree with the hon. member from this standpoint, there should be a higher percentage—and the plans for university expansion in 1970-71, we anticipate and hope, our planning will provide facilities for roughly 20 per cent of this same age group.

**Mr. Renwick:** Mr. Chairman, I do not want to get into The Department of University Affairs. I am speaking now of higher education in the aspect that has been known up until now in the province of Ontario. We now have an agreed figure that we can talk about if there is any further need to do so. There really is not any further need.

What the Minister is now doing with the colleges of applied arts and technology by their very names and in many other respects—so far as we can tell from either his statements or from the statutes and regulations that he has put on the books of this province—what he is, in fact, doing is continuing with variations a structure which is the identical structure of the high school system. He is not prepared to accept the proposition that a higher education, as distinct from a training, means an atmosphere in a university which is not necessarily related to achieving maximum marks or graduating cum laude at all.

It is an atmosphere in which there is freedom of thought; where there is intellectual ferment in the environment; teachers who are qualified to stimulate that kind of ferment; and that out of that ferment there are available to the students various courses which they can take should they wish to do so, and gain the necessary training that they wish to acquire.

Now, to the extent—

**Hon. Mr. Davis:** The member is using the term "training."

**Mr. Renwick:** As distinct from education!

**Hon. Mr. Davis:** All right; but you are doing both in the same institution.

**Mr. Renwick:** Mr. Chairman, you do both in a university, but you do not find books written about the idea of a university which are related to the professional training courses. The books that you find that are worth reading about education are books which indicate the ferment, the intellectual ferment, the opportunity to criticize the institutions under which you live, the opportunity to become involved. All I say to the Minister is that despite his protestations that there is no class structure in the educational system, what the educational system in Ontario is doing, and what I suggest he is going to do, is perpetuate a system which reflects the society out of which his system comes. The result of that is there is going to be a continuing lack of intellectual ferment in the province of Ontario. This is the difficulty and the problem which is involved in education in Ontario. It is not a question of which college or which university has certain courses that will provide training for persons to go out and earn their living, what is required is to make certain that every institution of advanced learning, whether he wants to call them colleges or universities, must be a place where there is this kind of intellectual ferment.

Now unless he stimulates this, unless he provides this atmosphere, then he is only going to do what the member for Scarborough North said he will do, and that is to provide places where persons, as he says, choose not to obtain any further education but wish to be trained in certain professions or in certain avenues of skills so that they can go out and earn their living. If he wants to do that, that is fine; that is not the function, the major function or the main function of an educational institution for people who have reached their late adolescence or their early 20's.

**Mr. Wells:** That is the member's opinion.

**Mr. Renwick:** I am speaking with the Minister, I think the Minister will agree that the function of any higher education institution is for education as distinct from training, although training goes hand in hand with the education.

**Hon. Mr. Davis:** This is very interesting. How can you have education that is distinct from training and yet training goes hand in hand with education?

**Mr. Renwick:** I would like to make this point because this is the point I do not think the Minister understands.

**Hon. Mr. Davis:** Yes I do, but I am wondering if the member does.

**Mr. Renwick:** If I may go to the title which he has given to his new colleges and the point which was raised by the member for Brant. He has called them colleges of applied arts and technology. Now if he were naming universities I assume that what he would call a university, if he had to give it a similar name rather than just a university, what he would call it would be a university of arts and sciences. And he would draw a distinction, which in my opinion is not a valid distinction, between the applied techniques of training as distinct from the intellectual attributes of study.

This is the distinction which the Minister is making betwen the colleges and the universities and is the distinction which causes all the fears which we have here as to the philosophy which the Minister has about these new colleges.

**Hon. Mr. Davis:** Mr. Chairman, I will not prolong this much further, but really if one looks at this rather objectively: In the university area, take your profesional schools—and the hon. member attended one, I attended probably the same one—can you say that those institutions were not really rather of a training nature, and can you say that you had humanities or the academic experience in the professional schools? Certainly in the one I attended, I think, Mr. Chairman, this would not be a correct statement.

I would suggest that what the member is really saying is because a person goes to a university and takes a professional engineering course, a straight four-year professional engineering course, he is in a relative way exposed to the liberal arts or the humanities more so than a person who takes an engineering technology course. I suggest, Mr. Chairman, this is not the case.

I would suggest you can go to Ryerson polytechnical institute, join your seat mate on your left and you will find there is intellectual curiosity, ferment, interest; and Mr. Chairman, this is at a polytechnical institute. In the courses there, I would think on a percentage basis there is probably as much time devoted to the liberal arts or the humanities as you will in many professional engineering faculties. I think you will find this to be the case.

**Mr. Renwick:** Mr. Chairman, I am glad the Minister has intervened and made those remarks, because one of the things which concerned me this afternoon was that he isolated in the educational system of the province of Ontario, the Ryerson polytechnical institute.

**Hon. Mr. Davis:** Mr. Chairman, we have not isolated it at all. Ryerson polytechnical institute is there, it is an existing structure. As I say, I do not like to use superlatives, but it is one of the best polytechnical institutes in this country. In the field of technology there is no doubt that it has set the guidelines or the standards or the courses, the concept, for the technology part of the new colleges of applied arts and technology. This is the eventual goal that many of them will attempt to achieve. I think to even consider Ryerson as a dead end, deluxe or super-deluxe technical school, Mr. Chairman, does that institution a great disservice.

**Mr. Renwick:** Well, Mr. Chairman, before the Minister suggests that I said—

**Hon. Mr. Davis:** I did not say the member said that.

**Mr. Renwick:** I did not say it. The point I was going to make is that my colleague, the member for Scarborough West, asked the Minister this afternoon whether or not Ryerson institute was going to be sort of a facsimile or an example of what his colleges were going to become. The Minister did not give us a reply. He said it may be or it may not be, he did not know. It was going to have a special status in the educational system until at some point it might become a degree-granting body or it may become the kind of body that these colleges of applied arts and technology are going to become.

Now if the Minister wants to change his statement about Ryerson institute now so that we can clarify the issues, I would be glad to hear him.

**Hon. Mr. Davis:** Mr. Chairman, as I recall my statement about Ryerson I said that there had been no determination as to the eventual position of Ryerson in the educational structure of this province. I also said, as I recall, that Ryerson has achieved a very prominent status and that nothing would be done that would in any way affect that position.

**Mr. Renwick:** Mr. Chairman, I would like to turn to another point. I suppose we could at some point get an exchange of ideas with the Minister as to what he wants these colleges to be, other than everything to everybody, because this is the impression that we have. If a member says it is to be one thing, the hon. Minister agrees; if another member says it is to be another thing, the hon. Minister agrees.

**Hon. Mr. Davis:** Mr. Chairman, what is wrong with an institution of this nature being everything to everybody? I ask the hon. member what is wrong with the concept of an institution having a programme that will fit the needs of just as many people as want to enter that facility?

**Some hon. members:** Hear, hear!

**Mr. Renwick:** I will now turn my remarks, Mr. Chairman, to the basic framework which the hon. Minister set up for these colleges to indicate that what he has just said is not really going to apply, unless he tells us that it is going to apply. He has provided in the statute setting up the colleges, and in the regulations which he furnished to us, a bureaucratic structure for the colleges of applied arts and technology which is going to be continually dominated by the Minister and his department.

Now the structure of it is very simple. Everything hinges on the Minister. He is to have for his assistance a council of regents. The council of regents is to advise him. In the terms of the statute it does not have any executive authority whatsoever, so that the Minister himself is the one within whom the structure of the system is going to be established. He then provides that the board of regents shall hold office for three years at a maximum. They are not going to have any substantial tenure of office of any kind and they are going to retire in the first instance on a rotating basis, one, two and three years, so that the first group are going to be there for only one year.

Then he provides that the board of regents is going to appoint 8 out of 12 members of each college throughout the province, and he provides that four of them are to come from municipal organizations within the province.

**Hon. Mr. Davis:** Within the region.

**Mr. Renwick:** Within the region. Then he also provides that the college is to consist of the board of directors only—or the board of governors only. That is the college. In no place within the structural framework of the colleges has he provided any place for a specific participation by the academic community of that college, to the extent that it has any influence whatsoever. Within the structure that he has outlined for those colleges, the academic community is going to be there by grace. They do not even have the status which the senate at a university has at the present time.

Now, it may well be that in the instance which the hon. member for Scarborough North gave, because of certain men who are appointed to the boards of governors of certain colleges, and because of their backgrounds and their skills, they will be able for a limited period of time to overcome some of these handicaps. But in the long run, as is always the case, it is the institutional structure and framework which will ultimately determine the nature of those colleges. My first criticism is that, as he did in the Metropolitan Toronto bill, he excluded the academic community from any part in the government.

**Hon. Mr. Davis:** Mr. Chairman, we did not. I think if the hon. member is going to make these statements, he should at least be factual. The only thing the Metropolitan Toronto bill did was to exclude employees and any academic person who is not an employee of any board within the Metro area from serving on a board. Let us be factual.

**Mr. Renwick:** I wish to be factual, Mr. Chairman, because the academic community within the board of education is excluded.

**Hon. Mr. Davis:** Mr. Chairman, the academic community—the employee of any board anywhere in Ontario—is excluded from serving on a board with whom he is employed.

**Mr. Bryden:** In Toronto they are excluded from all boards.

**Hon. Mr. Davis:** Because it is a very different situation—

**Mr. Renwick:** Mr. Chairman, I did not get the sweeping remark that the Minister made about all employees being excluded elsewhere. My only point is that within the colleges of applied arts and technology, in the framework of the colleges as established by statute, there is no place for the academic community of the college to participate.

Surely even the Minister must recognize that if he is going to say that these colleges of applied arts and technology are going to have some of the elements of the university, in the sense that he knows that I am talking about a university, surely the academic community must have, as part of its constitutional framework, a place in these colleges. I think I have made that point.

I would like to go on to the next point. One of the matters to which the Minister is going to have to direct his attention, is the participation by the student community, the undergraduate community, in the affairs of

the colleges. I am quite certain that the Minister is going to have to deal with this matter within the framework of the universities, but I had some difficulty in communicating with the Minister at the beginning of my remarks. What I am now saying is that it is up to this Minister in an imaginative way to provide, within the framework of these colleges, a method by which the third part of the community of any academic institution can play a role in its government and can participate in that government in a meaningful way. I come back to my remarks about the universities, and that is that at the present time, to my knowledge, the university students, the undergraduates, are excluded from any participation in a meaningful way in the government of those institutions in the same way is the undergraduates were excluded when I was there some years ago.

I think that if the Minister will take into account that the undergraduates are disenchanted with the system of education, but are quite prepared to take part in an educational structure if they are able to participate actively in its government and administration along with the academic community, and along with the boards of governors, and under the general supervision and regulation and direction of his board of regents, then I think that many of the fears that we would have about the quality of the environment at those colleges would be laid to rest.

The next point that I would like to make about their government is that I would like to feel that this bureaucratic structure, if I may use that term in its relatively better sense, is not the way in which the colleges of applied arts and sciences should develop in the province of Ontario, but they should be granted—and the Minister himself used the word "charter" tonight—they should be granted within that charter their own constitution. Not a series of bylaw regulations, but a constitution for each of the colleges which would provide within its framework the proper place for the board of governors for the academic community to participate, and for the student bodies to participate in, not only its general government, but in its objectives and in its ideals.

If that framework for colleges could be established in the province of Ontario, then I would not have very many fears about the kind of education in those institutions, regardless of the specific training courses that may go along with that education and which is a very necessary part of it. I would not be concerned about the lack of communication within the community of a college, the intellectual ferment to which I referred, and the place those colleges would take in the larger framework of the relationship of these various colleges to the universities.

But I think that this can only be achieved if the Minister will, in fact, be prepared to grant a very high degree of autonomy to each college, and the board of regents should have their minds now directed to the objectives which those colleges are to perform within a high degree of autonomy throughout the province.

The board of regents, in my opinion—what little I know of the members of it—are quite capable of providing the guidance that would enable these colleges to become separate individual units of education within the province of Ontario which would have standards of excellence and which would have standards of achievement which would be attractive for people to go to whether they were coming out of the secondary school system or whether they were people who were returning to schooling for one reason or another.

If within that framework the Minister could reconstitute this very inflexible structure which he has established, then I think that many of the fears which I personally have—and I believe are shared by others—would be overcome. Of all the points that I have tried to make to the Minister tonight, if he would just direct his attention to the fact that insisting on excluding the academic community from any participation in its government is going to be a matter which will bother us until it is rectified, because it is out of that academic community that the values in those colleges will finally be established in conjunction with the boards of governors and the student body.

It is because of this failure of the structure which, in the long run, will leave its impress, regardless of this Minister or any other Minister, on the system which leads us to believe that the term which he has applied to these colleges is exactly what it says—something less than an educational institution and something more than a high school, but not really either one. We want them to be educational institutions, as I am sure the Minister does. But until he is prepared to accept the fundamental, traditional, basic principles of academic government—and the way academic institutions, of necessity, must be governed, by the students, by the academic community and by the boards of governors—until he provides this framework which will allow a tremendous influx of students and will provide the excitement in the educational institutions of Ontario which is now lacking, then I think

we are going to continue to have our concern about these colleges.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. Newman:** Mr. Chairman, there is one aspect of this applied arts and technology setup that disturbs me, and that is what is going to happen to the grade 13 student who will not be accepted into a Canadian university or the grade 12 student who will not be accepted.

The hon. Minister says that they will be able to apply to the college of applied arts and science and will be accepted. However, after taking a three-year programme in there, the graduate of a college of applied arts and science, I doubt will be accepted into the fourth year completion programme in a Canadian university.

**Hon. Mr. Davis:** Mr. Chairman, I think it is rather obvious if a person is taking, say, the three-year engineering technology course, he is not going to be admitted into the fourth year of law or medicine, or many other faculties at any university. It does not make sense. It is the same way if I am in my third year of law. Surely I cannot expect to transfer into the fourth year of medicine because I have successfully completed that year. But, as I pointed out earlier, the engineering—and I use this because this is one of the large percentage groups at, let us say, Ryerson—the graduate from the third-year programme of engineering technology, if he has first, second, and in some instances, third class honours, can move into the second year of engineering at the University of Toronto.

**Mr. Nixon:** Three years at Ryerson worth one at university.

**Hon. Mr. Davis:** No, because they could be from grade 12.

**Mr. Newman:** Well, it is still three to one.

**Hon. Mr. Davis:** No, it is not.

**Mr. Newman:** It is still three to one, Mr. Chairman, because that student—

**Hon. Mr. Davis:** No, because the student could be from grade 12.

**Mr. Newman:** Yes, that is right. Even if he does go from grade 12—

**Hon. Mr. Davis:** So he has the advantage of grade 13 and first year engineering.

**Mr. Newman:** No, he does not have to go to grade 13 because he can go to an American institute of technology—

**Hon. Mr. Davis:** Mr. Chairman, until the hon. member for Windsor-Walkerville realizes that our universities are accepting grade 13 students, this is the—shall we say—standard or norm that has been established. You cannot compare what American universities do about admitting our grade 12 students.

**Mr. Bryden:** We accept their degrees.

**Hon. Mr. Davis:** Not with enthusiasm.

**Mr. Newman:** Mr. Chairman, the student goes to an American university and receives his degree there, but he comes back to a Canadian university with that degree and is accepted in our teaching schools here. Our own institute of technology has advertised for that type of individual.

I am disturbed as to what is going to happen to that student who wants an arts course. Will he be able to take it at the colleges of applied arts and technology?

**Hon. Mr. Davis:** If he wants a four-year degree programme for a degree, he will have to take it at a university.

**Mr. Newman:** This is where the programme falls down, because that student can take that across the border. The Americans make this provision for him. Why should that student not be able to take this in Ontario? That is one of the reasons for the brain drain. You do not give him the opportunity to complete his education here, whereas our American friends do this.

The Detroit institute of technology has approximately 225 Windsor students. Think of the other educational institutions in the state of Michigan which have attracted other large numbers, not only from my own locality, but from all parts of Ontario because we have not made provision in our educational system to accommodate these people.

**Hon. Mr. Davis:** Mr. Chairman, our educational system—and the hon. member can disagree with this—but our universities have established a somewhat higher standard than our American neighbours. If the hon. member for Windsor-Walkerville thinks that this is wrong, he is more than entitled to his opinion, but these are the facts. There are students leaving Ontario from grade 12 or with perhaps uncompleted grade 13, and they are going to university in the maritime provinces; there is no question about this.

**Mr. Newman:** Mr. Chairman, this is where I think this college of applied arts—

**Hon. Mr. Davis:** With great respect, Mr. Chairman, I do not know that there is an

excess of talent being lost to the province because of this, because we have roughly the same percentage coming into our own institutions, some 8 per cent, from outside the jurisdiction.

**Mr. Newman:** But, Mr. Chairman—

**Hon. Mr. Davis:** And some of them are American students!

**Mr. Newman:** A lot of these students who cross do not bother to come back. The opportunity was not provided for them in the province of Ontario, so their attitude is: "If you do not want me in Ontario, I will stay in Michigan."

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, I wonder if we could prompt a response from the genial Minister to the observations of my colleague, the hon. member for Riverdale, about the participation of the academic community at the administrative level.

**Hon. Mr. Davis:** Mr. Chairman, I am only going by recollection, but I do not know that any of the community colleges have any, shall we say, senate establishment. We have given, under the legislation I think, very broad terms, or responsibilities to the board of governors. We have endeavoured to make them substantially autonomous institutions. This is what we believe to be one of the basic principles involved.

The council of regents has appointed a committee on student affairs to see how they can involve the students with the staff and the administrative organization. I do not know what their recommendation will be. There is no question that the involvement of students in some capacity or other in education these days makes sense.

I cannot say specifically how in fact it will be done. I would point out that we have to draw here on some experience. That experience has been, say, at the institutes of technology where the staff and the principal do a great deal in the development of curriculum. We do not lay down the hard and fast rules. A lot of the course structures are developed by the staff within the institution itself. This is how they participate.

It really is, I think, different from the university situation, and as far as we are concerned, this is a beginning. We think it is a very intelligent beginning, because obviously we want to give some degree of stability on a province-wide basis. We want an engineering technology course in community A to have the same degree of quality as in community B. This is one distinction you will find, or one situation that does not exist in some of our neighbouring jurisdictions.

You can go to a community college in a few states I know, and in community A you will get a different course in what is supposedly the same subject area as in community B. We are trying to, in these courses that will have provincial application, maintain something of a provincial standard of quality. I think this is important.

**Mr. Chairman:** Is vote 519 agreed to?

**Mr. S. Lewis:** Mr. Chairman, I think there are others who want to speak as well.

Mr. Chairman, this is what worries us more on this side than anything else in this basic discussion. We feel in principle there should not be any difference in the attitude which government should have about the participation of the academic community and the student community in the affairs of the university.

I am not asking for Berkeley in Ontario. The Ontario universities are not exactly throbbing with animation around social issues. This is one of the greatest single worries—that nature of the educational system in this province, and the consistent delimiting of these people on boards of governors and at the administrative level is very real cause for concern.

Mr. Chairman, it is particular cause for concern at the community college level. We have developed a syndrome. I just wanted to find one of the chapters so that it could be put on the floor of this House and the words and phrases recalled.

When we incorporated Brock University in this province, we wrote in section 8, and it read as follows:

> No person on the teaching staff or administrative staff of the university, other than the chancellor and the president, shall be a member of the board.

In so doing, we set a pattern, which I suggest is pernicious, because it totally undermines all that we are trying to create at every educational level and which we are now rejecting at the community college level. The intellectual ferment which my colleague from Riverdale mentioned is surely indispensable. The intellectual ferment is not created by the hon. Minister saying that there will be some conceptual courses, whatever that phrase may mean, in addition to—

**Hon. Mr. Davis:** I am sure the hon. member in his interest and his exposure to universities would recognize that the approach at the university level is primarily on a discipline basis and that the discipline studies are not always interrelated. When I say that the colleges are endeavouring to do this on a conceptual basis, we are trying to interrelate the disciplines in a more recognizable fashion for the student, if this explains it to the hon. member. I am sure he can draw on his own experience.

**Mr. S. Lewis:** Yes, I was going to say that I thought there were conceptual frameworks within the disciplines, and that the universities also had an interrelative attitude—

**Hon. Mr. Davis:** I think this is developing more.

**Mr. S. Lewis:** But I am glad to hear, whatever it means, I am glad to hear that is the objective.

I want to come back to a point that was made on this side of the House and which seems to us fundamental. Is the phrase psychic dropout an affluent phrase? I am not sure, but I think it probably is.

**Hon. Mr. Davis:** I am sure he has used it. I do not know that he originated it.

**Mr. S. Lewis:** Yes, I am sure he has used it along with other—

**Hon. Mr. Davis:** I thought it might have originated—

**Mr. S. Lewis:** —similarly electronical phrases. But I really think it is a pretty serious problem, that the quality of the educational system, of the system over which this hon. Minister holds sway, can, in some very real measure, be judged by the sense of disillusionment and disenchantment on the part of a very considerable number of young people. To dismiss them in the cavalier fashion of describing their behaviour as aberrance, when in fact it may in some respects be rather more sane in its quality than much of the behaviour in this conformist society, is not to answer the problem at all. There is enough evidence on the North American continent now to demonstrate that what begins as so-called aberrant behaviour can develop into a very real intellectual ferment which transforms an educational institution.

Now, that ferment, that possibility, absorbing these people, getting them to play a vital role in our educational system, that I suggest to you, Mr. Minister with all respect, will be denied in your colleges of applied arts and technology. Their whole focus is antagonistic at the moment to that kind of intellectual creativity and involvement.

**Hon. Mr. Davis:** That is your interpretation.

**Mr. S. Lewis:** Well, it cannot be otherwise.

**Hon. Mr. Davis:** It can.

**Mr. S. Lewis:** Mr. Chairman, I respect Pavlov's creation over here, and I have very great respect for the psychopathic apologists. I have had enough of them frankly.

Interjections by hon. members.

**Mr. S. Lewis:** Mr. Chairman, I have great affection for my colleague from Scarborough North, we represent the same municipality. But I would like to suggest to you, Mr. Chairman, that if you do not involve the academic community at the outset in the development of policy and administration; if you define with very great care your technological courses, but consign all the liberal arts part to a conceptual generalization; if you do all of these things, then you are not going to involve those people in this society. An ever-increasing number of them are disenchanted. It is a process of self-delusion if you think you will, and this is why, when one talks about parallel courses and continuing courses and the place of the community college in the spectrum, that is why we on this side—

**Hon. Mr. Davis:** Mr. Chairman, with respect, the inclusion or non-inclusion of the parallel university course really is not relevant to what the hon. member is saying.

**Mr. S. Lewis:** I am trying to suggest, Mr. Chairman, that it is a frame of mind when you originate this kind of programme, setting the fixed boundaries of the programme.

**Hon. Mr. Davis:** But you are setting the fixed boundaries by saying that because traditionally the university has been the ultimate goal in the minds of many people, then you have the parallel course. I am saying let us accept the fact that other avenues, other courses, other goals are just as legitimate.

**Mr. S. Lewis:** Right.

**Hon. Mr. Davis:** This is why I say that the inclusion or non-inclusion of the university affiliated or parallel courses, in my

view, does not necessarily tie in with the other part of the argument.

**Mr. S. Lewis:** I will not emphasize that point. I will simply say that the community college in its community of learning must have all the intellectual excitement and content of a present university, as we conceive of it.

**Hon. Mr. Davis:** We hope for that.

**Mr. S. Lewis:** Frankly, Mr. Chairman, nothing that has as yet been advanced suggests that that will be true and that is what concerns us. There has been no definition, no role. You have created what is a very valuable concept and plunked it into the middle of an educational stream, and we are now fighting after the event to provide a definition. I would point out that when you describe the state of California and the percentage of students from the upper courses who are allowed into the universities, that that was the result of a magnificently intensive study of the entire educational system and requirement in that state, so that everything progressed in a logical and coherent fashion.

**Hon. Mr. Davis:** Except this, Mr. Chairman—and you may or may not find it, you might if you searched—there will be those who will tell you that while it has great merit, there is also the difficulty of having a certain percentage of your students who are exposed to the four-year undergraduate programme, and some who are only exposed to two years. With all respect to the California system, there is a difference in the environment of the junior college to that of the university, a very distinct difference.

**Mr. S. Lewis:** I will not battle the system with the Minister, I agree with him. But I am saying that it was part of the conscious evolution and a conscious development—

**Hon. Mr. Davis:** But not necessarily right.

**Mr. S. Lewis:** Well, we will make the value judgments hereafter about the other jurisdictions, but this is a response to pressures of numbers to which we are now giving a definition. What worries us is that the definition we are giving is restrictive in the extreme. I have no doubt that some of the expanded technological institutes, some of the new community colleges, perform a very valid role. But if they do not approximate a university role in the quality of atmosphere and the nature of the courses then our educational system will have failed. It will be sterile and that is his basic problem at the moment. That is the problem that has to be overcome, and we have at this time simply not given a role to the community colleges which would overcome it.

**Mr. MacDonald:** Mr. Chairman, I have another important matter of a much more mundane nature to raise with the Minister, which I think is potentially very dangerous and I hope he can be persuaded of its importance and do something about it.

Unfortunately, it comes right back to the basic point that we have been arguing. A year ago, when the staffs of the five different technological institutes faced the prospect of transferring from the civil service to contractual arrangements with the individual boards of governors, they set up staff associations. Then they formed a federation of the five different staff associations. Now, I understand that both the federation and the associations have been recognized by The Department of Education to the extent that the department has talked with them and discussed with them as though they at least acknowledge their existence.

However, some few weeks ago, the federation on behalf of the five staffs, wrote to the council of regents and asked whether they would sit down and begin to consider salary arrangements and other factors with the council of regents. They got no reply from the council of regents. They ultimately got a reply from The Department of Education in which it was stated that the board of regents would be willing to sit down with them if they also brought along with them the staffs in the various vocational centres.

As of yesterday, I have a copy of the release that was put out by the federation, indicating that they have sent a registered letter to the board of regents and are once again requesting an opportunity to sit down and discuss. What in effect they have been told is that if you bring along the others we will talk with you, but we will not negotiate.

Mr. Chairman, I want to suggest that because we have reached the day when people generally in society, including professionals, are demanding a right to collective bargaining, they want to sit down and negotiate and not be treated like little children by a sort of paternalistic father. One of the reasons why you have the whole rash of strikes—not just with unions in the traditional sense, but in professions and other groups—in Canadian society at the moment is that we have old-fashioned governments and attitudes that just refuse to accept this basic principle of a free society. But as my colleagues have already pointed out, what the Minister has

done—and I think this is a tragedy—is that he has set up a structure in the community colleges in the year 1965 and 1966 which is 19th century in its conception. It is a paternalism that springs from the Minister, with an advisory board of regents, which dominates the board of governors out in the areas—

**Hon. Mr. Davis:** No, we do not!

**Mr. MacDonald:** Well the numbers involved in the Minister's appointments and everything else is going to result in a kind of control and a bureaucratic structure, so that the Minister, in effect, is going to be sitting on top of the heap. And in face of the Berkeley University report, in the face of any number of other warning signals, if we do not alter our structure in post-secondary education institutions so that you give the staff and the students participation in the government, you are heading for trouble. You are asking for trouble. There is the broad context, and that is why we believe that the Minister has set up a 19th century structure at a time when he could have put it in the 20th century. And heaven knows, in 1966, surely it should be in the 20th century. We are almost into the final quarter of the century.

I suggest to the Minister that if he, through his department—although when they wrote to the board of regents his department answered, not the board of regents, they are not an independent institution, they are an advisory group—if the Minister is going to treat this lightly he is heading for trouble; he is asking for trouble. And I will tell him why.

In the first place, there is a desperate shortage of qualified personnel. Indeed, this is another thing and I do not know if there is much point in going into it tonight; the question of where you are going to get the teachers for all these great institutions. As Dr. Wittenberg said, the classic and most tragic case of what he described as educational inflation is that you should set up institutions when you have not the teachers and lower the standards. So you have, in effect, shams instead of real teachers and inadequate numbers. Then you gradually build back to the adequate standards that you want because you are going to drive these people out if you do not. You are not even going to hold the qualified corps that you now have if you are going to treat them like little children and say: "We will talk to you, but we will not sit down and negotiate."

Second, most of these people can move out and get higher salaries elsewhere. They are not going to take this kind of 19th century paternalism for very long. They will move out.

Indeed, Mr. Chairman, now that they are out of the civil service, they are not bound by the obligations and the restrictions the civil service structure puts on them. They are not under The Labour Relations Act. The Minister, in the way he is acting, is inviting Berkeleys in this province. He is going to invite strikes among staffs, and he should not smugly sit back and say it will not happen in the province of Ontario.

We are at the moment in community colleges, not universities. But you read the Duff Berdahl report and it warns very solemnly to wake up to what is happening. The Minister has not only not wakened up with the universities. As we said, the Brock University, indeed all of the new universities we set up, we set up in structures and moulds that are a hundred years out of date. Now we are doing exactly the same thing with the community colleges.

I put the problem to the Minister, what is he going to do with these people? Is he going to treat them like adults or is he going to treat them like little children? Up until now, they are beginning to get the little children treatment.

**Hon. Mr. Davis:** Mr. Chairman, they have not been getting the little children treatment. We set up a system whereby we could offer salaries that were attractive. We had very little difficulty in getting good staff, and we have been able to get good staff. The people concerned wrote for an appointment to the council of regents, and assuming when this vote goes through tonight we will then have funds for the council itself, they will have their own secretariat and be able to reply to this correspondence. Mr. Chairman, the request for this discussion was premature but they are meeting with the council, I believe, on July 20. Of course, it was the desire to include the teachers from the vocational centres because they are in the same group.

Now, I think there is a possibility that the teachers from the institutes of technology will want to be perhaps separate. We do not know, but there is no question about the council meeting with them and discussing the problem with them. These people have, I guess, been concerned when no decisions on this matter have been made at all, and there will be discussions with them. There is no difficulty with this. We have been able to attract really quite competent staff.

**Mr. MacDonald:** May I ask for clarification on one point? Will the staffs in the various community colleges as they emerge now—the vocational centre and the technological institutes—will they have the right, if I may use the horrible term, to sit down and negotiate with their local board of governors? Or is the council of regents going to play a role in terms of all of them?

**Hon. Mr. Davis:** Mr. Chairman, there will be a provincial scale as far as salaries are concerned. I would think the discussions will probably be with the council of regents rather than with the individual boards of governors, as far as the total amounts are concerned. The actual contracts will more than likely be with the boards of governors.

**Mr. Chairman:** Shall vote 519, as amended, carry?

Vote 519, as amended, agreed to.

On vote 520:

**Mr. MacDonald:** Mr. Chairman, I have one question I want to ask on vote 520. I think the whole development of the Ontario institute for studies in education is a very encouraging one, and I am interested in the extent to which it is drawing in other bodies that have been involved so that you will have co-ordination there.

But if I may ask one specific question. Earlier in the discussion of these estimates, and it now seems to be about two months ago—

**Hon. Mr. Davis:** I was thinking it was only last Tuesday, too.

**Mr. MacDonald:** Was it only last Tuesday?

I was raising the question of the variety of views that exist and the variety of research that is being done with varying degrees of intensity on this problem. For example, of the size of class, and whether in reducing your class you will achieve very much if other factors are not corrected at the same time.

I have a question in that connection, since, as I have already indicated to the House, I found out in North York they have given this rather high priority, it is being studied in Toronto, in connection with Duke of York school. I know the Metro board is doing a great deal of study; is the Ontario institute of studies in education playing a role in this kind of a study—this one specifically and comparable ones?

**Hon. Mr. Davis:** Mr. Chairman, I do not know that I can go into the specifics. I have a pretty detailed list of their programmes and I would be delighted to supply it to the hon. member, but they are looking into the nature of the learning process, the exposure of the child to the classroom environment. I am sure it would include an assessment as to the student-staff ratio, and whether smaller numbers for particular groups, or even larger numbers—there are those who would suggest that larger numbers for some subject areas would make greater sense too. This whole area is part of the institute's programme. I cannot tell you at what stage.

**Mr. Nixon:** Mr. Chairman, I would like to ask if the vote that is before us now would be spent largely on contracted research under the jurisdiction of the institute, but laid before independent researchers, or would most of the work be done by people directly on the staff of the institute?

**Hon. Mr. Davis:** I would say, Mr. Chairman, the bulk of the work will be done by people on the staff.

**Mr. Nixon:** What is the complement of the institute at the present time?

**Hon. Mr. Davis:** I cannot give you the exact figure today, but by the end of this calendar year, I think, it will be roughly 300.

**Mr. Nixon:** So it is approaching 300 at the present time. There is no indication of what the salaries would be, but I would assume that it would be a very large part of the vote?

**Hon. Mr. Davis:** Yes, about $2 million of the vote would be salaries, I would think, Mr. Chairman.

**Mr. Nixon:** But for certain specific subjects it is within the jurisdiction of the institute —if I can use that word—to farm out the responsibility?

**Hon. Mr. Davis:** The institute has very wide powers. It has, as you will recall under the legislation, the powers of a college board so that they can if they so desire farm out work, machine rental, anything that they desire within the logical reasoning of a board of this nature.

**Mr. Nixon:** Well, I was thinking specificially of the employment of people competent in specified fields on a project basis.

I would be interested to know also, Mr. Chairman, if the institute undertakes specific studies for universities.

**Hon. Mr. Davis:** Mr. Chairman, I do not know that they undertake specific studies for specific universities. Part of their work over the years has been—or at least the genesis of the organization was—to prepare statistics for the universities. Dr. Jackson and his group prepared many of the reports for the universities on student enrolment and so on, and I anticipate they will continue this work. I cannot tell the hon. member whether they are doing any specific project for any individual institution.

**Mr. Nixon:** Some months ago, taking part in the Gerstein lecture series, the hon. Minister said that he was concerned about the student-teacher ratio at universities. Is this a subject that is under examination by the institute?

**Hon. Mr. Davis:** I would say, Mr. Chairman, that they will probably be assessing the student-staff ratio at the elementary and secondary level, as far as learning experiences are concerned. I do not believe—though I can find this out—I do not think they are assessing the student-staff ratio at the university level.

**Mr. Nixon:** Well, I believe at the time I mentioned—the hon. Minister was afraid that this was one aspect of the work at the university level that was perhaps uneconomical. How is he going to find out if it is in fact uneconomical?

**Hon. Mr. Davis:** In my Gerstein lecture I posed some problems—some areas I am suggesting might be considered and I am sure there are other schools of thought. I suggested the student-staff ratio was one that had significant economic implications, as far as operation of a university is concerned, and I quoted one or two figures from other jurisdictions and suggested that this might be something the universities would take a look at, the question of the student-staff ratio.

As I say, I have discovered since that there are two schools of thought on the subject.

**Mr. Nixon:** I suppose so, but one would assume that there is an answer that would apply fairly generally. Is there a general research on economies in our system, or is it all at the rather abstruse level of developing education?

**Hon. Mr. Davis:** Well, Mr. Chairman, we discussed this to a degree. One of the areas of research, and where, we hope, certain economies, can be effected by this research, is for the capital construction of the schools. Since our debates, I am sure the hon. member noticed the grant from the Ford foundation to the Metro board for this study of component structure.

Vote 520 agreed to.

On vote 521:

**Mr. Bryden:** Mr. Chairman, I would like to—

**Mr. Nixon:** I like those teachers, too.

**Mr. Bryden:** Well, we will all get a chance, I am sure. The hon. member for Brant is, I am sure, concerned as some of the rest of us are, about the two groups of people; first of all, a certain group of teachers who were superannuated a good many years ago, and second, a group of teachers' widows whose superannuation qualifications were also accumulated a good many years ago. I am hoping that the hon. Minister will be in a position tonight to give us information which will not require us to spend any time at all on the matter.

I will not go into all the background for the moment, at any rate. I will merely state that this matter has been before the House for at least ten years. These two groups of elderly ladies have been putting forward what appears to me to be an absolutely unanswerable case for an increase in their very meagre benefits.

Last year, when the hon. member for Brant and I raised the matter, I was misled into thinking that we were now finally reaching a solution to the problem. The hon. Minister said at the time, this was quite late in the session, and I think it appears in *Hansard* for June 4, 1965, page 3725, and these were his sole comments on the matter:

> Mr. Chairman, just to bring the hon. member up to date, a Cabinet committee was appointed to look into this and we had a meeting with both groups, roughly a week or ten days ago. I cannot report any more to the House at this time, but this is the state of the situation at the moment.

Now, as everyone knows, Mr. Chairman, I am a very trusting soul. I did not pursue the matter any further then because I thought the fact that a Cabinet committee had been set up meant that at long last action was going to be taken. So naturally, just to confirm myself in that impression, early in this year's session, on January 28, 1966, to be precise, I asked the hon. Minister what progress had been made by the Cabinet committee, and I

found that the whole thing had been shunted off somewhere else.

To quote only part of the interchange, and only part of the Minister's answers to questions I asked at that time. The hon. Minister said, and it is to be found on pages 74 and 75 of this year's *Hansard*:

> Mr. Speaker, this matter was further considered, as I said to the House on that occasion, during the considerations of the government and discussions with the pension committee. The discussions then arose with the Ontario teachers' federation, with respect to the integration of the teachers' superannuation fund with the Canada pension plan. At the time these discussions were concluded, the teachers' federation suggested to the government they wished to make some proposals about reassessment for the fund.

Nobody has been talking about reassessment of the fund up until now, but now it comes in.

> We understand these proposals are now being prepared by the teachers' federation and the proposals include the superannuated teachers, as we call them here, and also the widows of the retired teachers—the two groups the Legislature has been concerned about. Their proposals will be coming to the government and they will be given consideration at that time.

This was rather discouraging, in view of the fact that it was nearly seven months after we had been led to believe—

**Hon. Mr. Davis:** Mr. Chairman, I wonder if I could interrupt the hon. member—

**Mr. Bryden:** By all means, if you tell me that you are going to do something—

**Hon. Mr. Davis:** Mr. Chairman, we are going to do something. I cannot say how or in what amount, but I can tell you that we are going to do something. It will probably be done, and when I say on an ad hoc basis it will not be a part of the superannuation fund and the two groups that are with it. The decision has been made, Mr. Chairman, to develop a plan that will be of some assistance to these people.

**Mr. Bryden:** Mr. Chairman, if that answer had been given in any previous year I would have accepted it as satisfactory, but I have been led down the garden path too often.

After the Minister assured us, or by implication at any rate assured us last year, that something was going to be done, more than one year ago today—

**Hon. Mr. Davis:** No, I did not say that.

**Mr. Bryden:** We discovered when we inquired into it that he had gone into a bypass with the teachers' federation with regard to the reassessment of the fund, which had absolutely nothing to do with the problem, absolutely nothing to do with it!

**Hon. Mr. Davis:** Mr. Chairman, it all depends upon how it is done. If it were to be paid out of the teachers' superannuation fund I think they would have a valid interest in it. The decision has been made to treat it as a separate situation.

**Mr. Bryden:** That is progress if that is a firm decision of the government. It is only ten years that we have been trying to persuade the government that it did not have to get tangled up with the superannuation fund, or at any rate if it was done through the superannuation fund the simple way would be for the government to take responsibility for the payments and reimburse the superannuation fund if it wished; but it would not affect, in any sense, the structure of the fund.

Now if we have at last come to that point, I can say that we have made a little bit of progress. It has taken an unconscionable time to make it, but at least the survivors in these two groups—and after all they are people who have reached an age where mortality rates are high—the survivors, I presume, are going to get some favourable consideration. But I am not content, in view of our past experience Mr. Chairman, to accept merely a vague general statement.

A principle has apparently been accepted by the government that whatever money will be paid will simply be paid out of the consolidated revenue fund or it will ultimately be a charge on the consolidated revenue fund. That is something, that is a little progress; but now I want to know how much you are going to pay these people. As far as the group we call superannuated teachers are concerned, some of them, as the hon. Minister knows, at present and for lo these many years, have been receiving the—it shocks me every time I think of it—princely sum of $600 per year. In the case of teachers' widows it has been even less, I believe as low as $300 per year.

Now the proposal that these groups made to this House many times over the years was that all those whose pensions are below $1,200 a year would be brought up to $1,200, and that those whose pensions are between

$1,000 and $3,000 should get a supplement of $200. Is the Minister prepared to—I would not say "be that generous," because that would be an awful abuse of words—prepared to state that the government will meet at least that very modest request?

**Hon. Mr. Davis:** Mr. Chairman, I am not in a position tonight to say how we are going to do it, but I think it will be done, apart from the fund. As to the mechanics or the amount, as I say to the hon. member he will have to —and when I say "have to" I mean ask him to accept, the fact that we are going to do something for these people.

**Mr. Bryden:** When?

**Hon. Mr. Davis:** Very shortly!

**Mr. Bryden:** What is very shortly—within a month, two months?

**Hon. Mr. Davis:** Yes.

**Mr. Bryden:** All right then. I will accept the Minister's assurance because it is a more specific assurance than any we have had up to now, but I regret that he is not prepared to state how much assistance the government is prepared to give. I would, however, like to urge that he should not think in terms of anything less than the request that these ladies have ben making for a good many years.

As a matter of fact I think they should revise their request upwards, because this is a request of ten years ago when the cost of living was substantially lower than it is now and I do not think that we should regard it as satisfactory to bring them up to a minimum of $1,200. I think we should be thinking now in terms of, shall we say $1,800 for the base minimum with corresponding adjustments above that figure.

Actually, the cost to the public Treasury, as far as I can make out, is negligible. This is what has really dismayed me. We have a situation where these people obviously, in great need and with a very just claim, were making a request that would not really impose a serious financial burden on this province, and yet we could get no action on it.

Their original request, made a good many years ago for a minimum of $1,200, at that time would have cost the province of Ontario $1 million in the first year, and then, of course as death took its toll, the amount would decline until it became zero. Now death, as must be, has been taking its toll all along since that assessment was made and I am sure that to provide the measure of relief that they asked some years ago would now, in the first year, cost very much less than $1 million, perhaps as little as half a million dollars in a budget of nearly $2 billion: Peanuts for people who gave outstanding service to this province and its educational system at a time when, unfortunately, salaries were very much lower than they are now and when the pension plan was very much less favourable than it is now. I simply do not think that we should penalize these people because they gave their service unstintingly at a much earlier stage in the province's development.

I would say that we really should not now think of anything less than $1,800 minimum for this group of people who so richly deserve it and so obviously need it. Most of them are now past 80 and I hope that in whatever years may remain to them we can give them the means for some enjoyment in life and some relief from the poverty to which they have been reduced in the past.

Before I conclude on this matter, Mr. Chairman, I think someone in this House should express a word of appreciation and gratitude to the federation of women teachers' associations of Ontario. As I think all hon. members of this House know, that federation of associations last year stepped into the breach that had been left wide open for so long by the government and appropriated $100,000 of its own funds, not to do the job that obviously was required, because no private organizaton could do that, but at least to provide some relief to the group getting the very lowest pensions, namely those receiving pensions of between $600 and $900 per year.

Now, clearly that was far from the solution to the problem, but then after all the federation of women teachers' associations is not the government. To it, $100,000 is a large sum of money. To the government it is, I am afraid, merely small change. But I really think that all hon. members of this House should appreciate this effort that the federation of women teachers' associations made to compensate for the callous neglect of the government and its gross disregard for human needs of people who have served us so well.

So I do hope that the federation of women teachers' associations will realize that we appreciate very much the considerable assistance that they gave at their own expense, out of their own pockets, to this group of people.

**Mr. Nixon:** Mr. Chairman, my experience in this House began in 1962. I believe the first committee meeting I attended had to

do with education and we were honoured at that time by the presence of a large group of the ladies who are affected by the vote that we are now discussing.

I remember we were also honoured by the presence of the then hon. Minister, who was also hon. Prime Minister of Ontario, who came up to, in a phrase, face the music; because the people who needed assistance were right there and he had to face them and say that he would not provide any additional assistance, even though the committee had voted unanimously that the government consider doing something to assist them at that time.

I notice that the hon. Prime Minister was in the House when the discussion of this matter began. Unfortunately he has been called away, because I would say if it is justice now to assist these unfortunate people who have served the province so long, it was certainly justified in 1962. The only reason that it is more convenient now is that the numbers have been reduced to 481.

I would like to go on record, along with the hon. member for Woodbine, in complimenting the federation of women teachers' associations on providing $100,000 in assistance from their own funds for the people concerned. I know all of us as members of this House were interested and moved when we read the brochure that was sent to us by this federation containing excerpts from letters of appreciation from the teachers who received this assistance from their colleagues.

It is more than appreciation for the money. It is a commentary on the development of teaching from, I suppose, 1900 in this province, and perhaps even before, because the teachers who have been retired for some years now, living on these pensions all under $1,000, are the teachers, many of whom taught us. We look back on their excellence of teaching ability and their service to the community. It is in this connection that when we read of their difficulties with illness, in keeping their families together, and even in providing for themselves, we have not done our duty since the difficulties were first presented to us.

I am delighted to hear the Minister say that within two months some ad hoc assistance will be provided. I hope it is not going to be of the nature where each individual case is assessed on sort of a means test, or a needs test, and a cheque of special assistance is sent out. These people have earned a pension that will enable them to live in comfort for their days which remain, and I hope that they are many days indeed. They have walked through the snowdrifts and fired the old wood stoves in the schools that do not exist any more in this province.

They provided leadership in community after community when there was no other spark of culture there, and when we read that many of them began their careers teaching for $190 a year, $45 of which was extracted for their board, we know that they did this as a community service, with no thought of any assistance in the future.

They have taught for 40 years, most of them; 35 years, the remainder. They deserve our gratitude, and certainly the least we can do is to favour the assistance that should be of a generous nature, that will be extended to them by the government.

I feel that the matter has been adequately 'covered. I do want to recall to your mind, Mr. Chairman, that this group has appeared before the education committee yearly. They did not appear this year. Whether or not they requested an appearance is unknown to me, but I am delighted that action is now about to be taken.

Now, Mr. Chairman, there are other amendments to the superannuation of the teachers that should be announced in the near future, and I would draw to your attention, sir, that the delay in these announcements has caused some considerable inconvenience to those in the teaching profession who are approaching retirement age.

As you know, the law requires that they make their decision on retirement as of the end of May each year, and these people who perhaps were about to retire, have had to postpone their decision because in the change in The Superannunation Act that is rumoured it would be to their advantage to continue for the additional year.

The hon. Minister has done these people some, perhaps not disservice, but certain inconvenience in the protracted discussions that have taken place—I suppose in secret, because the profession itself is not aware of what the final decision has been. The hon. Minister has said the announcement will be forthcoming within a month or two. We await with interest what the decision of the government in these matters will be.

**Mr. Chairman:** The member for Lambton West.

**Mr. J. R. Knox** (Lambton West): Mr. Chairman, I would like to add my voice on this matter too. I have not in the past taken part in the debate in the House with respect to this matter, but I think the hon. Min-

ister will agree that I have pressed it with him to such an extent that I am sure at times he may have considered investing in a little pesticide in order to get rid of me. I too have felt the great needs that these teachers of which we speak have felt over the past number of years.

I do not intend to repeat all the things that have been said about their service. I think I agree with the two previous speakers. I do not intend to repeat them, but I would like also to say that I think we do appreciate what the federation of women teachers did in assisting these people prior to this, but I do not think this is a bad thing. I think it is a good thing. We, who contribute to these federation funds are wont to use them, or allow them to be used, for many things perhaps much less important than this.

I think it may have been a good discipline for that one branch of our teaching profession, and perhaps a lesson to the others of us. Perhaps we should look at our own people a little bit closer, and perhaps we should have been assisting these people long ago, not just the women, perhaps the men as well. It might not have hurt us at all. We were in a better position to help and perhaps we should have done it.

I do not feel altogether guiltless. So, while I do appreciate what the women teachers have done, I am sure they did it gladly. I am sure they did it most willingly, and they are happy about it, and as the hon. member for Brant referred to the fine letters that were written to them I am sure they got their compensation in full for anything that they did.

I am pleased to hear the announcement made that something is going to be done. I hope it will be enough so that these people can live in the dignity which they very richly deserve for the rest of their time. I am sure, because of the very nature of the people concerned, they will be very grateful for whatever is done.

**Mr. S. Lewis** (Scarborough West): Before the Minister replies I, of course, second the remarks that have been made. I am as much as any member of the House appreciative that the Minister has given us a tentative announcement and that if, in fact, he has accepted the principle and it is only the mechanism which is now under discussion, why can he not assure the House now that the minimum level will be $1,200 a year as the teachers have requested? Surely it is possible to grant us that assurance.

**Hon. Mr. Davis:** Mr. Chairman, as I said, I am not in a position to give the specific date when the formula or the mechanism for doing this will be announced, or the amount. I am in a position to tell the House, which I have done, that we are going to do something in an ad hoc way that is outside the fund, more than likely, to assist these people.

**Mr. S. Lewis:** Well, Mr. Chairman, let me be an ingrate, let me be suspicious, but let me say to the Minister through you that his unwillingnes to grant the fact that the $1,200 will be the minimum suggests to some of us on this side that what we are going to do is simply to prolong an unjustified penury and we are going to perpetuate the grievance. I really am most distressed that the Minister cannot accede to the minimum guarantee that is required, and I frankly do not understand it. It naturally raises some real concern over here. Indeed, Mr. Chairman, I know the Minister would not wish to launch his new programme in a vacuum, so maybe some of us over here can undertake to keep things going long enough so that his announcement would coincide with the House being in operation and then we could discuss it on the floor. I do urge him to accept the minimums and to make that public.

**Mr. Knox:** I would like to add just one thing to what I said, and I missed it at the time. In my conversations with the Minister relative to this I have come to the conclusion which I would like all members in this House to know, and teachers to know, that throughout all this they have never had a more staunch champion of their cause than the present Minister of Education.

**Mr. Bryden:** I do not like to introduce sour notes, but on the other hand I think that sort of comment cannot be allowed to pass in view of the history of this matter. It does not matter what Minister of Education we had, these people were brushed aside, there was no consideration given to them. In plain English they were treated with contempt.

**Hon. Mr. Davis:** Mr. Chairman, I take exception to that. I regret that we did not do something, but they were not treated with contempt.

**Mr. Bryden:** The Minister's failure to do something—

**Hon. Mr. Davis:** I have been associated more closely with this group than perhaps

some of the hon. members opposite, they were not treated with contempt.

**Mr. Bryden:** As far as I am concerned, the Minister's very failure to do anything was treating them with contempt. They had such an obvious case, and they were simply given the runaround year after year; when they completed one circle they were put into another. Admittedly they had no political power, they were not influential people in the community, their fate would not in any way affect the stuffed-shirt image of the government, so they received no consideration at all. Now if they are going to receive consideration and if that consideration is to be adequate we will forget the past, but let us still remember that we have behind us ten years of inaction, ten years when these people got no assistance at all.

**Hon. A. Grossman** (Minister of Reform Institutions): The member has said that two or three times already.

**Mr. Bryden:** And let us not pat ourselves on the back if ultimately some action is taken.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, from our side I would simply say that the hon. member for Brant has mentioned that when he first came to the House he attended a session of an educational committee. I know that my first time in the House—and that is going back not that much longer, but a few more years—that I with the hon. member for Woodbine attended the education committee. I am not sure if it was the first year, but it was almost a sham, if I could say that—the kind approach of concern which was given by all members in the committee; and then nothing was done. I think if there is any group we could feel strongly and deeply about, surely it would be pioneers in education. I remember when the hon. member for London South came before it, and he introduced a charming lady who made a most eloquent plea. She did not even need to plead, the background of her courage and of those of her colleagues in helping people in education, and the dedication they had given over the years, is surely written into some of the lives of the people who are in this House.

In fact the hon. member for London South had been a pupil of this lady. We were all deeply moved by the pathos with which they would plead, saying that next year, unfortunately, their numbers would be dwindling. I remember the number, I am trying to recall it, when they first came before us when I was first a member of the House. Frankly I am shocked to see that it is now 481.

I share with my colleagues on this side of the House a strong suspicion that the government may go in for a means test or something else on this from the very fact that this Minister will not stand up and tell us, here is a basic minimum to give decency and dignity to these people, he will not stand up and say $1,200. I agree that this would be a minimum, really, with today's inflationary costs. As far as I am concerned, for those people, the pioneers in education, I would say we should be considering that as a minimum. We should still think in terms of $1,800 at least for them.

Over the years I have listened to all members of the House, all members, express concern and say in committee that we are going to get after this and we will be speaking in the House and I can assure you that you are going to get action. Yet year after year they have come back with a patience and a consideration which was far beyond anything that we were showing to them. In fact I think all of us should be blushing at the way we have disregarded these fine people, and I find it very hard to be charitable to the Minister.

I rose to my feet when I heard the member for Lambton West commending the Minister because of his great concern, I think those were the words, here is a real champion of the teachers. There has not been a champion for them on that side, and as far as we are concerned we are going to watch closely just to see how generous the Minister is. May I say for our part we are mighty suspicious, in view of the previous background, as to just how generous he will be in giving these people a befitting pension to live in the dignity that they do deserve.

**Mr. J. H. White** (London South): Mr. Chairman, I would like to join the member for Lambton West in congratulating the Minister on the statement tonight that something is going to be done for this very worthwhile group of citizens.

The leader of the Opposition has said that the retired women teachers have had no champions on this side of the House. That is not true, they have had a number of champions. My predecessor—

**Mr. Bryden:** Not in the Cabinet though!

**Mr. White:** My predecessor, G. E. Jackson, who was the member for London South 1955 to 1959, took up this particular cause. I myself inherited the cause in 1959. I think the Minister will confirm the fact that I have done a great deal of work on this

matter for seven years; and I continue to hold the view which I held initially, that the state has a particular responsibility to retired public servants, in a way it has not for other citizens.

This is one of the arguments that is posed against increasing this particular pension. In point of fact we have in days gone by increased the minimum in this pension area, so the precedent has been set. We have also increased pension minimums in other areas, for instance the workmen's compensation board pensions were increased a few years ago. So there are a number of precedents enabling us to act in this particular troublesome area in a way that is equitable and fair to the hundreds of women who made such a very great and special contribution to the society during a period of two wars and a great depression.

So I am very gratified, Mr. Chairman, to learn from the Minister's statement tonight that the government is acting in this area. I for one, recognizing that he himself has been extremely compassionate, sympathetic and understanding toward this group of retired women teachers, congratulate him on bringing success in this particular instance.

**Some hon. members:** Hear, hear!

**Mr. S. Lewis:** Mr. Chairman, if there were so many champions in the Tory party for so many years, why did it wait until 1966—

Interjections by hon. members.

**Mr. Bryden:** Why do we not have a definite statement even ten years later? We still do not have a definite statement.

Oh, I know, Mr. Chairman, the sycophancy of the Tory backbenchers knows no bounds, but I think we should keep this in proportion. There is no occasion for great rejoicing at this moment. We will wait impatiently and eagerly to see what happens, but let us just remember the entire history of it.

**Mr. Chairman:** The member for Windsor-Walkerville.

Interjections by hon. members.

**Mr. Chairman:** Order please!

**Mr. Newman:** Mr. Chairman, the problem of the retired women teachers has been well covered by various hon. members on this side of the House and there is not one who would not be most praiseworthy in the contribution they have made. I do not intend to pursue that at all, but I would like to ask the hon. Minister if, not if but rather when, he intends to introduce amendments to The Teachers Superannuation Act altering the basis of the pension from the last ten years to the best or last seven years?

**Hon. Mr. Davis:** Mr. Chairman, I expect I will be able to introduce the amendments sometime in the next few days, perhaps even tomorrow. I am not sure.

The amendments are now finalized and I should point out to the hon. member for Brant that the great bulk of the amendments and the principles behind them have been discussed and agreed to by the Ontario teachers' federation.

**Mr. Nixon:** Mr. Chairman, since the Minister has pointed that out, are these people who were thinking of retiring and who were just a little bit afraid of sending in their notice until the bill had come down in the House—because these things had been discussed for some time—and the fact that the bill had not been brought down indicated to many of them that they had better keep their job until they saw precisely what the government was going to do?

**Mr. Newman:** Mr. Chairman, will this amendment be retroactive to the first of this year?

**Hon. Mr. Davis:** Mr. Chairman, I would suggest that the appropriate time to discuss that is when the amendments are introduced.

**Mr. Newman:** Does the Minister not know—

**Hon. Mr. Davis:** I will be delighted to tell the hon. member when the amendments are introduced.

Vote 521 agreed to.

On vote 522:

**Mr. Nixon:** Mr. Chairman, before 522 carries, what part does the student aid loan have in the general Ontario students awards' programme? Does this deal only with those in the elementary and secondary system?

**Hon. Mr. Davis:** Mr. Chairman, it does not apply to the elementary. This was provided when the estimates were prepared last fall because we were not sure just what extension would be given to the Canada student loan plan, and whether we would need this amount to look after some of the existing programmes. It may be that we will not require this full sum of money; we cannot tell yet. Ontario had its own student

loans prior to the introduction of the federal loans.

**Mr. Nixon:** The federal loans have been in operation now for—is this the second year?

**Hon. Mr. Davis:** The second year.

**Mr. Nixon:** Well then, what do you mean when you say that you do not know whether you will need it or not?

**Hon. Mr. Davis:** Because we did not know whether or not the student loan programme would cover all the facets of post-secondary training that we want to cover. I think they now do, so it may not be necessary to use this full amount of money; we do not know.

**Mr. Thompson:** Mr. Chairman, I come to the point I made previously. I am thinking of working people whose children are going to have to travel a long distance to come to a university—

**Hon. Mr. Davis:** Mr. Chairman, I would say that would be more appropriately discussed under the student award programme under The Department of University Affairs.

Vote 522 agreed to.

**Mr. Chairman:** This concludes the estimates of The Department of Education.

**Some hon. members:** Hear, hear!

## ESTIMATES, DEPARTMENT OF UNIVERSITY AFFAIRS

**Hon. Mr. Davis:** Mr. Chairman, in rising to speak to this department, I will not make a long speech.

I should point out that for this year, and for the remaining years of this decade and probably beyond, it should be possible for the Minister of University Affairs to report to this House about record attainments in the field of higher education—new highs in enrolment, teaching staff, expenditures, operating grants, capital expansion, graduate work and so on.

Certainly such is the case this year. Our universities have continued to expand at an accelerated rate to meet not only the pressing demands of the increasing numbers of young people who are proceeding to higher education, but also the requirements of our society for graduates to undertake the many challenging tasks with which we are now faced. On every campus throughout Ontario we have moved forward at a rapid pace; a pace which has resulted in new facilities, new programmes, and most significantly new achievements.

I am pleased, therefore, that in this year of significant accomplishments, The Department of University Affairs has been able to play a most important and constructive role. As our universities have expanded and as their costs have increased, it has been necessary for the province to increase the support it provides. As a result, in 1966-67 it is estimated that 54 per cent of university operating revenue in Ontario will come from the grants which the Legislature is being asked to approve. In this type of situation, having regard for the historical position of our universities, it is necessary that within government there be an organization that is sensitive to their needs, to their keen desire to remain autonomous and to the high degree of co-operation required if we are to reach the objectives that have been established. We feel that in its first full year of operation, The Department of University Affairs has shown itself to be that type of organization and it is our intention to build on the strong foundation that has been established.

There is no doubt in my mind that the expansion of opportunity in higher education is recognized by the vast majority of Canadians as a social and economic objective which must receive high priority. To provide greatly increased numbers of our people with the opportunity for lives of significant accomplishment and to enhance the growth of productivity in our nation as a whole, the system of higher education which now exists will continue to develop and expand in a dramatic way. To achieve this result will require greatly increased expenditures and this requirement is reflected in the estimates which are now before you.

At the beginning of this statement I wish to stress that Ontario is most anxious to develop within its provincial boundaries a system of higher education that will be in the best interests of our nation as a whole. I believe that past achievements confirm this fact. Indeed, we welcome the opportunity to serve the national interest through our contributions to higher education, and our plans are based on the premise that we must continue to do so. However, it is also evident that increased federal support must be forthcoming if we are to meet both our provincial and national needs. In the course of my remarks I should like to make further comment on this important matter.

The estimates provide for the increased support that is necessary, not only for the operation of our universities but for the addi-

tion of new facilities. At the same time they reflect the need to provide for increased assistance to students, as well as to give specific support to certain research projects within our universities. I should like to comment at some length on each of these areas. Before doing so, however, perhaps I could begin by drawing attention to certain matters of interest which relate to the overall pattern of university development.

A year ago I drew to the attention of the House that our projections of student population indicated that the universities would have accommodation for all qualified students who wished to attend in September, 1965. Actually, there was some excess space, even though the numbers reached 52,701 in provincially assisted universities and colleges, an increase of 7,849 or 17 per cent over the previous year. Of the total of 52,701 students, 16,700 were enrolled for first year degree programmes in provincially assisted institutions, so that the number in the freshman class in 1965 was more than 50 per cent of the number enrolled in grade 13 in September, 1964, the class from which the great majority were drawn.

There were 6,876 graduate students enrolled in 1965-66, an increase of 1,348 or 24.4 per cent over the number for the previous year. This represents a phenomenal growth in this area and is 65 per cent ahead of projections made four years ago. Indeed, the estimate of 8,285 graduate students submitted recently by our universities for September, 1966, is in excess of the numbers projected for 1970-71 as set out by the committee of presidents in their report of 1962.

The members of the House will be interested in the number of students from outside Ontario attending provincially assisted institutions. There were 4,216 students from other provinces and 4,391 from outside Canada, for a total of 8,607. The percentage of foreign students is, therefore, 8.8 per cent of the total. The best figures available indicate that the number of students from Ontario studying elsewhere is about in balance with these figures.

The projections for next year indicate that there will again be adequate accommodation for all those who meet minimum admission requirements. Lest anyone take this accomplishment lightly, I should point out that a few years ago it was predicted that the greatest difficulty in meeting enrolments in the 1960's would be September, 1965, and September, 1966. At the same time, many other jurisdictions have encountered real difficulties in providing for their increased enrolments. An article in the issue of *The Christian Science Monitor* for October 23, 1965, entitled "Colleges Feel Impact of Crush" had this to say:

> To cope with the hordes of students, the public institutions have started classes in early morning and run them late into the night . . . and they have shut the doors on thousands of qualified applicants for lack of space. In New Jersey, 25,000 were turned away, some of them honour students and valedictorians. In North Carolina it was 5,000. The University of Illinois alone had to reject 7,000.

Last year *The New York Times* reported that:

> The eight ivy league colleges will send out 50,000 letters to anxious high school seniors in all parts of the country.
>
> About 14,000 of the letters will tell the recipients that they have been accepted at Harvard, Yale, Princeton, Cornell, Pennsylvania, Dartmouth, Brown or Columbia. The 36,000 other letters will be rejections.

The achievement in Ontario has been made possible by the dedication and hard work of the teachers, administrators and other staff in the universities and colleges. To them must go our thanks and the gratitude of our whole society for their splendid efforts to maintain the quality of the educational programmes as a time when the demands of quality are so pressing.

The number of full-time academic staff in the provincially assisted universities stood at 3,733 in 1965-66, an increase of 486 over the previous year. The year before that the increase was 440. It is anticipated that the increase for 1966-67 will be substantially higher than for the last two years. The increase in the number of students in our graduate schools, the development of new programmes such as those leading to the master of philosophy degree and continued recruitment from jurisdictions outside Ontario and Canada will all be required in future years to provide the numbers necessary to staff our institutions.

Dr. Edward F. Sheffield, director of research for the Canadian association of universities and colleges, is reported to have said last fall that he did not think we had an impossible problem in the recruitment of university teaching personnel. I believe his statement is worth repeating here. He said:

> I offer as evidence that in the last ten years we have expanded our university

system by increasing the student body two-and-a-half times and the staff has increased in proportion.

The first measure of its quality, which is the first question that I suppose would occur to you—the easy one—is whether the proportion with the doctorate has gone up or down. It's gone up. On the question of whether we must have Ph.Ds at age 30 or more, you will be interested to know that while we keep talking about this as if it were the requirement for entry into the teaching profession in the universities, about one in three of those we hire have it at the time we hire them, and less than half of the total of university personnel in Canada have it now.

We talk a great deal about the paucity of doctorates produced in the Canadian universities as if this were the only measure of our capacity to get appropriate numbers of people, and we cry havoc because we see that 2,800 new staff members will be required each year, and we produced only 421 Ph.Ds in the last year of record, or something like that.

A footnote adds that:

actually there were 421 in 1962-63, 481 in 1963-64, and 569 in 1964-65:

We are not depending on the production of our own graduate schools, much less on the production of doctorates in our own graduate schools, to staff the universities—not wholly. Indeed, I suppose about a third of those we do produce do get into the university teaching profession. We are depending, have depended, will depend and, I think, can successfully depend, on sources outside the country, not just of immigrants, but of Canadians who go abroad and then come back to serve in their own institutions.

In summary, I can't be as pessimistic as some people about this.

We've worked hard on this problem, we have solved a good part of it in the last ten years and I think, because the problem isn't going to be greater, relatively, in the future, we'll solve it again.

Almost any list of appointments of academic staff to our universities verifies Dr. Sheffield's conclusion that we will be and are able to recruit successfully in what has become a highly competitive international market. One of the gratifying aspects of the recruitment of staff members from outside Canada is that a good proportion of them are Canadians who have studied and taught elsewhere for a number of years and are now returning to take positions in our rapidly expanding institutions.

The Department of University Affairs felt that this group, in particular, might be attracted to teaching opportunities in Ontario universities if they were fully aware of both the enlarged scope of our system of higher education and the many teaching posts that are or would be available. As a result, in the spring of 1965 letters were written to the appropriate officials of a large number of universities in the United States and Great Britain, including the various colleges of both Oxford and Cambridge, to suggest that Canadian graduate students undertaking work with them might be interested in university teaching careers in this province. At the same time copies of a publication giving information about the system of higher education in Ontario and a copy of the latest edition of the bulletin "Openings in Canadian Universities and Colleges," which is prepared three times annually by the association of universities and colleges of Canada, were forwarded. This communication was followed up in December, 1965, and February, 1966, when new editions of the same publication were sent to each institution.

Replies were received from many of the foreign universities indicating that the information would be passed on to interested students, Canadian or otherwise. The officials of graduate schools were pleased to have the information provided and encouraged the department to continue to make it available. In the light of this favourable response, it is the intention of The Department of University Affairs to continue to forward up-to-date material in the hope that a significant contribution can be made to the recruitment of capable teaching staff for our universities.

This effort is consistent with Dr. Sheffield's viewpoint that we must continue to look beyond our own boundaries for some of our teaching staff. Our universities would want to do this under any circumstances since the strongest educational programme is likely to result from a teaching staff representative of the widest range of background and experience. At the same time, however, in the face of increasing enrolments it was realized several years ago that Ontario would have to rely increasingly on its own resources and abilities to provide much of the teaching staff required. It is for this reason that we introduced the extended graduate programme and the province of Ontario graduate fellowships. The positive results of these efforts are, I believe, reflected in the statistics about

graduate enrolment and faculty numbers which I cited a few minutes ago.

Since I reported to the House one year ago, York University has moved to its 475 acre main campus at Steeles avenue and Keele street. Its first complex of basic buildings has been completed and forms the basis for rapid expansion by the addition of other colleges and facilities.

Scarborough college was not ready to receive classes in September because of unforeseen construction delays but students were housed in temporary accommodation on the main campus until January, 1966, when they moved to their new building. This college is capable of accommodating 1,500 students so that there is considerable room for increased enrolment. The planning for Erindale college is proceeding well and it is expected that it will open in temporary quarters in September, 1967.

The first buildings on the DeCew campus of Brock University are under construction and it is anticipated that the main building will be ready for occupancy in the early fall of this year. In the meantime, the Glenridge campus is being used to capacity by the university itself and by the teachers' college. Ultimately, a new teachers' college, for which the plans are now being prepared, will be erected on the DeCew campus and will provide an opportunity to extend the close co-operation which has existed between the university and the college.

A somewhat similar stage of development has been reached at Trent University. The first building on the main Nassau campus, Champlain college, is well along towards completion and will be available this year. In the meantime, the facilities in downtown Peterborough have been expanded to meet the needs of a growing student body.

The University of Guelph has made remarkable progress in its plans to develop its large campus site. Already a new residence has been completed and has been in use since early in the year. Several other capital projects are under way. The university decided to move towards greater utilization of its capital plant by introducing the trimester system. The first class to enter under this organizational pattern enrolled in April, 1966. The enrolment of full-time students is 309 and there are 31 special students for a total of 340. The university is quite pleased with the initial response to its year-round operation and anticipates that as the concept becomes more widely known the enrolments in the summer semester will increase.

The development of an organization on each of these campuses puts us in a very strong position to cope with the required expansion in the years ahead. Before these new institutions were created, and in the period while they were assembling staff and planning programmes, we had to rely on the older institutions to carry the major share of the load created by increasing numbers. Now, with the new organizations over their initial period of development and with the experience they have gained in the process, we have resources capable of expansion to meet whatever the demands of the future may be.

At the same time, we have our well-established universities which have also been pursuing programmes of rapid expansion. They have done a remarkable job and have assumed their full share of the task confronting our institutions.

A number of areas of special need have received the support of the department during the last year. Some of the projects are continuations and extensions of programmes commenced at an earlier date; others were inaugurated more recently. I should like to draw particular attention to four of them as representative of the efforts being made to meet the varied demands of a growing university system.

As the members know, the Ontario new universities library project was begun in the fall of 1963. Under the plan, five new institutions were to receive basic libraries of more than 35,000 volumes each. Because of central ordering and processing, much costly duplication is being avoided while at the same time the necessary purchase and preparation of materials is being carried out in a more rapid and more effective manner than would otherwise have been possible.

At 31st January, 1966, the project's staff had selected and ordered 31,200 titles; of this figure 19,000 titles in a total of 128,000 volumes (for all five collections) had been catalogued and shipped to the participating institutions. Dr. Robert Blackburn, chief librarian, University of Toronto, who is directing the Ontario new universities library project, in his latest report indicated that the project is well ahead of schedule and that because the cost per volume has been lower than originally estimated and the range of publication provided has been more extensive, original targets have been revised upward. Instead of providing 17,500 titles in 35,000 volumes for each participant as originally expected, the project will now provide about 34,000 titles in 40,000 volumes by June of 1967.

At the same time, Dr. Blackburn in his report on the development of the project made the following statement:

> The publication and cumulation of monthly catalogues in book form, covering all five collections, began early in 1965. The first general cumulation of the author-title catalogue . . . was distributed in January, 1966, and the subject cumulation in February. These catalogues, compiled and cumulated by computer, have attracted wide interest among libraries around the world. Accounts of the project and its catalogues have been published in the professional literature.

At this time last year I announced a comprehensive programme to increase the number of trained librarians in this province. I am pleased to report that significant progress has been made in developing that programme.

At the University of Toronto new and expanded quarters were provided and the number of students working towards a degree increased in September, 1965, from 100 to 150. Plans are well advanced for the construction of the new humanities and social sciences research library in which an expanded library school will be accommodated with provision for an enrolment of 400 students.

The new library school at the University of Western Ontario is being developed at an accelerated rate. A new dean was appointed last year. Considerable progress has been made in preparing the professional programme that will be offered, in engaging staff and in building up the collection of literary material that will be required. The first class will be admitted in September, 1967. It is planned to provide for an enrolment of 60 to 70 students.

The change of status of the University of Ottawa has made possible the provision of provincial resources for the library school on that campus. As a result, new and enlarged temporary quarters have been acquired and will permit further development of the school pending the provision of a wholly new structure in the near future.

Relatively wide use of television as a teaching medium was carried out by several Ontario universities during 1965-66. The University of Toronto and York University, which had inaugurated the service at an earlier date, continued to make extensive use of closed-circuit facilities in several departments and faculties. Carleton University was among the institutions to initiate a similar service. The University of Windsor has also announced plans for the introduction of closed-circuit television at that institution as well as studies to evaluate the effectiveness of the experiment.

With substantial assistance from the province, extensive television facilities were established in the new Scarborough college building. The facilities will allow for the use of the medium not only within the college itself but for eventual transmission to and from the St. George campus of the University of Toronto as well as the Erindale college campus. It is contemplated that the Scarborough television organization will also be used by other Ontario universities both for the training of personnel in the medium and the creation of teaching tapes. As a community service, in co-operation with the local television channel, the college began a series of public interest presentations entitled "From Scarborough College."

McMaster University also worked in co-operation with the local station to present university programmes to the general public. In this case, degree courses in three subjects were offered. On the basis of financial assistance provided through the Ontario university capital aid corporation, McMaster began a substantial expansion of its closed-circuit equipment. Consistent with this expansion it was announced that, for several courses, instruction would be viewed simultaneously by classes in actual attendance and by others watching monitor sets. Tapes of each lecture can then be used for presentation to evening students enrolled in the same course. University officials have agreed to undertake a careful study of the impact of the use of television as a teaching instrument from the standpoint of both educational results and related costs.

In 1965, The Department of University Affairs issued the first edition of the publication *Horizons*—a guide to educational opportunities in Ontario beyond the secondary school. This booklet of 48 pages contained information on a number of important aspects of our post-secondary programmes including admission requirements, courses and facilities. The booklet was distributed to each student in grade 12 and grade 13 in the province. In addition, hundreds of copies were distributed in response to individual requests. In all, 135,000 copies of *Horizons* were sent to interested people not only in Ontario but throughout Canada and, indeed, beyond our borders.

The response to the booklet has been most encouraging. Students, parents, secondary school teachers and university officials all in-

dicated that *Horizons* had filled a real need for young people seeking information about the possibilities of further education. Encouraged by this response, a second edition was prepared for 1966-67. It has been distributed and has met with the same favourable response.

In the course of dealing with the many facets of higher education that arise from government-university relationships, I have had the sound advice and counsel of the committee on university affairs. The committee has been most active. During 1965 it held twenty full meetings and, in addition, made four formal visits to provincially assisted universities. Since the beginning of 1966 the committee has held eight business sessions and has visited five more universities with one additional visit planned for later this month.

Further, three subcommittees were organized to give more detailed study to the particular areas of student awards, finance, and graduate studies and research. In all cases several meetings have been held and the results of the studies reported to the full committee.

As can be seen, therefore, the members of the committee have given a great deal of time to the many matters that have come before them for consideration and advice. The contribution which has been made by these able citizens is most significant and will have a lasting and positive effect on the development of this level of education in this province.

I would, in particular, like to pay tribute to three gentlemen who served on the committee with distinction.

Dr. Joseph A. MacFarlane was appointed to the committee on university affairs in November, 1964. His long and varied experience in academic circles was most useful and helpful to his colleagues. His special interest in student awards found expression in his chairmanship of the subcommittee dealing with this area. After little more than a year's service, Dr. MacFarlane died in March of this year. His loss will be sorely felt by his colleagues but we are grateful for the splendid contribution he was spared to make.

The Honourable T. D'Arcy Leonard and Dr. Floyd S. Chalmers both were appointed to the committee in 1961. The thorough study which they gave to the varied matters which came before them was well-known and respected by all members of the university community. Their advice and sound judgment during a period in which a number of our institutions were in their formative years was of the greatest value to the whole area of higher education. It is most unfortunate, therefore, that their many and varied interests made so many demands on them that during 1965 they found it necessary to retire from this advisory body.

Finally, I should note that one new member was appointed during the year in the person of Mr. J. O'Neill Hughes. Mr. Hughes has had previous experience in the service of higher education and we are pleased that he agreed to continue his association in this new capacity.

It might be helpful to the members if I were to review briefly the procedure by which the operating grants to our universities are determined. By November, each university submits certain statistical information in which it shows the fee structure for the institution, the enrolment by faculty and year for the current academic session, the estimated enrolment for the next year, the number of academic staff and the anticipated increase. In addition, a two-page financial statement is submitted showing under broad headings the expenditures and receipts in actual amounts for the previous year, budgeted amounts for the current year and estimated budgeted amounts for the next year. Often the university supplements these data with a brief describing the programme it proposes to undertake. The information collected is the minimum possible if an objective judgment is to be made about the institution's requirements.

The committee on university affairs considers each submission and arranges for representatives of the institution to meet with the committee so that all necessary information is available to them. When all have been heard, the committee prepares its recommendations and forwards them to the Minister. These recommendations are then taken before the Treasury board for its consideration.

For the last two years the committee on university affairs has been working towards the development of a formula for the payment of operating grants. The data provided in the submissions have been used on an experimental basis and several different methods have been tried to arrive at an acceptable pattern. In addition, officials of the department have visited other jurisdictions, including California and Michigan, to study the procedures in use there. During the past several months a subcommittee of the research committee of the committee of presidents and a subcommittee of the committee on university affairs have been meeting jointly to try to evolve a pattern which will meet the situation in Ontario.

The complexities and the difficulties in arriving at a suitably weighted formula to take into account the different programmes offered by each institution, the numbers of students in each programme, the number of graduate students, the cost of one faculty compared with another, the special problems encountered by new institutions, and the like, are very great. We are hopeful, however, that by next year we will have a formula that will at least be applicable in the areas common to most institutions. There will still be the necessity, however, to give additional consideration to the unusual situations which are difficult to provide for fully in any formula as, for example, the special requirements of the newer universities.

This past year the committee on university affairs had done considerable work with formula patterns in relation to this year's recommendations when the federal government announced an increase in the per capita grant for operating costs from $2 to $5. In the past, the annual per student grant realized from this source has shown wide fluctuations from year to year because the student population has been increasing at a much more rapid rate than the general population. As an example, in Ontario the $2 per capita provided a per student grant of $360 in 1962-63 which had gone down to $245 in 1965-66.

Since the actual per student amount is not known until nearly a year after the time when the committee on university affairs has to make its recommendations, it was estimated that the figure would be $210 for 1966-67. It had also been considered that if the grant went to $5 per capita, as had been recommended in the Bladen report, the per student grant would be $525. By either calculation the amount of grant from the federal source based on the established pattern could be fairly well determined in advance and shown as income in the university's budget.

The Bladen report recommended that federal grants "be distributed according to a formula of weighted enrolment, the weights to be determined by each province for the universities within its boundaries." However, instead of following the Bladen recommendation the federal government adopted its own formula for the distribution of its grants within each province. I am told there is some doubt about the adequacy of the formula used. Whether or not that be so, the nature of the formula adopted by the federal government made it impossible at the time to determine the amount of grant from that source to any particular institution. The reason for this situation is that the formula is based on enrolments in particular programmes and in the particular year of the programmes in September, 1966. These enrolments, against which certain weights must be applied, are not yet known. The weighting feature will lead to great variations in the overall per student grants paid to particular universities. It is for this latter reason that it was found impossible to estimate with any degree of reliability the amount that would be received by a university from the federal source to be applied to the needs indicated by the university.

After giving full consideration to the implications of the federal formula, the committee on university affairs decided to recommend a guaranteed amount to each university from both sources of government, federal and provincial, taken together. This means that the province will make advances on its grants to a particular university in July and November, 1966, will add the amount from the federal source, which will be known in February, 1967, and will then make a final payment in March, 1967, to make up the balance of the guarantee. As a result, the amount to be received from the province by a particular university cannot be shown in the estimates this year as was the case in previous years. At the time the announcement about the guarantees was made, I indicated the total to be received by each university from the two levels of government. I have had a copy of that information made for distribution to the members.

The total amount to be provided by the province in operating grants this year is $81,248,000. This is an increase of $20,305,000 over the sum of $60,943,000 for 1965-66. In addition, the sum of $9,400,000 is provided to meet the total annual payment on debentures for capital purposes issued by the universities and purchased by the Ontario university capital aid corporation to make a total of $90,648,000 from the province. The overall total from the two levels of government is estimated at $111,848,000 plus the $9,400,000 for capital payments, or $121,248,000.

In spite of the magnitude of these figures our studies show that the amount of support for operating purposes required by our universities will increase sharply in the years to come. If these costs are to be met adequately it will require a major increase in the federal contribution. Even with the rise in the federal grant to $5 per capita in 1966-67, the amounts being received from that source will meet but a relatively small proportion of the university operating costs. Nor, in my opinion, will the level of increases called for in the

Bladen report be nearly sufficient. Indeed, not only the amounts but the methods of calculation of federal assistance require drastic revision. This point was forcefully made by the Prime Minister of Ontario at the federal-provincial conference last July when he said:

> The present method of calculating federal grants for operating purposes is totally unsatisfactory. The method of calculating the amount of total payment to the universities of any province on the basis of general population, at a time when university enrolments are increasing at a much more rapid rate, has had serious adverse effects on federal grants when measured on a per student basis.

For this reason, Ontario contends that any federal support for operating costs of universities should be calculated on a per student basis. In this way assistance would be directly related to the number of students which any province was educating at the higher levels and would be consistent with the belief that in providing opportunities to these young citizens a significant contribution is being made to the nation's future.

Reference has already been made to the amount included in the estimates to defray the cost of the annual payments on debentures purchased from the universities by the Ontario universities capital aid corporation for capital purposes. The amount allocated for advance to the universities in 1966-67 is $150 million, an increase of $50 million over the amount made available in 1965-66.

On the overall capital programme for the five-year period 1966-71, the planned total expenditures of provincially assisted universities is estimated to be $803 million, allowing for a four per cent annual price change increase over the period. If construction continues at the anticipated rate, and it is evident that this will be necessary to meet the expected enrolments, and if construction costs continue their present upward trend, the final amount will be considerably in excess of $803 million. This amount is exclusive of the cost of the facilities in the health sciences programme which is being developed as a separate entity and which will also be a heavy charge on the province.

Under present financing policies, the province of Ontario would have to provide a minimum of $608 million of the $803 million through the Ontario universities capital aid corporation. Of the difference of $195 million, about $60 million could be financed by university borrowing from central mortgage and housing corporation, entirely for residence, leaving approximately $135 million to be raised through campaign funds. The consensus is that funds of this magnitude will not be available from the private sector of the economy. This situation points up the necessity for new resources to be made available to the province to enable it to relieve the universities of a considerable proportion of the financial burden they are attempting to bear.

Apart from grants made some years ago through the Canada council, the federal government has not provided financial assistance towards the cost of capital construction in our universities. The report of the Bladen commission recommended that capital grants be provided by the federal government on the basis of $5 per capita each year and that the amount so calculated be distributed to each province in the proportion that that province's population bears to the total population of Canada. Although the government of Ontario supports the Bladen commission's recommendation that the federal government participate in the financing of capital construction at universities, it is felt that a different method of distribution should be used and that the level of support should be very much greater. Under the terms of the Bladen commission recommendation, the province of Ontario would be entitled to approximately $35 million in 1967-68. In the light of the proposed expenditures which I have outlined, it is obvious that the sums required from the federal government will have to go well beyond the recommendation.

Last year the province of Ontario pointed out that it supported the recommendation made in the report of the Royal commission on health services, that the federal government provide one-half of the required expansion and renovation of medical schools, dental schools and other health sciences teaching facilities. Our support was given to this proposal because the education of health sciences personnel is in the national interest. Ontario believes that an educated population is also in the national interest and for this reason facilities for all university programmes should be deserving of similar support at the national level.

We are still convinced that our position in this regard is a sound one and that, therefore, the federal government must provide funds to meet one-half the approved cost of construction of capital projects, approved costs to be determined by the province on the basis of agreements reached with the federal authorities. This can be done in a manner consistent with the method in use under the terms of the technical-vocational agreement whereby

the province finances the full amount of approved costs and recovers one-half of those costs from the federal government. We consider that this method will provide the best opportunity to ensure both co-ordination of effort and flexibility in planning by the provincial authorities. At the same time, bearing in mind the fact that the provincial government is required to finance 50 per cent of approved costs, the method will give full assurance that the utmost economy will be exercised in making money available to the universities.

Even without federal assistance the extent of the grants from the province for the capital programme in Ontario bears comparison with the most favoured jurisdictions elsewhere. For example, in the state of Michigan, which already had an enrolment in its state colleges comparable to that in Ontario in 1965-66, the provision for capital expansion was $18 million. The universities, with double Ontario's enrolment, received $21 million. Together the sum was $39 million for capital development compared with $100 million here.

In Ohio, two bond issues for university expansion were approved, one in 1963 and the other in 1965. The total amount of these issues, less recoveries, is $320 million. The money is intended to cover capital programmes that will in several cases extend to 1970 and beyond. In contrast, in Ontario, since the beginning of the fiscal year 1963 and including the current budget, $340 million has been provided and it is estimated that each year from now to 1970 will require additional provincial support of at least the level of the $150 million provided this year, including the provision for the health sciences expansion.

The programme for the education of personnel in the health sciences, announced in October, 1964, is being implemented with due regard for the detailed planning necessary, not only in the individual institutions but also on a provincial basis, to ensure a co-ordinated and integrated approach to this complicated area where the increase in new knowledge and developments in the prevention and cure of human illness stagger the imagination.

At the provincial level, the programme is being developed through a senior co-ordinating committee established by the Minister of Health and Minister of University Affairs. This commtttee is made of the deputy Minister of Health, who acts as chairman, the deputy Minister of University Affairs, and the chairman of the Ontario hospital services commission. The committee has the advice of technical staff from the two departments and the commission. Personnel have visited new facilities in a number of jurisdictions including British Columbia, United States, Great Britain and Sweden, to make certain that latest developments are incorporated in the new plans for Ontario.

Over the last several months, the senior co-ordinating committee has held a series of meetings with representatives of the institutions and organizations concerned. The first meeting brought together the chairmen of the boards of governors, the presidents and the deans of medicine of the universities where health sciences programmes are in existence or are contemplated. Later, meetings were held with the deans of medicine, the deans of dentistry, the directors of the nursing schools and those concerned with rehabilitation medicine.

The purpose of these meetings was to establish the requirements at each institution and to consider these in the light of the overall provincial needs. More recently, the whole programme was presented to the committee on university affairs. Out of these deliberations has come a master plan for the education of health sciences personnel in Ontario to serve as a guide for the next 10 to 15 years.

In the meantime, plans consistent with the proposals made in October, 1964, have been proceeding. At the University of Western Ontario, a medical sciences building, which had already been approved, was completed and opened in 1965. In February, 1965, Dr. W. J. Dunn was appointed dean of the new faculty of dentistry and began to recruit his staff. Together, they developed plans for a new dental science building. The final plans and specifications will be ready shortly and it is expected that construction will get under way in the very near future. In the meantime, the faculty of dentistry will enrol its first students in a pilot class in September of this year.

The new university teaching hospital, having a capacity of 405 beds, is being planned for the campus by the London health association in conjunction with the university authorities. The Ontario hospital services commission has authorized the engagement of architects and the first schematic drawings have been prepared.

At McMaster University, the two major developments announced in October, 1964, were the medical sciences building and the university teaching hospital. In 1965, Dr.

John Evans was appointed principal of the health sciences college and dean of the faculty of medicine. He has recruited a number of senior academic staff and plans for the medical sciences building and the university teaching hospital are being developed as rapidly as circumstances permit.

At the University of Toronto, the major development is the medical sciences building which is well along in the planning stage. This is a major undertaking since it will be the central facility for students who will receive their clinical experience on a decentralized basis in the primary teaching hospitals and university affiliated hospitals. With the new medical sciences building, it will be possible to increase the graduating class in medicine at the University of Toronto by 75 doctors a year.

At Queen's University, the major projects are a new medical sciences building and the renovation of the Kingston general hospital to make it a more adequate university teaching hospital. In a letter to the university, under date of May 19, 1965, approval was given to proceed with preliminary staff planning of the medical sciences building. The decision to construct this facility was dependent on the availability of an adequate site and access to the required number of hospital beds in the Kingston general hospital.

In addition to the projects announced in October, 1964, other facilities to permit an increase in the number of personnel in several of the paramedical areas are being planned at the institutions to which reference has already been made and also at the University of Ottawa. The total programme will proceed over the next several years. Progress to date has been most gratifying and the officials and academic staff at the five universities and in the primary teaching and affiliated hospitals deserve the highest commendation for their accomplishments in the implementation of the programme. With the co-operation and assistance of officials and departments of government, there is every confidence that they will provide this province with the most comprehensive and modern programme for the education of health sciences personnel available in any jurisdiction today.

During its first year of operation The Department of University Affairs administered a number of student assistance programmes including the province of Ontario graduate fellowships, the scholarship, bursary and loan assistance fund, and the Canada student loans plan, the latter for the federal government. The Department of Education continued to administer a number of programmes in this area where the assistance provided was for students going on to post-secondary institutions. Now, all these programmes, except one specifically related to the work of The Department of Education, have been brought together under one jurisdiction in the student awards branch of The Department of University Affairs. This change will make possible a co-ordinated and integrated approach to this important area. The student awards officer in charge of this branch is Mr. F. C. Passy who was formerly responsible for the administration of student aid at the University of Toronto. I should like to comment on each of the programmes administered by the department and to give the House information about their development.

The province of Ontario graduate fellowships programme which was begun in 1963 has had a major bearing on the development of graduate work in Ontario universities. The growth in the number of awards for full-time study during the academic session has been at the rate of 400 per year from 782 in 1963-64 to 1,572 in 1965-66. The number of awards for the summer session has gone up at the same rate from 751 in 1964 to 1,110 in 1965.

For the academic session 1966-67, the number of full-time awards will be increased to 2,000, with the number allocated to each institution based on its proportion of graduate students in the particular disciplines in 1965-66 as reported by the universities. The universities administer these wards, select the recipients and report their names to the department. These awards, along with the additional funds made available for the development of graduate facilities, have made possible a faster rate of growth in enrolments in our graduate schools than in the undergraduate area. When it is borne in mind that all recipients of the awards have expressed the intention to become teachers at the level of higher education, it will be seen that the programme is making a substantial contribution to the staffing of our institutions.

Some extension of the benefits available under this programme has been made for next year. Recommendations made by the committee of graduate deans and accepted by the department mean that a student may now receive in total up to $2,500 at the master of arts degree level, $4,500 at the master of philosophy level and $6,000, sir, at the doctor of philosophy degree level. The former limit at the doctoral level was $4,500. In addition, students are permitted to accept in any twelve-month period other awards

having a value up to a total maximum, including the fellowship, of $3,500 at the master's level and $4,000 at the doctoral level.

With the increase of numbers and the extended benefits, provision has been made for an amount of money 25 per cent above the $3 million allocated last year so that the total is $3,750,000 for 1966-67.

The Queen Elizabeth II Ontario scholarships were established in 1959 to commemorate the visit of Her Majesty the Queen to Ontario that year. The awards are administered by a committee of presidents of Ontario universities. Each award has a value of $4,000 and this year there were seven winners of these highly-prized scholarships. They are held by candidates who have outstanding academic records, who have completed at least two years of graduate work beyond the Ontario honours B.A., or its equivalent, and who are nearing completion of their doctor of philosophy degree.

The college of education fellowships—these awards were established last year and are given to encourage highly qualified honour graduates to enter the full-time training programme for teachers at the secondary school level.

Every student who enrols in a programme leading to a type A or specialist certificate at a college of education is eligible for a fellowship of $500. There were 245 awards in 1965-66 and provision has been made for 500 in 1966-67 for a total of $250,000, an increase of $50,000 over the amount provided last year.

The province of Ontario library fellowships programme is new for 1966-67 and is established to encourage students to proceed to the degree of master of library science. It is the hope that a greater number of graduates will go on to become teachers in the library schools or assume responsibility at the senior administrative level in our larger public and university libraries. Candidates must hold the degree of bachelor of library science with at least second class honours standing. The awards are made on the recommendation of the director of the library school and for next year ten awards of $1,500 each will be available.

In the area of assistance to graduate students the number of provincial graduate awards in 1965-66 was 1,825. This figure will be 2,519 in 1966-67 for an increase of 694. In terms of financial assistance the amount of money in 1965-66 was $3,226,000. The comparable figure in 1966-67 will be $4,047,000 for an increase of $821,000.

An interesting comparison can be made with the amounts provided for its awards programme by the national research council which will in 1966-67 grant a total for all of Canada of 1,705 awards having a value of $4,564,000. The total number of awards under Ontario's graduate programmes exceeds the total national figure for the national research council by 814 awards and is within $517,000 of the total amount of money provided by the federal government for this purpose through the council.

In addition, there are other graduate awards made through programmes such as the Woodrow Wilson foundation, industrial and commercial organizations, the universities themselves, and a number of others. Because of the increasing number of students, the developments in research and the new knowledge available to us, there is going to be a continuing demand for increased support for students at the graduate level. Not only governments but private corporations and individual donors will find this area a rewarding one in terms of the return to society on this investment in our young people.

Ontario scholarship awards will be made in 1966 to graduates of grade 13 who achieve an average of 80 per cent or better on the required number of papers written in June, 1966. This year, for the first time, it is not necessary for students to make application for an Ontario scholarship. The awards will be made automatically on the basis of lists of winners compiled through the use of data processing procedures. Last year there were 1,425 Ontario scholars and it is estimated there will be 1,950 in 1966. There has been an increase of $242,633 from $537,367 last year to $780,000 this year.

In 1967, the number of credits required to qualify as an Ontario scholar will be reduced to seven from eight in accordance with the changes in the requirements for the secondary school honour graduation diploma.

Over the period of the last two years the province has, through the bursary assistance fund, allocated $1,790,000 among the universities to be used by them to assist students on their campuses. Because some institutions had made commitments to students in previous years, it has been decided to continue this programme for 1966-67 but it is hoped that a large part of this allocation will be used by each institution for bursary assistance.

The Canada student loans plan is a federal government programme established in 1964. Provision is made for a maximum loan in any one year of $1,000 with an overall maximum

of $5,000 to any one student during his academic career. Loans are interest free until six months after graduation when interest at a rate of 5¾ per cent begins. Loans are repayable over a maximum period of ten years but may be paid at any time within the limit. The loans are available to students in eligible post-secondary institutions if they are Canadian citizens or landed immigrants. The federal Act under which the moneys are provided allows for loans for all Canada up to $40 million per year. The allocation to Ontario in 1964-65 was $15,440,000 and in 1965-66 it will be approximately $18 million. The number of loans to university students in 1964-65 in Ontario was 16,881 and the total for students in all institutions was 24,002. The total loan money used was $14,-381,527. The average loan for university students was $629 and the average for all students who took loans was $599. The figures for 1965-66 will not be complete until after the end of the loan year on June 30, 1966, but figures to Apirl 30 this year show 20,150 loans totalling $15,036,768 for an overall average of $747.

The Canada student loans plan is administered for the federal government by the provinces. The determination of need for loan assistance is based on criteria established by the federal authorities in discussion with provincial representatives.

The Ontario student awards programme includes the former bursary programmes and the subsidy for transportation administered by The Department of Education. These programmes provide assistance in 1965-66 to the extent of $2,353,038. This amount has been increased to $4,701,000 for 1966-67, or double last year's figures.

In previous years applicants had to have an average of at least 66 per cent to be eligible to apply for bursaries.

The new programme establishes an important principle in that any student who is enrolled by an eligible post-secondary institution can apply for an award. It is accepted that, regardless of marks, the student may require direct assistance to enable him to continue his studies. It has been traditional to provide financial assistance to students with marks at the honours level and, indeed, the great proportion of scholarship and bursary money has gone to these students. Now it is being recognized more widely that equality of educational opportunity, fulfilment of the individual potential and the benefits to the student and to society all require the extension of bursary support over the whole range of ability represented in the student body. While the student has been able to borrow funds, the figures I have cited for the Canada student loans plan indicate that at least some students are building up too great a burden of indebtedness while others may be reluctant to go into debt to the extent necessary to continue their education. In the light of these considerations it was decided to extend the benefits as indicated in the estimates.

The administration of the programme provides for a student to complete an application for an award based on assessment of his costs and the resources he has to apply against them. The criteria used are essentially the same as those established for the Canada student loans plan and applicable with minor variations across Canada. Whereas formerly the student had to complete separate applications for a bursary and a loan, he is now required to submit only one application. The assessment to which I have referred is made centrally to ensure that the criteria are applied as uniformly as possible so that all students are treated in an equitable manner. In addition, because of the large number of applications, it will be possible in the future to use modern data processing methods to speed the procedures involved.

The student and the institution he proposes to attend are informed of the result of the assessment. If a student believes that his needs are greater than his objective evaluation indicates, he may appeal to the student awards officer of the institution he is attending. If, in the light of all the circumstances, it is decided by this official that the assessment should be reconsidered, this will be done.

After the assessment is made, the first $150 will be provided through a loan. The residual amount will be provided through a grant of 40 per cent by the province and 60 per cent by loan. All loan money will be provided through the Canada student loans plan and the bursary money by the province. The effect of the programme for most students will be to reduce by the amount of the grant, the sum he would have had to borrow.

The province of Ontario welcomes the statement made by the Prime Minister of Canada in October, 1965, outlining the intention of the federal government to assist students to meet the costs of higher education. The area of student awards is one in which Ontario feels it has made considerable progress. We would welcome financial participation by the federal government in the programmes that we have developed. Indeed, Ontario feels strongly that any

federal moneys provided to the students of our province should be made available in a manner consistent with the principles on which our programmes are based. To ensure that this result is attained, it is our view that the federal programme should be fully integrated with the Ontario student awards programme and that the integrated programme should be administered by the province in a manner similar to that which has been developed for the Canada student loans plan.

The availability of federal funds to supplement those already provided by the province for the Ontario student awards programme would allow us to reduce the loan portion of the award to every student and increase the grant portion by a corresponding amount. The province of Ontario would be more than pleased to indicate to each recipient of a student award made through such an integrated plan the amount of the award that has been contributed by the federal government.

We believe that a co-ordinated approach to student aid is the only sensible method of handling this important matter. We would welcome an acknowledgment of this principle by the federal government and the direction of its efforts towards attaining the objectives we propose.

In summary, the province through The Department of University Affairs will make available in 1966-67 the sum of $10,500,000 for student awards, an increase of over $3,750,000 over 1965-66.

The estimates include grants of $400,000 for research projects of two types. The first are regional research studies. The second referred to as Ontario research grants, constitute the programme of grants-in-aid of research in the fields of pure and applied science which was formerly administered by the Ontario research foundation. With the creation of The Department of University Affairs, the foundation felt that these awards to individual researchers in the universities should be co-ordinated with other forms of assistance administered by the department. We agree with this recommendation.

The grants for regional research studies are part of the government's efforts, in the programme of economic development, to examine problems in particular regions and to bring to bear on them the results of research conducted by university personnel. Support will be provided for staff and post-graduate and senior students for projects which will contribute to the development of one or more of the ten economic regions of Ontario. The funds being provided initially and limited but consideration will be given to expansion of the programme when the types of proposals put forward have been reviewed and when their potential value has been assessed.

The Ontario research grants will be awarded for 1966-67 on a pattern consistent with that used in former years by the Ontario research foundation. The funds provided will support fundamental research projects in four major categories; botany and forestry; chemistry and chemical engineering; mathematics, physics, geology and related fields; zoology and wildlife. The vote for 1966-67 reflects an increase of $40,000 in the funds provided for this work.

While the procedure for making these awards for 1966-67 follows the pattern previously used by the foundation, it is proposed during the next year to examine the whole programme, its objectives and scope, and the level of support prior to recommending an allocation of funds for 1967-68.

In the main, however, it would seem that the major responsibility for support of university research rests with the federal government and its various agencies. For this reason the province of Ontario endorses the general statement of the Bladen commission that the federal government continue and expand the assistance it is giving in the field of research. Yet, the development of research is of such vital importance to Canada today, that the increased support will, in my judgment, have to go considerably beyond the amounts set out in the Bladen report.

Of significance, also, is the recent Gundy report on the level of support required for research in the health sciences field. While there has been some increase in the funds provided for this purpose, there is a great need to increase them still further if Canada is to make the contribution for which it has the potential in the maintenance and extension of good health among our people.

If the federal government is to continue and expand its efforts in the field of support for research, there is a potential problem in terms of the co-ordination of programmes with overall plans for the development of our institutions within the province. A number of examples of the difficulties that have arisen in the past could be cited. With increased federal support, which is so essential, the possibility of an ever greater number of problems arises. It is the desire of the province to avoid these difficulties and I am certain

that with prior consultation and overall planning between the two levels of government, it will be possible to develop a high degree of co-ordination and integration of activities which will result in the best possible use of our financial resources in the interests of the province and the country as a whole.

In the course of these remarks I have outlined many of the accomplishments in higher education in Ontario during the last year, indicated some of our aspirations, and touched on several of the problems with which we are and will be confronted. Without minimizing the latter, however, I must close on an optimistic note, for the achievements which have marked the initial years of this decade are significant and those in the remaining years should be even more so. For this, again, I give full credit to the faculty and administrative staff of our universities, who, working in co-operation with government officials, have been responsible for the gains we have made. It all augurs well for the future. No informed person is unaware of the tremendous effort that it will take to meet the demands that the years ahead will produce. Yet we are also aware that the general well-being of our nation is dependent on our ability to meet the challenge. With mutual trust and the continued spirit of co-operation there is little doubt of the success we shall attain.

**Mr. Nixon:** Mr. Chairman, the committee on education began its sessions at 11 o'clock this morning. We had an interesting day dealing with educational matters, but I submit that at 11.15 p.m. the House leader might consider that the House would rise.

**Hon. Mr. Rowntree:** Might I inquire the estimated length of the Opposition critics' remarks with respect to this department?

**Mr. Nixon:** Well, Mr. Chairman, I am quite willing to proceed and we could cut it off whenever you choose, but it is 11.15 p.m. now. I have some prepared remarks and a few may occur to me during—

**Hon. Mr. Rowntree:** I was just trying to ascertain whether you had a short observation, or a lengthy one.

**Mr. Nixon:** At least 30 to 40 minutes.

**Hon. Mr. Rowntree:** And the New Democratic Party, have they any indication of the length of their remarks?

**Mr. Renwick:** The hon. leader of our party who would be leading in these estimates has left the House.

**Mr. White:** He is not interested in education.

**Hon. Mr. Rowntree:** It seemed to me that we might have gone until 11.30 tonight. That would have been my intention. If there was some real reason why you did not want to go on, then we would not go on.

**Mr. Singer:** Well, Mr. Chairman, I think this gets just a little ridiculous. We have had a full debate on these estimates today. The House has sat for seven and a quarter hours. There were committee meetings this morning.

I think it is just foolish to drag the debate on after this hour. The hon. Minister has just delivered a 50-odd page speech. There may be other things in the wind, but I think it is just foolish to keep the House sitting after 11 o'clock at night. It should not sit after 10.30 at night.

**Mr. White:** Why do you complain, you have not been here all night?

**Mr. Singer:** The hon. member who passes himself off as the Whip of the Tory party, being an authority on all subjects, I think he would be well advised at this hour of the night to keep quiet.

**Hon. Mr. Rowntree:** I guess he had a good point, but hardly in these estimates.

Well, having in mind these observations and the fact that we will be sitting at 10.30 o'clock in the morning, we will adjourn.

Hon. Mr. Rowntree moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Rowntree:** Mr. Speaker, tomorrow we will spend part of the morning in the Budget debate and we will then go to the order paper with respect to dealing with the bills which are ready for our attention.

I think that I should point out that the House will sit next Wednesday night.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.20 o'clock, p.m.

No. 145




# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Friday, June 17, 1966

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Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, JUNE 17, 1966

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today students from the following schools: In the Speaker's gallery, Sudbury high school, Sudbury; in the east gallery, King Edward public school, Brantford; and in the west gallery, SS No. 7, Asphodel, and SS No 10, Seymour, Northumberland county.

Petitions.

Pesenting reports by committees.

Motions.

Introduction of bills.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Economics and Development. A copy of this question has been submitted to his office.

When will the Ontario housing corporation meet with central mortgage and housing corporation to discuss the structure of the graduated, geared-to-income rental scale used in certain housing projects?

**Hon. S. J. Randall** (Minister of Economics and Development): Mr. Speaker, I am delighted to advise the hon. member that the proposed revised rental scale was submitted to central mortgage and housing corporation some months ago. Their economic research staff have had the proposed scale under review and our Mr. E. J. Whaley, deputy managing director of Ontario housing corporation, has spent the last two days in Ottawa clarifying certain points and resolving any contentious items.

I am also advised that central mortgage and housing corporation is awaiting certain economic data which will be available as a result of the recent census, and that this data will be available in time to permit a decision on the scale by the central mortgage and housing corporation by the end of July.

In the meantime, it is our understanding that, apart from minor considerations, the proposed scale is acceptable to central mortgage and housing corporation.

Mr. Speaker, while I am on my feet, I have a question submitted earlier this week from the hon. leader of the Opposition and I would like to give him the answer this morning.

The question was:

> What personal contact has been made by representatives of The Department of Economics and Development to encourage the location of the Boise Cascade kraft mill in Fort Frances?

The answer is that there has been no personal contact between representatives of The Department of Economics and Development and officials of the Boise Cascade Kraft Corporation.

It is known to us, however, that the company has acquired control of the Ontario and Minnesota Pulp and Paper Company in Fort Frances. The Boise Cascade Kraft Corporation is contemplating phasing out of the existing sulphite mill at International Falls and in replacing the operation with a kraft paper mill.

The location for the new mill is still under study by the company and several sites are being investigated, but no decision as to the location of the operation has yet been made.

Primarily, the interest of the company is in timber.

The hon. Minister of Lands and Forests has been in contact with the president of the company to ensure that Ontario is given full consideration in the plan to build a new kraft mill in that area. The company has sufficient reserves of timber in Ontario to accommodate the proposed operations.

**Mr. F. R. Oliver** (Grey South): Mr. Speaker, in the absence of the hon. leader of the Opposition, the hon. member for Dovercourt, I have three questions for the hon. Minister of Health. I will read them and perhaps the hon. Minister would answer them in order:

1. What loans have been granted to industries in Fort William and Port Arthur

for the purpose of installing equipment to control air pollution?

2. Is the Minister aware that the nearest hospital for treatment of many residents of such areas as Red Lake is in the province of Manitoba? If so, what reciprocity has the department of Manitoba in the payment for hospital services for Ontario residents who are paying Ontario hospital services commission premiums?

3. In view of the inaccessibility of some residents of northern communities in Ontario to Ontario hospitals, due to the lack of roads and airstrip facilities, are Ontario citizens who are stretcher cases and forced to travel on planes required to pay the cost of any plane space displaced by the stretcher or other medical apparatus?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, the answer to the first question put by the hon. member is that The Department of Health does not make grants to industries for the purchase of, or installation of, air pollution control equipment. I believe that this is all arranged in collaboration with the federal government and that a very rapid write-off is granted on such equipment. I cannot be positive of that, but that is my understanding.

The answer to the second question is that Ontario residents who are entitled to services through Ontario hospital insurance have these insured benefits provided in Manitoba when it is more convenient for them to go to the nearest hospital for treatment.

The answer to the third question is that Ontario residents who are stretcher cases and who are forced to travel by plane are required to pay the cost of any plane space displaced by stretcher or other medical properties. However, if it is considered to be a mercy flight, The Department of Health would make the necessary arrangements and might pay all or part of the costs.

**Mr. Oliver:** Mr. Speaker, I have one supplementary question and that is: Is the hon. Minister aware of any department of government that gives grants for control of air pollution?

**Hon. Mr. Dymond:** I am not aware of any, sir.

**Mr. E. Sargent** (Grey North): Mr. Speaker, I have a question for the hon. Attorney General. The constitution or principle that the accused does not have to incriminate himself by answering questions by police without the presence of counsel has just been approved by the United States supreme court. What steps does the hon. Minister plan to take in this regard in the province of Ontario?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, the hon. member has raised a very important question which deserves a very considered, careful and thorough answer. I received his question just a few moments ago.

I should like to review the law in connection with this whole question, and in order to do so I would prefer to take the question as notice today and give him a full, considered answer very shortly.

**Mr. Sargent:** Thanks. Would the hon. Minister accept a supplementary question? How long is the Minister going to allow Halton Magistrate Kenneth Langdon to operate?

**Mr. Speaker:** Order! The member will have to ask that sort of question at a later date.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, I wish to table the answers on behalf of the government to questions 4 and 26.

The hon. Minister of Labour tabled answers to questions as follows:

4. *Mr. F. Young* (Yorkview): Inquiry of the Ministry: Does the Minister intend to order compulsory vehicle inspection for the entire province at regular six-month intervals to be provided at cost?

Answer by the hon. Minister of Transport (Mr. Haskett):

No.

26. *Mr. K. Bryden* (Woodbine): Inquiry of the Ministry—1. (a) Has The Department of Energy and Resources Management been informed of the discovery of a petroleum seep a Lafontaine, Ontario? (b) If so, has it made any investigations?

2. (a) Has it conducted any aerial or ground surveys of Lafontaine and the surrounding area? (b) If so, when?

3. To its knowledge, did anyone else conduct aerial surveys over the area last summer?

4. Have any test wells ever been drilled in Lafontaine and vicinity for the purpose of discovering oil?

5. (a) What is the opinion of the department as to the possibility of oil or gas being discovered in Lafontaine and vicinity in commercial quantities? and (b) on what does it base this opinion?

Answer by the hon. Minister of Energy and Resources Management (Mr. Simonett):

1. (a) Yes, in September of 1965.
   (b) Yes, the area was visited in October, 1965 and a geological report was prepared in November, 1965.
2. (a) No.
   (b) —
3. No.
4. Yes, one well was drilled in 1913, 20 miles to the east near Penetanguishene.
5. (a) Commercial quantities of oil in the area are very remote.
   (b) Available geological information.

**Mr. Speaker:** The hon. Minister of Lands and Forests has a question to answer.

**Hon. A. K. Roberts** (Minister of Lands and Forests): Mr. Speaker, yesterday the hon. leader of the Opposition gave me notice that he intended to ask a question having to do with sea lampreys.

If the acting leader of the Opposition wants that answer, he might ask it and I will answer it. Otherwise, I would ask that it be discharged.

**Mr. Oliver:** I do not have the question before me, but I was appraised of its import, and it was to ask the hon. Minister what has been the most effective method of combating the sea lamprey peril in Ontario waters.

**Hon. Mr. Roberts:** Mr. Speaker, I will give the exact wording, if the hon. member would like that: Can the Minister state what have been the most effective methods used in attempts to reduce the lamprey in the Great Lakes?

The answer to that is that there is only one effective method so far known to reduce the sea lamprey population, and this to treat streams where the lamprey spawn with a specific lampricide known as TFM—trifluoromethyl nitrophenol. This chemical, when properly introduced into the water, kills the larval lampreys and does no harm to other forms of life.

Occasionally it is desirable to use it with an intensifying chemical, and a few other fish have sometimes been killed by these chemicals.

Because of the peculiar life history of the lamprey, streams can be treated in rotation at four-year intervals.

I might elaborate just a moment on that, because I think I have answered the question at it was put. At the same time, since it is a matter of public interest, I should say that chemical control is best in regard to this. It is the only efficient method.

Electrical barriers are useful, but only for assessing lamprey population ascending streams. In combating the lamprey, and existence of lamprey in an area, rather than its elimination, hybrid species of fish, such as splake which is a hybrid of lake trout and brook trout developed by Lands and Forests, is useful because of its early maturity and its ability to spawn even though some lamprey may for a time escape chemical treatment.

The lake trout itself does not spawn until, I think it is the sixth or seventh year. Very often it is a target for the lamprey before it reaches the spawning age, whereas this other type of fish, spawning at an earlier age, while it is still smaller, is not the same kind of a target.

Then also, the introduction of small fish, such as kokanee salmon into the Great Lakes may be another method of having ample fish, even though the lamprey is not entirely eliminated.

Other methods of control are being studied, but none have as yet been effective.

I sent over to the hon. leader of the Opposition yesterday, a pamphlet, "Landlocked sea lamprey in the Great Lakes" which has been issued by our department and is something we produced really from the federal research board, which I think perhaps gives him a little more detail.

**Mr. Oliver:** May I ask my friend, has the application of the chemicals to kill the lamprey been found injurious to other fish species?

**Hon. Mr. Roberts:** The answer to that would be no, except perhaps on rare occasions. Generally speaking the answer is no.

**Mr. Speaker:** Orders of the day.

## THE PAWNBROKERS ACT, 1966

Hon. A. A. Wishart (Attorney General) moves second reading of Bill 161, The Pawnbrokers Act, 1966.

Motion agreed to; second reading of the bill.

## THE INSURANCE ACT

Hon. Mr. Wishart moves second reading of Bill 162, An Act to amend The Insurance Act.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, I would like to speak briefly on Bill 162, which in substance is the bill which revises that part of The Insurance Act dealing with automobile insurance.

I do not intend to embark on a discussion of the views of our party on a public automobile insurance scheme because I do not think it would be appropriate in speaking on the principle of this bill. There are, however, four or five specific matters that I wish to speak about, which I feel, sir, should not be perpetuated in the amended part of The Insurance Act dealing with automobile insurance.

First of all, however, I would simply comment that I see no reason why the hon. Attorney General should insist that this bill providing for these new automobile insurance contracts should not come into force until January 1, 1968. It is not as if this bill provided some startling or new changes in automobile insurance in the province, even with the additions of a method by which you can combine an accident insurance claim with an automobile accident insurance policy, which would require the hon. Attorney General to think that this particular part need wait until January 1, 1968. I am quite certain that the insurance companies would be able to issue policies on the basis of this revised part of The Insurance Act much sooner than that, indeed by January 1, 1967, if not before.

The second point that I would like to refer to is in the statutory conditions, and is one of the principal sources of irritation in the settlement of automobile accident claims. It is the provision contained in the statutory conditions relating to the value to be placed on an automobile for the purpose of settlement of claims. I would ask the hon. Attorney General in his reply—if he decides to reply to the remarks which I make—if he would explain to me why this provision should continue in the statutory conditions.

The provision states that the insurer shall not be liable for more than the actual cash value of the automobile at the time any loss or damage occurs, but then goes on to say:

> And the loss or damage shall be ascertained or estimated according to that actual cash value.

It then has these words: "With proper deduction for depreciation."

I think there is very direct confusion between the provision of a bill which purports to provide that there shall be reimbursement or indemnification for the actual cash value of the automobile or of the damage caused to the automobile at that time, and the addition in the next part of that statutory condition of the provision that from that actual cash value there shall be what is referred to as a proper reduction for depreciation.

We are all aware that there is, to say the least, almost an improper use of the term depreciation in relation to automobiles. We are all quite aware that the moment you drive an automobile off a dealer's lot after you have purchased it, the value of it suddenly drops, and I think that for the hon. Minister to perpetuate as a statutory condition, not only that the actual cash value shall be the top limit, but that that cash value shall be further reduced by some deduction for depreciation, requires an explanation from him.

The third point, Mr. Speaker, that I would comment on is that the statutory conditions contain the same provision with respect to determination of automobile insurance which has been the source of comment on many occasions in this House, that is the unilateral right of the insurer without reasons, and on 15 days notice, to cancel an insurance policy. That provision is contained in the statutory condition number 8, which states that this contract may be terminated by the insurer giving to the insured 15 days notice of termination by registered mail, or five days written notice of termination personally delivered.

Mr. Speaker, it would seem to us that this is now the time, when part 6 of The Insurance Act is being revised, that the hon. Attorney General should make certain that when any such notice is given, that it is given in addition to the superintendent of insurance; and that in the notice which is given to the superintendent of insurance, the reasons should be given as to why the insurer is unilaterally cancelling an insurance policy on an automobile.

We think that the point has been made many, many times in this House by members of all parties, and I think it deserves the attention of the hon. Attorney General when he is bringing this substantial revision before the assembly.

Mr. Speaker, the further point which I would like to make is that the only minimum requirement specified in this statute is the provision relating to the liability limit of $35,000. My understanding is that if a person is to get an automobile insurance policy, the very minimum coverage which he must take is a $35,000 limit on his liability to third parties for damage which he may cause. Unfortunately, however, even that minimum requirement appears to be vitiated. I do not

understand the reason for it, in section 219 of the bill, which then goes on to say that nothing in this part precludes an insurer from entering into an agreement with its insured under a contract evidenced by a motor vehicle liability policy, providing that the insured will reimburse the insurer in an agreed amount in respect of any claim by or judgment in favour of a third party against the insured, and the agreement may be enforced against the insurer according to its tenor.

Now, I am not all that familiar with the details of the application of that section, but it appears to me to say that if an insurer issues a policy containing the minimum limit of $35,000 as the amount of protection available to the insured against claims which may be made for his liability to the public, at the same time it would be possible under section 219 of the bill for the insurer to insist on an agreement with the insured as a condition of issuing that policy under which, in fact, they would split the liability and reduce the liability to something less than $35,000 so far as the insurer is concerned. If there is another interpretation to that section, or if it does not apply to this minimum statutory limit of $35,000, then I think that the time has come when it should so state. If necessary, that section of the bill should be either amended to provide an exception, or it should be deleted from the provision of the bill.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I wonder if the hon. member would permit me—I think I follow him in his discussion. I wonder if in this point to which he is making reference he might take a moment to look at section 216 of the bill, particularly subsections 3 and 4. I think it bears on what he is saying about it, but I am very interested in the point he is making.

**Mr. Renwick:** Yes, Mr. Speaker, my remarks were directed toward section 216, which is the provision which provides the minimum limit which must be contained in the automobile insurance policy. My whole concern, without going into the technicalities of trying to interpret that section, is that section 219 appears to provide an avenue which may very well be used to limit or reduce further the $35,000 protection which a person would appear to be obtaining under an insurance policy, and I would not want any insurance company to be placed in a position where, as a condition of the issue of a motor vehicle liability policy, it could require the insured to enter into an agreement which would limit the responsibility of the insurance company to some extent.

The next point, Mr. Speaker, that I would wish to comment upon is—and this may not be the appropriate bill, but I think it is the appropriate time to raise the question—is the rule of court which presently exists in the case of automobile accident claims, that if there is a jury trial and the least reference is made to automobile insurance in the court before a judge and jury, if there is least reference to insurance, the judge automatically is obligated to discharge the jury. It is quite true —and I stand to be corrected if my knowledge of these rules is not accurate—I believe, that a person could then ask for a new trial and start all over again. The usual practice is for the judge to go on and deal with the case without a jury.

I think there has been a sufficiently substantial abuse of that technicality in the courts to provide now that all cases of automobile accident claims will be tried by a jury, and that the mere mention of insurance—which is generally in the province of Ontario assumed to be a fact in any case—should not eliminate jury trials from the settlement of automobile accident claims.

My last point, Mr. Speaker, is simply that it would appear to me that the inclusion of accident benefits under these insurance contracts should not, in fact, provide an increase in any insurance premiums in the province. I think this is so, because it would appear from a reading of the bill that it is only in certain instances that the accident insurance would be a first-loss insurance, and that in other instances it would be excess insurance.

And to the extent that the additional insuring clauses which may be contained in a revised automobile insurance contract, are not first-loss claims but may well be excess-loss claims, then it would appear that many, many people will be covered under other types of insurance which they may carry. These would be available in the first instance to settle any such claims as are provided under the provisions relating to medical expenses—which is specifically stated to be excess insurance and in the case of accident insurance in certain cases is excess insurance, and in certain cases its first-loss insurance and in other cases appear to be a co-insurance provision.

Mr. Speaker, I think that those are the main points of concern to us about the bill within the the context that the Minister has chosen to deal with automobile insurance by revising part 6. I would appreciate it if the hon. Attorney General would comment on those specific items I have raised which, I believe, touch the principle of the bill.

Mr. V. M. Singer (Downsview): Mr. Speaker, this bill that we have before us, An Act to amend The Insurance Act, is by and large a series of technical amendments to The Insurance Act and very little more. The Attorney General did go to the trouble of issuing a one-page statement when he introduced the bill. The statement really did not say very much. It touched on accident insurance; it made mention of compensation without fault. I wonder if the government is not just caught up in the sound of some popular phrases today. Certainly, Mr. Speaker, they have missed a grand opportunity; they have missed the real challenge that has been offered to them in taking hold of this insurance business, particularly automobile insurance business, and doing something for which the public has been asking for a long time.

There was some mention, as I say, of compensation without fault, and you find in section 226(a) the companies are now allowed to write some sort of an endorsement which can be included in the policy. I must admit I am not an authority by a long, long way on the technicalities of insurance law, but I do not understand what benefit 226(a) is at all when you read it in context with subsection 2 of that main section. Subsection 2 seems to take away whatever effect, or whatever benefit, there might be arising from the so-called compensation without fault endorsement that can be written into the policy. Subsection 2 of that section says:

> The insurance mentioned in subsection 1 does not apply in respect of a person specified therein who has the right of recovery under the motor vehicle accident-claims fund.

If the endorsement is to have any effect at all, surely it means that it is going to apply to those people who presently have a claim under the motor vehicle accident claims fund. So other than putting in some words —as I say, I may not properly understand these words—I do not see where the government is moving when they include this section 226(a).

It would seem to me that we have debated long enough in this House the merits of providing coverage for compensation without fault. It would seem to me that there is no point in again going over the submissions made to the select committee by the insurance industry, by the representative committee of the benchers of the law society, all of which representations were accepted by the select committee led by no less a person than the hon. Provincial Treasurer. All of those representations were put before the government, and it is hard to fix responsibility. I guess it is the collective responsibility of all the people in the front two rows, and those who support them.

Then the hon. Minister of Transport, aided and abetted by the hon. Attorney General—or the Attorney General aided and abetted by the hon. Minister of Transport, I do not know which comes first—have been the spokesmen for government in rejecting this eminently sensible and suitable approach for this day and this age to protect people on the road.

The studies—again, there is no need to mention the Linden study, the Osgoode Hall study and the results that they produced—confirmed any thinking that had been put forward by the select committee and those who made representations that resulted in the recommendations made by the select committee.

But here we have a reasonably major bit of surgery being done on The Insurance Act, and all it turns out to be is a series of technical changes, and cleaning up and some better wording, and the government again retiring into its shell, afraid to take hold of the problem and take a reforming step.

Again, Mr. Speaker, I do not think that there is any point in bringing before this House the many, many letters that all of us have received complaining about actions of insurance companies; cancellations without notice and without reason; refusals to write policies; shifting to the assigned risk plan; arbitrary raising of premiums for people over a certain age, under a certain age. None of these things are new to any member of the Legislature.

I am certain that everyone who comes here has in his files a series of letters from his constituents complaining about these things. Well, here we have the hon. Attorney General, the responsible Minister in charge of The Department of Insurance, bringing before us Bill 162 without one single bit of help for the province of Ontario, and that is the reason that a protest must be made again.

I recognize that it falls on deaf ears; I recognize that the government is afraid to proclaim the 30-year-old sections that are in The Insurance Act which would give them power to control insurance rates. They are afraid to do it. Those sections have been there for more than 30 years and the government will not proclaim them, will not take

on the responsibility of checking insurance rates. I do not know who has been at them and I do not know why they take this approach, but I say that this is a sorry excuse, this Bill 162.

There is nothing really wrong with it but it does nothing other than to tidy up the little untidiness that existed before. I say that it is a sorry excuse for a government that pretends to be forward-looking; a government that pretends it is concerned with the interests of the people who use automobiles or who walk on the roads and run the risk of being injured by automobiles.

I have made this speech several times, sir, and this is as much is I think I can say on it, except again to plead with the government to come forward with some sort of answer to the problems relating to automobiles and insurance and to come forward with that answer before it is too late. Because, as certainly as night follows day, if the government keeps its head hidden in the sand, this industry is going to be socialized. They are forcing the industry into government and the defenders of freedom of speech and the defenders of free trade and the defenders of private enterprise sitting there in the government benches, are doing this as consciously as though they are writing the socialization of The Insurance Act this morning.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, I wish I could agree with the conclusion just drawn by the hon. member for Downsview. I wish it were true that this bill which the hon. Attorney General has brought forward is the prelude to a sensible and rational system of automobile insurance; in other words, a publicly operated plan. This is the only answer to the automobile insurance problem. I notice that quite recently—an issue or two ago—*Corriere-Canadese,* a newspaper published by a gentleman who was a Conservative candidate in the last federal election, had a front page editorial stating, in effect, that the only sensible or rational answer to the automobile insurance problem is a public plan.

Unfortunately, this is not what is before us this morning, and I do not think that it is a consequence one can expect from the bill the government has put before us. On the contrary, that bill, in my opinion, Mr. Speaker, represents yet another ignominious retreat by the government, under pressure, no doubt, from insurance companies, and contrary to the public interest.

A few years ago, as we all know, a committee chaired by the hon. Provincial Treasurer, a senior member of the Cabinet both now and then, brought in a proposal that at least we should enact in this province legal provision for the principle of compensation without regard to fault. That, in itself, was a retreat from rationality. It was an attempt, at the time, to head off the pressure for a public government-sponsored plan. At the time the insurance companies retreated. They saw public pressure building up; they saw the possibility of the pressure actually inducing a full public plan, so at the last minute, as an eleventh hour conversion, they came back before the committee and themselves proposed a plan whereby compensation under certain circumstances and according to certain scales of benefit would be paid without regard to fault.

Earlier in this session, the hon. Minister of Transport laid the groundwork for this morning's retreat. He brought in a report from a technical committee. The obvious purpose of bringing it in was to create an atmosphere of panic in relation to this basic principle of compensation without fault. It was obviously just a build up for the bill that is now before us. It was not a sound or logical build-up; the principle is obviously essential and the cost of it will have to be paid. I do not think that the costs estimated by the technical committee were alarming at all, even if one assumes that they were accurate estimates, and after all, estimates of this kind are pretty doubtful, but this was the purpose of bringing in that report somewhat earlier in this session.

So, today we have before us the final stage of the retreat—the government's retreat. Did the hon. Provincial Treasurer represent government thinking a few years ago? One would think a senior Minister would do. The government's position a few years ago was that at least we should go so far as to incorporate the principle of compensation without fault in the law. So what do we have today? A typical Tory milk and water, mealy-mouthed provision that insurance companies may do this if they wish, but they may not do it until January 1, 1968.

What sort of an answer is that to the very serious problems of automobile insurance that now are facing the people of Ontario? I would like to repeat again the point made by the hon. member for Riverdale: why in heaven's name does that provision have to wait until January 1, 1968? It does not require anybody to do anything, so it could not possibly hurt the insurance companies in any way at all. Why not have it come into force

immediately; if there should be any underwriter at all who is willing to incorporate that sort of provision in an insurance contract, why not let him do it immediately?

I would suggest the bare minimum that the government should contemplate—and I want to emphasize this is not my idea of how the thing should be done—the bare minimum would be to permit any insurance company, immediately upon the passing of this bill, to include in its contracts a provision for compensation without fault for accident insurance, according to certain scales of benefit and without regard to fault.

That should be done immediately. By not later than January 1, 1968—the date the hon. Attorney General now sets forth for the voluntary provisions to come into force—all insurance contracts should be required by law to include some sort of provision governing accident insurance with certain scales of benefits. That in itself would be a very large retreat, but surely that is the minimum we can expect from the government.

What does this bill essentially do, Mr. Speaker, to take it in its totality? The experts say that it clarifies some provisions of the existing law, which may be true. But, if we look at its broad principles, I think we can safely say that what it does is to confirm the arbitrary stranglehold that insurance companies have over the people of Ontario. They up their rates without any regard to anyone. I know the argument is put forward that it is a competitive industry. It is not a competitive industry, the rates are set in concert. They do not have to account to anybody in the setting of their rates, they jack them up year after year. They also act in a most arbitrary manner with regard to individuals.

They now have a power—and the government apparently is quite content to see them exercise this power and indeed to confirm it—to cancel a person's insurance with reason or without reason and without even giving a reason, they do just whatever they like. They then can force that person into the position where he goes on an assigned risk and his rates may be doubled or even tripled.

In other words, the procedure is just a method of increasing rates even over and above the exorbitant rates they are already charging. This sort of thing is going on all the time. Every member of this House knows about it because he has received complaints, I am sure, from constituents as to the arbitrary treatment they have received at the hands of the insurance company without any recourse to anybody. When a person is dealt with arbitrarily by one company they all act in concert and all them give him the same arbitrary treatment. He has no escape anywhere. This goes on and the government confirms it in legislation that is before us this morning.

Mr. Speaker, I think it is time that we acted in the field of automobile insurance. The people are fed up to the teeth with being pushed around by insurance companies with no recourse at all. They are victims in the hands of insurance companies. Indeed under the law of the province as it now exists, there is in fact what amounts to compulsory insurance. The provisions of the law now create such extreme consequences if one is involved in an accident and does not have insurance, that no prudent person would conceive of driving a car without insurance.

I realize that a small minority do, in fact, do that, but I believe that the small minority consist of people who are not very prudent. Any prudent person has no option under the law. There is compulsory insurance for all practical purposes right now. I do not object to that. I think a person taking a high-powered vehicle out on a highway ought to have insurance. I do not think there is any doubt about it at all. He creates a public hazard by the very fact that he is driving this high-powered vehicle, and therefore, he should be in a position where he will compensate anybody whom he may injure, either personally or in terms of property by the use of that high-powered vehicle.

So I am not objecting to the principle of compulsory insurance, I think it is essential in this field. But if we are to have it, as we have for all practical purposes, then we should provide adequate protection for the insured. We should not force him into the position where he can be victimized by an insurance company or a consortium of insurance companies, without any redress.

The principles that now exist in our law with regard to automobile insurance are vicious principles. I would hate to think that even the Tory party would consider that they are sound principles. I know that the Tory party has a particular concern in its heart for big business, and particularly for big financial business, and insurance companies of course are in the category of big financial business. I know that they are very dear to the heart of the Conservative Party and it has a tender spot for them. It is always concerned for their welfare, but this has gone altogether too far.

I think it is time that we in this House

started to be concerned about the welfare of the average citizen who drives a car in this province. The bill that is now before us is a confirmation of the fact that the Tory government is unprepared to give any consideration to the rights of those people at all. And they, I may say, are the overwhelming majority of the people of Ontario.

**Mr. R. M. Whicher** (Bruce): I would just like to say a word or two about this. I had the privilege of being on the select committee on automobile insurance, and I want to say that within reason I agree with what has been said here this morning, particularly by the hon. member for Downsview and the last speaker.

While I was a member of the select committee—I do not want to get into any argument this morning with my friends on the left—but I was always one of those who have within reason I think stuck up for the insurance companies. I do not believe, it is against my way of doing business, I do not believe that insurance companies should be socialized and I have always said so. On the other hand, Mr. Speaker, I want to tell you that I am one of those who are very worried about the automobile insurance companies and the way they are treating the general public of the province of Ontario.

I say to the hon. Attorney General that I agree with what the hon. member for Downsview said, that sooner or later—and I am afraid it is going to be sooner—this government is going to force the members of this Legislature to socialize the automobile insurance companies in the province of Ontario. We are going to have no alternative whatsoever. The government in trying to guard this great free enterprise system of ours has bent over backwards and treated the automobile insurance companies with kid gloves, instead of being tough with them. To the hon. Attorney General I emphasize that he knows himself he is the boss in the situation. Well, get to the front of the ship and act like the captain, do not be one of the crew and let the insurance companies run this ship of an industry that is so important, not only to themselves in a financial way, but to the ordinary people of this province.

Mr. Speaker, it is not right that rates continually go up, and I might say that insurance agents—that the dealings of insurance companies with their own agents—is not a good way to act. I remember maybe 10, 15 years ago, an insurance agent would probably get about 30 per cent commission, 25 or 30 per cent. I believe now they have cut them down to 10 or 12.5 per cent.

When a person applies for automobile insurance, without any reason at all, it will be suggested that they should go on the assigned risk plan. They say because a person is a certain age, without regard as to whether the fellow or young lady is a good driver or not, they have to pay very high rates. And all of this, Mr. Speaker, adds up to a general dissatisfaction with the automobile insurance companies of this province.

I strongly urge the hon. Attorney General to act. He is most capable and, in my opinion, has done a wonderful job in this assembly, but as far as dealing with automobile insurance companies is concerned, I think that he is taking a back seat to them.

I tell him, let these people know who is boss. If he does not, in trying to protect the liberty of free enterprise, we are going to be forced to socialize these companies because the people are not going to put up with it.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I am indebted to the hon. members who have taken part in this debate. I think I would like to say I am particularly indebted to the member for Riverdale whose suggestions, I think, have merit, and I should like to consider all of them.

I would say that the first suggestion—that the Act should come into force earlier than January 1, 1968, is one which I raised myself in discussing this matter and this bill with the superintendent of insurance and with his staff.

The Act which you have before you this morning arises from a five-year study of the superintendents of insurance of the provinces, and it is intended as a uniform Act. That was one reason why that date was selected, so I am informed.

I did suggest that perhaps it might be possible to proceed unilaterally as it were, certainly with some provisions of the Act. I think the hon. member for Woodbine suggested that the insurance-without-fault provision might be at least permitted on a voluntary basis before that date. It is a suggestion which I have considered myself and which I have made and have asked the superintendent to consider, and we may find it possible to do something in that connection in the bill.

The hon. member for Riverdale also raised the question of the wording of the statuory condition regarding the value of automobiles—"cash value, with a proper deduction for depreciation." I would be glad to look at that,

but I think the language implies that in determining the cash value, in reaching the cash value there is to be a proper deduction. I am not certain of that. I should like to look at it and give it consideration.

The suggestion that notice should be given to the superintendent of insurance on cancellation, perhaps with reasons, is I think, a worthwhile one, and one I would also undertake to discuss.

I do not believe that his interpretation of section 219, taken in conjunction with 216, has the effect which he contends, but I shall study that further.

The bill is more, I think, than just a compendium of technical amendments. There are some technical amendments, but there are some very substantive provisions in the bill. Anyone who has read it, I think, in spite of the contention of the hon. member for Downsview, will agree that it does take a good many steps in substantive insurance law, and I think has a good many improvements.

The remarks of the hon. member for Woodbine consisted mainly of a political diatribe and a setting forth of the philosophy which he has, with which I find it impossible to agree. I do not propose to indulge in a defence of a different philosophy—

**Mr. Bryden:** The hon. Minister does not believe political discussions are appropriate in this House?

**Hon. Mr. Wishart:** Well our thinking is so far apart! When we bring in a provision for compensation without fault, which I consider an advance, he says that is a retreat.

**Mr. Bryden:** Well, it certainly is.

**Hon. Mr. Wishart:** When we get that far apart, it would be senseless to indulge in a debate.

I think there is merit in his suggestion that companies perhaps be permitted to insure for the compensation without fault area sooner than the date set forth in the bill. I shall certainly be glad to consider that and take it under advisement.

That, Mr. Speaker, is all I care to say on this second reading.

Motion agreed to; second reading of the bill.

## THE ONTARIO WATER RESOURCES COMMISSION ACT

Hon. J. R. Simonett (Minister of Energy and Resources Management) moves second reading of Bill 159, An Act to amend The Ontario Water Resources Commission Act.

Motion agreed to; second reading of the bill.

## THE NEGLIGENCE ACT

Hon. Mr. Wishart moves second reading of Bill 170, An Act to amend The Negligence Act.

**Mr. Renwick:** Mr. Speaker, on Bill 170, I have very substantial reservations about the way in which the government has decided to deal with the question of the right of a gratuitous passenger in an automobile to claim for the negligence of the driver or owner of the vehicle, and this is what this bill purports to do.

My comments are two in number.

The first is that it deals with a matter which I believe, to any lawyer who practices at the negligence bar, is nothing but a most difficult decision to make; and that is the use of the term gross negligence as the basis under which a gratuitous passenger would be entitled to claim against the owner or the driver of the automobile in which he is riding.

It is difficult enough, as I understand it, and I do not practice at the negligence bar. My knowledge is not technical or definitive on it, but certainly my impression is that the assessment of negligence itself is a sufficiently difficult and onerous obligation on the courts at the present time under the method by which these claims are adjudicated, without having to now have the court determine what is gross negligence.

This is a term which has crept into the courts in determining these cases. It relates somehow or other to a question of burden of proof, which shifts the onus of proof onto the defendant in a case and is akin to a finding of almost a criminal negligence on behalf of the driver.

Now, other hon. members of the Legislature who are more familiar with negligence matters can undoubtedly comment upon it, but I would simply make the point that there is no reason whatsoever why the gratuitous passenger in an automobile should not be able to claim against the owner and driver of the vehicle in which he is travelling on the same basis as anyone else who is injured in an automobile accident.

To my mind there is no reason whatsoever for making this distinction in an already complicated field of law to provide for recovery

only in cases of gross negligence. It is an ill-defined and inaccurate term at the very best.

My second point, Mr. Speaker, if I read the bill properly, is something which really astounds me in that the hon. Attorney General would bring in such a bill; because the closing words of the bill say:

> And the portion of the loss or damage so caused by the fault or negligence of such owner or driver shall be determined, although such owner or driver is not a party to the action.

Now I would think that any statute of this province dealing with matters of negligence which goes on to say that the portion of the liability or fault of the owner or driver to a gratuitous passenger will be determined by a court in which the owner or driver is not a party and is not present, and apparently would not even be entitled to enter a claim or plea on his own behalf, is an improper way for this matter to be dealt with. I think it just simply offends every principle of the functioning of our courts to which we pay such a constant lip service, and that is that a person is only found to be at fault or loss assessed against him if he is before the court.

I would ask the hon. Attorney General if he would comment on the two questions. Why he insists on gross negligence; and why the latter provision of subsection 2 of clause 1 of the bill should provide that the court will make this determination, even if the owner or the driver against whom it is made is not a party to the action?

**Hon. Mr. Wishart:** Mr. Speaker, with respect to the first point raised by the hon. member I would simply say that the liability has only been extended to cases where the owner-driver is guilty of gross negligence with respect to the gratuitous passenger.

The term gross negligence is, I will admit, not defined. As far as I know it is not defined in any statute. I think it would be impossible of definition. But it is defined by the courts. It is defined in each case and has been defined as hon. members know, in case after case down through the long history of the law and up to the very recent time; it is going on from day to day.

The courts define what is gross negligence in all sorts of cases, and we have felt it fit and proper to make the liability of the owner-driver, to the gratuitous passenger to be based simply upon gross negligence, which the courts are quite capable of defining.

I must also admit that it may increase to some degree the extent of litigation in automobile accident claims. We are opening here a new field in giving to a gratuitous passenger the right to recover where the owner or driver is guilty of gross negligence but we must, I think, leave that definition to the courts, as is done in the whole field of accidents and in negligence.

We have not extended the principle of negligence to any degree whatever, because I think to do so would be an unwise provision.

I think it is necessary, with respect to the second point, that the court should in all cases define the extent of the damage whether or not the owner or driver is present; that assessment at least should be determined by the court.

I really cannot conceive of a case where an owner or driver, being subject to a judgment with respect to fault or negligence, should not be a party to the action. But the latter part of that section does refer to negligence and I think perhaps there is a suggestion here that the question of gross negligence would likely be determined differently by another court in the matter of an appeal, and then it becomes necessary to determine the amount of the damages.

I must say that I am glad to have this point drawn to my attention. I cannot conceive of a case where the owner or driver would not be a part of the action. I should like to look at that further.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The fifth order: Committee of the whole House. Mr. L. M. Reilly in the chair.

## THE ALGOMA CENTRAL AND HUDSON BAY RAILWAY COMANY ACT, 1941

House in committee on Bill 2, An Act to amend The Algoma Central and Hudson Bay Railway Company Act, 1941.

Sections 1 to 3, inclusive, agreed to.

On section 4:

**Hon. A. K. Roberts** (Minister of Lands and Forests): Mr. Chairman, I propose to move here, in accordance with what I said a day or two ago—two days ago when this bill was moved from second reading—I move that the bill be amended by striking out section 4 and inserting in lieu thereof:

This Act comes into force on a day to

be named by the Lieutenant-Governor by his proclamation, which day shall be the first day of January, 1966.

The present section 4 reads:

This Act shall be deemed to have come into force on the first day of January, 1966.

The effect of the amendment now introduced is that the Act, when proclaimed, will be effective as of January 1, 1966. In this way, the bill, when this section and other sections of the bill are given effect, will provide for assessment and taxation of the lands as of January 1, 1966.

I might also say, to assure the hon. members, that it is the intention of the government that the proclamation of the Act will be made, I would say, with reasonable despatch, and members are referred to section 2 of the bill which provides that the tax notices for 1966 must be sent within six months of the date on which the Act receives Royal assent. In order to obtain the benefit of this section, the government will no doubt arrange for proclamation within such period.

On the question of assessment, I would say that under section 2 of the bill, there is reserved to the company the right to appeal the amount of the assessment levied under that section, and the usual rate of these assessments is based on approximately $4 an acre for timbered land and $2 an acre for untimbered land. It could, however, be higher if valuations were established on some basis other than conflicting with the normal method of assessment of timbered lands.

The railway fire charge is $12.80 a square mile at the present time, and as there are some 1,326 square miles involved, the rate there amounts to about $17,000. The timber licensee pays half of this, which would leave the company resposible for the other half under the bill, when it is proclaimed.

Motion agreed to.

Section 4, as amended, agreed to.

Section 5 agreed to.

Bill 2 reported.

## THE RAILWAY FIRE CHARGE ACT

House in committee on Bill 4, An Act to amend The Railway Fire Charge Act.

Sections 1 to 4, inclusive, agreed to.

Bill 4 reported.

Hon. Mr. Rowntree moves that the committee rise and report certain resolutions and a certain bill with amendment, and a certain bill without amendment, and asks for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill without amendment, and one bill with amendment and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The fourth order: Resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into the committee on ways and means.

## ON THE BUDGET

**Mr. J. C. G. Demers** (Nickel Belt): Mr. Speaker, in rising to take part in this Budget debate, I remind myself that it has been a very long session and that the hon. members, after almost six months of debates, estimates, caucuses and committees, are weary and would much rather go home to their families and constituents than listen to me speak. This twenty-seventh Legislature, Mr. Speaker, has just passed the half-way mark, and looking back over the past two-and-a-half years, I know that all the members will consider it as the most productive in the history of this province. Personally, I have enjoyed it immensely and this new kind of life which began for me in the fall of 1963 has been a most rewarding and exhilarating experience.

Often, as I consider the work load which we have embraced, I remind myself that membership in this most exclusive club, as the hon. member for York South (Mr. MacDonald) would say, is where a young man can make the greatest and the fullest contribution to the well-being of his fellow men.

In fact, Mr. Speaker, membership in this Legislature is more than a career or a profession. One can make it a calling or even a vocation. So, you will forgive me, Mr. Speaker, if I take up the time of the House on this bright sunny Friday morning. I know that my colleagues will realize that thus far at this session I have tried to be attentive and I cannot be blamed for filling the pages of *Hansard*. My remarks this morning will perhaps sound like a state of the union message from this great Texas of the north which I have had the honour to represent for the past two-and-a-half years. But, I think I owe it to my constituents, to the govern-

ment, to this House and to myself to report on the accomplishments of the past two sessions, and the session currently under way, and again at that time to publicly reiterate the hopes and aspirations of my people.

It is appropriate, sir, when one addresses you for the first time during a session to say kind words about your performance in the chair. I have read and re-read *Hansards*, and I have consulted famous authors trying to find something appropriate to say about you. I find that we have exhausted the choicest words in the English language to describe your very successful tenure of office. Sir, I can only qualify it as magnificent. Suffice it to say, that from my own observations and the comments of senior members of this House, you are probably the best Speaker this House has ever had.

One of the most rewarding experiences in this club, is certainly the friendship which one acquires. And the key to success in this House is probably the extent to which each member can assess the personalities he works with or, or works against every day. It is a great study in human nature, and as we get to know each other better we become more understanding and more tolerant. But, some of experiences I must share with you are my observations of the Opposition.

The member for Sudbury (Mr. Sopha) has often said that all the members in this House are honourable men. They are all dedicated, and although they are different, each has his own peculiar talents, temperament, qualities and faults.

Every session and every byelection brings new faces, and at this session we have observed the performance of the new member for Nipissing (Mr. Smith) and the member for Bracondale (Mr. Ben), two men whom I have learned to admire and like.

The hon. member for Nipissing, my neighbour to the east, deserved his victory at the polls last year. As a neighbour I have found him most co-operative and very responsible. Needless to say, I never uttered such words of praise about him during the campaign in September, 1965, but if we are to have an Opposition, and we must have an Opposition, it might as well be formed by men of his calibre.

The member for Bracondale, who has become such a good friend of ours that he even votes with us on occasion, is a worthwhile addition to this House. He is green, impetuous and outspoken. Like the hon. member for Grey North (Mr. Sargent), he belongs to a strange breed of men, and things would be rather dull in this House without them.

We welcome him also, and this brings me to say a few words about the leader of these two men. You know, Mr. Speaker, I think that the hon. leader of the Opposition (Mr. Thompson) has survived very well the ordeal of the past two years. I sympathize with him sometimes, because in spite of his victory in the last two byelections, fortune has not always smiled on him. His ranks have been decimated by the passing of three of his best men. I remember observing the leader of the Opposition at the funeral of the former member for Nipissing and I well remember his grief on that day and I said to myself that these were trying moments for the young leader.

His reaction to a series of tragedies which have filled the two first years of his leadership has gained for him our admiration on this side of the House. He has suffered in many other ways, I am sure, but, in spite of it, he has remained calm and responsible. His leadership and the performance of his team has perhaps not been as colourful as the performance of the member for York South and his crew, but I think it has been much more constructive, positive and objective. And where we can give credit to our own great leader for his capable administration of the affairs of this province, the leader of the Opposition has made a valuable contribution to the productive and responsible operation of this Legislature and this House.

Mr. Speaker, when I look at the magnificent performance of this government and its great leader, and when I say such things about the Opposition, and when I observe, as all Canadians do, the very sad situation in Ottawa, I believe that the Prime Minister (Mr. Robarts) would do well in sending a legislative peace corps over there for a few months. He would do well also to include in this contingent some of the more responsible members of the Opposition such as the leader of the Opposition.

But, Mr. Speaker, I have decided to impose on my colleagues this morning, mainly because I was provoked into it by the member for York South some two years ago, and I well remember the messages of goodwill and messages of welcome which I received from all parts of the House on the occasion of my maiden speech in 1964. The Prime Minister and his colleagues and a few members of the Opposition will never know how much this meant to a young fresh, back bencher who had just completed a summary of the hopes, ideals and aspirations of his constituents. This was over two years ago, sir, and the record will show that the hon. member for York

South said at that time the following words: "Wait until two or three years from now and he has to come back and repeat the same things."

Well, sir, it has been two years, and I do not have to rise to repeat the same things because, with very few exceptions, I can report to this House and to my constituents that those things have been "done." The co-operation, the understanding, the advice and the guidance I have received from this government and all the people on the Cabinet benches has been overwhelming, and although we have found new problems and new challenges, the programme which I placed before them two years ago has been accomplished.

I spoke about Confederation at that time, and although we all look at the current situation with some degree of fear and we embark on the second century with some apprehension, the leader of this government has emerged as a driving force, as a tower of strength in the history of this whole nation. He is a man who preaches not only by words, but by deed, and in his stature and statesmanship lie the hopes of leaders of governments throughout this land.

We are fortunate to have a man of his calibre at the head of this government, and as I observe him and the men who serve under him, the war cry of September, 1963, "Good government deserves your support," and "Done" take on a new meaning to me. This man has given this province truly good government, and as I notice his hectic pace, I ask God to preserve his health and to give him added strength and wisdom as we face the challenge of the second century.

When we speak about Confederation, Mr. Speaker, we must give thought to the ten members of this Confederation. It is impossible to discuss the future of this nation and its ten provinces without making reference to the events in Quebec during the past half decade, and perhaps especially in recent days.

Two weeks ago I addressed a group of young delegates of French expression from the nine provinces outside Quebec. This was a historic meeting. It was really the first time that such a group had met to reflect on the prospects of Confederation. They came to examine the conscience of young Canadians of French expression. I think that it is significant that this meeting was held in Ontario and that it was held in Sudbury, because I feel that nowhere in this country have we achieved a greater understanding between French and English than we have in this province and in the Sudbury district.

The conference was a success, and I think that the opinions expressed over that weekend clearly reflect the fears of young people throughout the land. But I think that this conference pointed to the fact that in spite of our modern world of communications; in spite of national radio and television; in spite of the B and B commission, Canadians are still strangers. The young people from British Columbia did not know to what extent we in this province have achieved equality, and the young people of Ontario were not fully aware of the situation elsewhere throughout the country, with the exception of Quebec, and even in that province they have found, as I have also found, that our prognostications were not too accurate in the light of recent events. But I said much more in Sudbury on that weekend—and I am not going to read the speech here this morning, although I will provide you with copies if you wish, but I could detect that my young friends from Ontario—and they were not all Tories—shared my pride in the efforts of the leader of this government to bring about throughout the nation a deeper understanding of the aims and the hopes of the Fathers of Confederation. And some have said that the events of recent days in Quebec have plunged the country into another crisis on the federal scene. This is not so—and our great leader has again displayed his cool, calm and responsible approach by offering to work with the new administration in Quebec.

Two years ago I spoke about the freshman Minister of Economics and Development (Mr. Randall). I said at that time he would inject a new life in his department and that he would carry this province to even greater economic expansion. This he has done.

I suggested also that one of the weak points in the Minister's campaign to bring to Ontario greater economic prosperity was the lack of interest on the part of certain municipalities in this province in the field of economic and industrial expansion. And I said at that time:

> Our regional development groups are not doing the job they should be doing, and one must realize that the province can only do part of this job and that we must obtain proper participation of our municipalities in the field of industrial development. If not I believe the province should review its contribution in the field of regional development.

A few months ago, Mr. Speaker, the answer came out—loud and clear—to me, the Prime Minister's announcement of a new Design for Development means a great deal more

than what I read and heard. I was in local government when the northeastern Ontario development association was established some ten years ago. I witnessed its performance, but I also saw its weaknesses. Design for Development, I hope, will achieve what I suggested two years ago. But I will say even more. I will say that if I were to rebuild this Cabinet—and I was present when my good friend from Sudbury tried to demolish it in his mind a year-and-a-half ago, and again earlier this week, that the hon. Minister of Economics and Development would stay exactly where he is.

You see, Mr. Speaker, I think too many people, especially the NDPs think economic growth and industrial development of this province fall from heaven. Perhaps we have the resources in this province, perhaps our geographical location on this continent is favourable, but it is not by coincidence or luck that Ontario has prospered and has reached a position of economic strength. Premier Ross Thatcher, the other day, told us how government policies and philosophies can help to build or destroy the climate for growth. To my friends and constituents who often ask me to compare the performance of this government in the field of economic expansion, I suggest that they read the book—*Douglas in Saskatchewan*—a book that illustrates so well the failure of that government to bring about social and economic progress to the people of that province. I urge every member of this House and every citizen of this province to read this book, and I am sure they will find in it sufficient ammunition to defeate the policies and philosophies of our friends who have used the dismal failure of a government in Saskatchewan to try to bring about greater prosperity throughout the nation and in this province.

Two years ago I spoke about the hon. Minister of Education (Mr. Davis). Since then he has accepted added duties as Minister of University Affairs. I do not have to tell you about his success as the head of those two major portfolios. Today, Laurentian University of the north is built. The federated colleges continue their building and expansion programme. This great institution has already done more to change the face of the north country than anything since the discovery of nickel! This great university built on the rock is but one example of the bold policies of this government in the field of education. It should soon be complemented by a college of applied arts and technology. But hon. members know, one must keep a very complete set of records to be able to follow the new programmes, new schemes and new ideas of the hon. member for Peel. While he and his people never lose sight of the needs of the majority of the young people of this province, and of the adults as well, he is very conscious of the needs of minorities, especially in the north.

In my maiden address to this House I pointed out the special problems of some of my constituents in the field of secondary education. I suggested at that time that in communities such as Foleyet, Gogama, and others such as Sultan, Ramsey, Renabi and several others on the CNR and CPR line, it was economically unfeasible for the province to establish high schools. I mentioned also that the parents of children of high school age had to bear a burden which no other parent could afford elsewhere in the province and that was to pay board and lodging and transportation fees for their children in order to provide them with a high school education in larger centres such as North Bay and Sudbury.

Mr. Speaker, again I expected perhaps to have to wait for 10 years as the member for York South indicated to me. But less than a year after this request was made, the Minister announced certain amendments to his legislation to provide for the payment of a special board and lodging and transportation allowance of $3 per day for those children. I know that hundreds of my constituents have taken advantage of this new subsidy, and this has opened up new horizons for many people in northern Ontario. This year, after discovering several flaws in the legislation we introduced the year before, the Minister introduced further amendments which will extend this form of assistance in areas where no school board exists. In fact, the only suggestion which the department has not yet accepted is that the board and lodging assistance be allowed to parents who send their children to so-called "private schools." I know that this suggestion opens up a new area for criticism, but I hope a solution will be found.

Frankly, Mr. Speaker, it was the greatest day of my life in this House when this form of assistance was announced. Since then the Minister and his people, especially in northern Ontario, have completely re-examined the situation of the isolated communities, and they are tackling the problem boldly. Just a few weeks ago it was announced that a northern corps of teachers will be formed. This announcement was backed by an additional payment of $1,000 a year for the salaries of dedicated young men and women who will leave their homes and friends to

teach in the remote areas of northern Ontario, so that this government's policy of equal opportunity for all can be maintained.

Today I praise these young men and women who will join this corps and I say to them there is no nobler cause. The member for Peel has done much more than to head and direct what has been described as one of the best systems of education in the world. He sets an example to many young politicians in search of a challenge and in search of an ideal. In the field of education in my own constituency, I can report that the job is being done. The merger of public school boards into larger units is a success. Similar mergers are now taking place in the separate school system and it is being done voluntarily, nobody is being forced into it as my hon. friend from Sudbury suggested here the other night. Vocational composite schools have been built throughout my constituency. I asked two years ago that two communities in my riding be given special consideration for the construction of vocational schools. There was a problem at that time where a smaller community did not qualify for special federal-provincial grants. Shortly after my request, representation was made to Ottawa and the community of Chapleau was included in the federal-provincial scheme in spite of its low enrolment. A new high school is now being built there and it should open this fall.

The reorganization of The Department of Energy and Resources Management has been felt in my riding. I said two years ago that the conservation authorities branch was now where it belongs. I think the experience of the past two years has proved this. I listened with interest to the comments of my hon. friend from Sudbury when he criticized the Ontario water resources commission a few weeks ago and he became involved in a debate with the hon. member of Wellington-Dufferin (Mr. Root). Well, my hon. friend from Sudbury is a very learned man—is a very articulate man—and he is usually very well researched. But in this case he did not have all his facts. And so I put on the record what has really happened in my constituency and his, in fact, over the past three years. And I ask members of the House to listen and I ask a little group of people back in Sudbury—who for political reasons have just discovered the problems of pollution of water supply but have done and are doing little about it except to talk—to consider this record.

Of the 24 municipalities in my constituency 14 are located in the great industrial and mining area we call the Sudbury basin. All of these municipalities have different characteristics and different problems but most have a great deal in common. Here for the first time I shall put on the public record how the majority of these municipalities have succeeded with the help of the Ontario water resources commission in solving the problems of water supply, sewage disposal and pollution control.

These municipalities form a great semicircle surrounding the city of Sudbury. Some are separated geographically by great physical barriers. Some are so closely related geographically that the boundaries have become invisible and have been the subject of review by various jurisdictions with regard to amalgamations or annexations or even the sharing of certain services. At the eastern end of this great semicircle is the town of Coniston, a self-sufficient community that has enjoyed sound administration over the years. The town of Coniston has a very adequate waterworks system and modern sewage disposal facilities, one of the first projects built under the auspices of the Ontario water resources commission. We then move in a northwesterly direction to the townships of Neelon and Garson.

This community is also fully serviced by an underground source of water supply, and three or four years ago one of the first sewage lagoons in the province was built there. These people have, with the co-operation of the commission, again managed to solve their own problems.

We then go on to the township of Falconbridge where water supply and sewage disposal are taken care of. We then move on to the town of Capreol where an ingenious but simple water filtration plant has been devised. At the present time the town of Capreol is already using part of a new storage lagoon now under construction. Therefore, no problem here. We then move on to the area commonly known as the valley and we drive through the sprawling suburbia of the townships of Capreol and Hanmer.

I suppose that even to discuss the on-again off-again amalgamation or annexation of these two townships would be breaking the sub judice rule we have heard so much about in recent months in this House. But generally, in those two townships, except perhaps for the little hamlet of Hanmer, there is no insoluble problem of water supply and sewage disposal at present. The soil conditions are such and the residential lots are sufficiently large to permit the installation of individual

well point systems and septic tanks. Furthermore, it is a proven fact that underground sources of supply, similar to Neelon-Garson's, are available and will eventually serve the growing population. This is evidenced by the fact that one large commercial plaza has already found large underground supplies which could serve several hundred homes.

So far, Mr. Speaker, there is no problem, as long as health authorities maintain close vigilance over individual wells and private sewage disposal systems. But then we reach the township of Blezard and the hamlet of Val Caron. There we have a problem created by strange terrain conditions and a greater density of population than we have seen elsewhere in our little tour of the Subury basin. Underground sources of supply are not available and although the village of Val Caron is only a few miles away from Whitson lake, the quantity of supply in that lake is in doubt because of the major industrial consumption by International Nickel Company.

But let's get back to Blezard and move on to the township of Rayside where a similar problem exists. In Rayside, however, the situation is somewhat different because Rayside is built on White Water lake. Here again we have ascertained the absence of underground supplies, and we are still trying to determine, through the Ontario water resources commission, the quality and quantity of supply in White Water lake. So here we have the two critical problem areas in the Sudbury basin. We shall return to them in a minute after covering the rest of this semicircle.

We then go on to Chelmsford. The real capital of Texas! Some 15 years ago the people of Chelmsford built a waterworks system, and probably one of the most complex and expensive water treatment and filtration plants in this province. We filter and treat our water in Chelmsford by every imaginable method, using everything from river sand to pulverized volcanic rock. We add to it every known chemical used in the treatment of water. We shake it, mix it and add to it everything except peppermint flavour! With a good operator this assembly line laboratory produces pure, clear and cool water. This is where I first discovered the Ontario water resources commission and saw what it could do. This commission has given the municipalities of Ontario invaluable services. A few years ago, Chelmsford installed a sewage system and built the first sewage lagoon in northern Ontario. Had it not been for the great sacrifices of the people of the day who prepaid their sewer frontage rates, and had it not been for the guidance, professional advice and financing of the Ontario water resources commission, we would still be polluting our water supply in Chelmsford with the effluent from our own private septic systems.

The township of Balfour which surrounds Chelmsford has had, so far, a rather adequate system of private water supply and sewage disposal. The reeve and council of that township had the foresight earlier this year to make an unprecedented move and allow the town of Chelmsford to annex part of this territory. A sensible, practical solution, arrived at in harmony with the town fathers. It was unanimously agreed to, and since then heralded as an example to many municipal units who prefer to fight for their autonomy without taking into consideration the broader aspects of efficient municipal administration, and the provision of adequate services on an economical and sound basis.

Then, as we move again in a westerly direction, we reach the township of Dowling where we find some of the best building land in the valley. Because of its location near the Inco and Falconbridge industrial and mining operations of Levack and Onaping, the township of Dowling will probably become one of the largest residential areas of the Sudbury basin. It is well prepared for any expansion programme. This community has planned for its growth. Over a decade ago, Dowling was already at the forefront. When the population mushroomed elsewhere in the Sudbury district, Dowling practised sound community planning policies. Today, its residents are in a better position to control the orderly development of its potential as a residential area.

Here again, we have private water supply and sewage disposal systems and already the Ontario water resources commission has been asked to consider the installation of services.

The township of Dowling will find two alternatives when the time comes to instal services. There are, undoubtedly, sufficient sources of underground supply to serve the community's needs, and if not, the nearby Onaping river can provide this supply, provided, of course, we can keep this river free from industrial wastes upstream.

To conclude our quick tour of the basin, we finally reach the improvement district of Onaping and the town of Levack. Both those communities already have their own water systems. Onaping has a modern sewage disposal plant and Levack is now building one.

So I have therefore mentioned two critical areas the townships of Rayside and Blezard.

Several months ago, Mr. Speaker, the Ontario water resources commission met in Sudbury. For the first time, the commission invited all the municipalities in the Sudbury basin to meet together and discuss their individual and common problems. All municipalities were present, including the city of Sudbury. To the member for Sudbury it was a waste of time. The meeting, he has said in this House, achieved very little, if anything.

Well, I think it was the most successful meeting the OWRC has ever held in the north.

For the first time the municipalities of the Sudbury district met to discuss their mutual problems and to discuss these problems at the invitation, and in the presence, of the members of the commission who could help them find solutions to those problems. As a result of the meeting in Sudbury, the municipal officials present had a chance not only to evaluate their own problems but to look at them from a different angle and to relate them to the problems of their neighbours.

In my opinion, the Sudbury meeting was regional or area government at work. Before finding solutions to a problem, one must evaluate and assess the problem and although the Sudbury meeting did not offer any immediate solutions, the people present at least left knowing they had a better understanding of the overall problems of the entire Sudbury basin.

The city of Sudbury had at that time a very serious water problem, the colour, taste and odour of the city's water could only be described as "terrible." Since then this problem has gradually disappeared but recent reports and research prove there could be a reoccurrence because of the algae situation in Lake Ramsey. Again, it has never been pointed out in this House that much of this research was done by the Ontario water resources commission.

The suggestion was made at that time that a large pipeline similar to the London pipeline should be built from Lake Wanapitei. Although this suggestion has often been considered too costly and not very practical, the Ontario water resources commission did not choose to ignore it. Upon returning to Toronto, the chairman of the commission wrote to all the municipal officials of the Sudbury basin asking their views about this pipeline proposal. Of course, there is no doubt that it would be economically unfeasible to think of this pipeline unless water could be sold to the city of Sudbury.

After having given full consideration to the pipeline proposal, the city of Sudbury decided this proposal was perhaps not the solution to its immediate problems and a resolution asking the OWRC to undertake a study of this proposal never came from the city of Sudbury. Some have criticized the city's decision and its "wait and see attitude" in connection with its own source of supply in Lake Ramsey and the feasibility of a pipeline to feed the city directly or to feed into Lake Ramsey. I cannot be critical of the city's decision.

An excellent appraisal of the city's position was made in the Sudbury *Daily Star* a few weeks after the OWRC meeting in Sudbury. It was a very factual report based on sound economic reasoning.

But other municipalities in the valley, especially Rayside and Blezard where the problem had become even more critical, requested that the Ontario water resources commission undertake a study of water supply requirements in the valley. The township's request was supported by several of their neighbours and a few weeks ago the commission announced that a study would be made. The study is currently under way, Mr. Speaker, and the results have been promised by the end of this year.

Well, sir, the hon. member for Sudbury took credit in this House the other day for this study. Frankly, I do not spend as much time as I wish I could listening to the debates in the House but as long as my colleague does not interfere with the operation of my busy office on the third floor of this building, he can claim all the credit he wants. He would be interested to hear I am sure, that I was the first one to be interviewed by the young engineer who is now conducting this survey, an interview which lasted some six or seven hours.

Of course, when we talk about water supply, sewage disposal, pollution control and municipal services in general, we must talk about money. I will come back to the question of money later on but I first want to say, that the best friend we have ever had in the Sudbury basin has been the Ontario water resources commission. While the majority of our Sudbury basin municipalities have their own water works systems and sewage disposal facilities, the others are looking to the commission for continued assistance, guidance and advice.

The commission is now engaged in a complete study covering the two critical areas in the basin as well as the townships of Capreol, Hanmer and Balfour and as well as

the towns of Chelmsford and Capreol. This is the kind of co-operation we need and this is the kind of co-operation we are getting. As far as I am concerned, the commission members are welcome any time in Sudbury and they are welcome to hold many more meetings such as the one held last winter.

The people of my constituency, especially those who have at the price of great sacrifice, solved their own water supply and sewage disposal problems, have come a long way in the past few years. As I look back to my own days in local government, I well remember that the Ontario water resources commission was the most important jurisdiction with which we dealt and in spite of all the attacks and criticism of the Opposition, we can be proud of the commission's work and I know that my constituents are very grateful.

The city of Sudbury, unfortunately, still has no sewage treatment plan. This plant will only be built if this government provides sufficient industrial assessment or increased mining revenue payments over the next few years.

At the present time, raw sewage from the city of Sudbury pollutes the streams in the southwest sections of the city. The people in those areas are alarmed, and they have reason to be.

In the township of Waters, the problem of air pollution and the destruction of vegetation from the sulphur fumes at nearby Copper Cliff is also under investigation. The town of Lively is building its own sewage treatment plan. When we talk about water pollution control, I have just mentioned the area of my constituency where public interest is most evident. I want to pay special tribute today to the Creighton-Lively conservation club, the group of young resource rangers from that same area, who have really convinced me that public interest in the field of pollution control and conservation is at an all-time high. I have received from them some very imaginative posters which my friend, the hon. member for Wellington-Dufferin, has included in the permanent exhibit at the commission's offices. Recently, at the sportsman's show in Sudbury, this group of youngsters circulated a petition to draw public support to their work and I am suggesting to the hon. Minister of Lands and Forests (Mr. Roberts) that he should establish a special award for groups of young people and I am sure that the Creighton-Lively resource rangers would be the first recipients of such an award.

I am convinced, Mr. Speaker, that this government could continue to spend millions of dollars to conserve our water resources. We must embark on a bold new programme of public education. The public must participate in this programme, otherwise our efforts will be wasted.

Two years ago I told this House there was unrest in the ranks of labour in my riding. The situation, I am afraid, has not changed very much and I suppose we will have to learn to live with it. This government has dealt with both unions in my constituency in a most understanding manner. The situation becomes volatile at times and, frankly, I have words of praise today for the hon. Minister of Labour (Mr. Rowntree) and for others in this government, the hon Minister of Mines (Mr. Wardrope) or the pensions commission who have dealt with my friends in such a fair manner, and I think that both unions recognize this. It has not been easy for them and, frankly, it has not been easy for us.

Mr. Speaker, I have noticed a complete transformation of The Department of Labour in the past two-and-a-half years; things have been moving at 8 York street, in fact, moving so fast and so well that the Minister of Labour's department is now all over the city. The industrial training branch is doing an exceptional job. But, not only this branch, this Minister has surrounded himself with men of outstanding calibre and it is with pride that I accompany, almost every week, delegations from my district to meet with them. This year's amendments to The Labour Relations Act mark a milestone in the history of labour in this province.

As the two major unions in my constituency embark on a new round of bargaining, I know they can count on some of the best conciliation and labour relations services of any jurisdiction from this Minister's department.

Two years ago, I suggested to the hon. Minister of Tourism and Information (Mr. Auld) that he continue to listen to the officers of the northern Ontario tourist outfitters association. Even at that time, the Minister had created a very good impression with the people of my riding in the tourist industry. I can report today that my people in this industry have today even greater respect and admiration for him than they had when I first entered this House, and just a few weeks ago I had the honour of accepting on behalf of the Minister the award of the Joli Voyageur. I thought it would be appropriate for me to present this award to the Minister publicly in this House this morning in recognition of a job well done.

If one of the page boys will help me, I

would like to read the scroll which has been presented to the hon. Minister of Tourism and Information. It is from the brigade of the Joli Voyageur, and reads:

> Whereas, by and with the advice and consent of the directorate of the Joli Voyageur, I hereby signify and declare the approval of the Honourable James A. C. Auld, in full and honourable membership in this most illustrious brigade, testimony whereof has proven him to be a trustworthy and valiant outdoorsman, fully meeting the stringent requirements set down in the laws of the brigade and furthermore, it is known that he possesses a character without blemish and is recognized for his conscientious attitude in the practice of the rules of conservation with respect to our great natural resources of forest and stream.

And, Mr. Speaker, this is signed by Mr. William Biggs, the president of the Joli Voyageur regional tourist council, and by the secretary of the council, one, Robert J. Hollywood.

**Some hon. members:** Hear, hear!

**Mr. Demers:** I was proud to learn over a year ago, that the hon. Minister of Reform Institutions would build in my constituency a new training school for boys. This will be the first interdenominational school of this kind in the province. The land has been purchased in the MacFarlane lake area, near the little Queen's Park complex, and I hope that some day soon, the hon. Minister of Public Works will invite the member for Sudbury and I to the sod-turning ceremony. I have still not been able to convince the Minister that he should pave the access road into the townsite of Burwash industrial farm but I know that some morning he will surprise me.

Some two years ago, sir, I suggested that the hon. Minister of Public Welfare (Mr. Cecile) adopt the recommendations of the northern Ontario children's aid societies, and most of those recommendations were accepted in the new Child Welfare Act. We also welcome the Minister's recent legislative enactments in other fields of social welfare. I am happy to report that the Sudbury district regional welfare board is a success. Although we have received complaints from certain municipalities about the cost, I think we must bear in mind the quality of services we are now offering.

Two years ago I suggested to the hon. Minister of Health (Mr. Dymond) that a hospital school for retarded children be built in the town of Capreol. Well, unfortunately, it could not be built in the town of Capreol, but as a result of months of studies and negotiations, the Sudbury-Algoma sanatorium recently embarked on a new project to establish, in co-operation with the department, a diagnostic and assessment centre which is so sadly lacking in the north. I have found, Mr. Speaker, that we in this House can make a far greater contribution to the welfare of retarded children by participating in the activities of the Canadian association for retarded children in our own ridings than we can by making long speeches in this House.

There is a job to be done and it can only be done at home. The parents of retarded children need money, grants, which we are now providing; but they need much more than that. They need our understanding and encouragement. This can be done in many ways.

I heard, for instance, that the member for Peterborough (Mr. Brown) arranges every year, at his own cost, transportation for the parents of retarded children to the Hospital school at Smiths Falls. This is the type of understanding and encouragement these people require. In my own constituency we have two such associations. At the present time the members of our Progressive Conservative women's association are attempting to raise $5,000 to assist those two associations. Thier efforts are not always publicized, but they mean a lot more than speeches in this House.

I suggested two years ago that the Attorney General's department encourage the establishment of mutual fire protection systems in the north. This could only be done by providing subsidies for the purchase of fire engines. I am happy to report that for the first time two or three municipalities in my constituency have taken advantage of this 45 per cent subsidy from the emergency measures organization. Several more have made application. I am also grateful to the hon. Attorney General for taking over policing responsibility in two municipalities, thereby saving the taxpayer all the cost of police protection.

I have often heard it said that our Minister of Agriculture (Mr. Stewart) is the best in the country.

My admiration for him continues to grow. He has always been attentive to the farm community in my constituency. His recent announcement that special subsidies would be paid in northern Ontario to farmers who

wish to specialize in the beef cattle industry was very well received. He came to our rescue on several occasions when wet weather subsidies were paid or when drought assistance became necessary. But I am grateful to him for much more than that. At my request, he amended The Community Centres Act to allow school boards in unorganized territory to qualify for grants under the Act. As a result, several smaller communities in my riding are now enjoying this subsidy. A few months ago he appointed a senior bilingual administrator with offices in Sudbury to co-ordinate all agricultural programmes in the north. His recent announcement for the purchase of marginal farms by ARDA was probably the most progressive move his department has made in the north.

The extension of workmen's compensation for farm workers was another good decision and we have great hopes in the Minister's new plan for crop insurance.

Mr. Speaker, two years ago I spoke about the community of Chapleau. I have already mentioned that The Department of Education helped to solve most of our problems up there. I mentioned at that time that the Chapleau district is probably the most important lumbering centre in the province. This is why I often say that my constituency is really the treasure chest of this province. I asked at that time that the Minister of Energy and Resources Management, with the help of my very close friend the member for Muskoka (Mr. Boyer), pay special attention to the Chapleau area and make power available to the residents of that community.

Last fall the power was turned on. This was a great day in the history of Chapleau. It marked the completion of a heavy 115 kv line from Hollingsworth Falls. The construction of this line has resulted in a very substantial decrease in residential and commercial power rates. But it has done more than that. It has placed the community of Chapleau in a position where it can now hope to attract industry. And already, through the co-operation of several Ministers in this Cabinet and their departments, we are planning for the future. We hope some day to make full utilization of the great forest resources of that area. In fact, if we continue to receive from the Minister of Economics and Development and the Minister of Lands and Forests the same co-operation we have received and enjoyed in recent weeks, I can see a pulp mill or a newsprint mill in that area. The Minister of Energy and Resources Management recently announced a major power development at Aubrey Falls, near Chapleau. At the same time, thanks to the co-operation of the Minister of Tourism and Information, the Minister of Highways (Mr. MacNaughton) and the Minister of Lands and Forests, we are planning to develop a park at Aubrey Falls, and I predict that we will develop at Aubrey Falls one of the greatest tourist attractions in this country. Something which is so modern and imaginative in concept that I cannot divulge all the details at this time.

At the same time, Mr. Speaker, I asked Ontario Hydro to extend its power lines to serve the community of Foleyet. A few weeks ago the construction of this line was announced. This new line will provide an adequate supply of power for the development of that community and the people of Foleyet will not have to prepay any of the construction costs as we had earlier anticipated. So here again I can report that the job has been done. In fact, I can truly say this government has granted every reasonable request I have made in the past two-and-a-half years.

But I want to talk, Mr. Speaker, about the Minister of Highways, my favourite Minister, I am afraid. A man who is known throughout the north country as the fine fellow from Huron. He has been good to us. He is forging ahead with the construction of the Sudbury-Timmins highway. A few days ago, the last contract was called, completing the link between Gogama and Timmins. After two years the first link is built. Progress between Sudbury and Timmins has been good. And now that we have completed the first link we can carry on with stage two. Major reconstruction programmes are under way on most of our highways in the Sudbury basin. In the Chapleau area we are grateful, but not yet happy. By October 1 this year we hope to invite the Minister of Highways and the Prime Minister and the Minister of Municipal Affairs (Mr. Spooner) to officiate at the opening of this very important link from Wawa to Chapleau. I originally thought we could meet a deadline of September 1 but we now hope to achieve this by October 1. This will be a great day for the people of my riding. It will open up the golden route between Sault Ste. Marie, the state of Michigan and the great tourist and industrial potentials of the Chapleau district.

At the moment, The Department of Highways is forging ahead with the construction of another new highway to link Highway 101 with the communities of Missanabie, Renabie and Dalton.

Work continues on the reconstruction of Highway 129 from Thessalon to Chapleau; a very scenic route but one of the most dangerous pieces of road I have ever seen. But it is being rebuilt.

Much has been said in this House about highways, Mr. Speaker—and I am not going to say much more, except that we should pay greater attention to the economic benefits of building roads north of the French river. Some day when I retire I am going to write a book on the economics of highway construction in northern Ontario. I know that this government has done much for us. Sometimes when I look with envy on the MacDonald-Cartier freeway or as I drive down this scenic boulevard we call Highway 400 I wonder if my colleagues south of the French river realize that the province as a whole recovers tenfold its investment in highways in northern Ontario.

My colleagues have often told me, and especially my close friends from the Metro-oronto area, that we in the north should stop crying, and they compare the large budgets for the construction of Highway 401 with the few millions being spent, for instance, on the Sudbury to Timmins highway.

You see, Mr. Speaker, the MacDonald-Cartier freeway to them, appears as a necessity, and it is; but for every million we spend on northern highways the whole province benefits because we discover and tap new resources. It's an investment, and a wise investment.

But this Minister recognizes this and as I have said before he will go down in history as the man who started the Sudbury-Timmins highway and I am confident that when the historians from Western University write the biography of this great man there will be several photographs of him and the Prime Minister and perhaps even Senator Sopha and myself cutting the ribbon for the opening of the last bridge.

But one must live in northern Ontario to know how the people feel when we read for instance that the government has a $700 million programme of expenditures for one large metropolitan area alone over a period of 20 years.

I have been satisfied so far because I have received what I have asked for. But again may I point out there are over 150,000 people in the greater Sudbury district. A few months ago the city of Sudbury, in co-operation with this government, produced a very revealing report on the traffic problems of the district. This report recommends a multi-million dollar highway construction programme over a period of years. And if the city of Sudbury and the 15 suburban municipalities are going to join the Minister of Highways on this great venture our municipalities will need more money. And so I want to talk about money, municipal money, local government money.

I know a few things about local government because I spent the best 10 years of my life at it.

Local government in my constituency faces a crisis. A crisis which did not exist ten years ago, but a crisis that has developed over the years and has now reached alarming proportions.

I don't know how many times I have repeated inside and outside this House but I repeat it again today, that municipalities in my riding and elsewhere in the north have no right to assess and tax mine properties, real estate, plants, smelters, and so on, of the industry. We cannot do it. It is prohibited by a law of this Legislature. In lieu of this huge amount of industrial assessment we receive grants, subsidies. Grants calculated from a very complex formula called the McBain formula. It was a good and equitable formula at one time. In 1966 it has become obsolete.

The original McBain formula met quite adequately the mining municipality's needs a decade or so ago. But not today and especially not in a great metropolis like the Sudbury basin. For Sudbury is no longer a mining camp. Sudbury is becoming the Ruhr valley of Ontario, the Pittsburgh of Canada. The ores of the Sudbury basin feed the refineries and smelter and steel fabricating plants of this province; not only of this province but of the United States and some European and Scandinavian countries. Not all of them I know, but it would be surprising to assess the contribution of the Sudbury basin industry to the economic welfare of the free world.

Sudbury is no longer a mining camp. It is the largest and greatest metropolis north of Toronto and west of Ottawa. Sudbury is the nerve centre of the north. It is the distribution centre of the north. The university centre of the north.

The Sudbury basin produced close to half a billion dollars worth of ores in 1964. Half the total budget of this province at the time. A few months ago our two large mining companies announced an expansion programme which will exceed $100 million. That's a lot of money for industrial expansion, and I speak only of the two major industries—the two basic industries.

It is reported somewhere that secondary in-

dustries located in the Sudbury district are designed to serve the basic industries and a market area of almost 200,000 population.

A quarter of a century ago things were different. But today with the greater participation of governments at all levels in the lives of our people, our workers and their families, one can no longer measure his standard of living by only the size of his car or the quality and the cost of his grocery bill. The public sector of our economy, if one breaks down the gross national product plays a far greater role in our lives today than it did a quarter of a century, or 10 years ago.

Today the good life means more than a good house, it means more than food on the table and a good car in the driveway.

The "good life" means, in addition to all the things I have mentioned, it means:

A 6-inch watermain containing 50 psi of the best and purest water in front of the house; a good sewermain with a treatment plant at the end; a good paved street with at least some kind of surface drainage facilities at the street corner; a good sidewalk where the mother can push the baby carriage in the afternoon instead of having to dust the living room furniture three times a day because of the street conditions.

It means:

A good fire department and adequate equipment to save the congested downtown area from conflagration; competent police officers to keep the neighbourhood punks from killing the children who wander on the streets; good clean parks with grass and not only rocks and dust; a swimming pool and a ball park where the children can find supervised and organized recreation.

It means also:

An arena where the youngsters can develop team spirit on Saturday mornings and curling rinks where the parent can find some recreation.

The "good life" means:

Libraries where the enemies of bridge and curling like my colleague from Sudbury and myself can spend our Saturday afternoons away from the telephone; good roads and highways and streets where we can take our families on Sunday afternoons.

And the "good life" means even more than that: It means good schools and universities where the rising generations can prepare themselves for the brave world of tomorrow.

And thank God we have this last aspect of the "good life" even in my constituency.

But all the other amenities, all the others, except for a few more fortunate municipalities endowed by the largesse and the peculiar working of this McBain formula, we lack. We do without those aspects of the good life.

We have tried to be self-sufficient. We have worked harder than hon. members think. We have really tried.

I remember when the mayor and the councillors of my home town of Chelmsford went from door to door, from business place to business place, to ask the people to prepay their sewer frontage rates. Why did we have to do it? Simply because without 90 per cent of the services I have mentioned earlier our debenture debt had reached its peak. No arena, no sidewalks, no paved streets, no parks, no libraries, no sewers, sanitary or storm, no ball parks, no swimming pools, no curling rink, no ski tows. None of the amenities which people elsewhere in this province have taken for granted for a long time.

Hon. members will say the city of Sudbury has them. It has some of them, but not all of them. It still dumps its raw sewage in Kelly lake and the water that flows through the 6-inch watermain was not always fit to drink.

They will tell me that it's our fault, that we built this great city on the rocks of the precambrian shield. Well, let me tell hon. members this: The town of Chelmsford, the town of Capreol, the townships of Drury, Dennison and Graham, Waters, Balfour, Dowling, Rayside, Blezard, Hanmer, Capreol, Neelon and Garson, and so on, are built on the lushest farm lands north of Barrie, of what used to be the lushest farm lands. And the subdividers and landlords did not get rich, most of them went broke.

We also want to live the "good life"—and it means more to us that a late model car and money to buy groceries, to pay the mortgage and take a two-week holiday each year. It means all of the things I have mentioned this morning. It is not my fault, or even my father's fault, if Sudbury is built on rock. It is not the government's fault either. But from the same rocks come the real and true wealth of his province and this country.

We would like to build more hospitals. We need them. We would like to quit begging and we would like to buy our round. There is nothing I would like better than to be able to tell the hon. Minister of Health that our municipalities will gladly share in the costs of building new hospitals. There is nothing I would enjoy more than to be able to report that the city of Sudbury is building a $5 million sewage treatment plant to stop

polluting the waters of Waters township. And, mind you, I am not critical of the Minister of Health, I suffer with him when I listen to the insults that are thrown at him from the floor of this House. He is the best Minister of Health this province has ever had and I wonder how long his critics would last if they lived with the problems he faces every day.

But we cannot assess and tax in my constituency the industrial giants which have made this province great. We have entrusted the whole province with the key to this treasure chest—the passport to the "good life" in the Texas of Ontario. I have come to claim the key back.

In my home town—not built on the rocks—our mill rate exceeds 100 mills this year. In nearby Balfour township it is over 140 mills in certain school areas. You will ask me about the assessment ratio—it is always within 5 or 10 per cent of the department's manual.

Last Friday afternoon, Mr. Speaker, I was invited to accompany a Sudbury chamber of commerce delegation in the Prime Minister's office.

A new approach was made. This proposal would allow us to assess all mining operations in the Sudbury basin. The taxes so derived would be shared by all the municipalities of the greater Sudbury area. It is a new, fresh approach. This submission and the manner in which it was received marks a turning point in the life of my constituency and the city of Sudbury.

It merits full consideration and the Prime Minister himself has promised it—and the Minister of Municipal Affairs seems to like it. It has been said on several occasions that the hon. Minister of Municipal Affairs is the most competent administrator—the most able administrator my colleague from Sudbury has said—in this House.

I agree. I have watched him pilot through this House the very complex Metro bill; I have seen him come out victorious from situations which would have destroyed many. I shall never forget when, in the last hours of the second session of this Legislature, the then leader of the Opposition, this kind and sincere and eloquent man from Grey South (Mr. Oliver) rose to defend a Minister of this government from the attacks of the press. And this House broke down in applause on that spring morning for the Minister of Municipal Affairs.

Today I put before him the greatest challenge of his very successful and rich career.

I urge him to forget Metro Toronto for the next few months—I urge him to leave somebody else the task of unravelling the report of the select committee on the municipal and related Acts—it is not such a hot report in the first place. I urge him to leave to the hon. Minister of Mines (Mr. Wardrope) the task of scrutinizing the report of the select committee on mining, except the most important chapter of that report, part 4, on page 49. Eight lines. It took me one-and-a-half years to get those eight lines in there. They read as follows:

> That immediate consideration—

immediate—that is today—Monday of next week:

> —be given to the provision of such increase in these grants as will serve to provide for mining municipalities a financial position comparable to that of like-sized nonmining municipalities.
>
> That the recommendations of the association of mining municipalities of northern Ontario be used, but with a narrowing or elimination—

I tried to have them say elimination:

> —of the differential between the two categories of mine employees. This change may also require an adjustment in the amount per employee of fixed assessment.

Give me one good reason, Mr. Speaker, why a municipality should receive less in mining revenue payments for each mine or smelter worker living within its boundaries but working outside than another municipality receives for the same worker who happens to work inside its municipal boundaries. The McBain formula collapses right there.

One example—the town of Chelmsford in 1965 received approximately $13,000 in mining revenue payments. Another neighbouring municipality with less than half the population of Chelmsford receives in excess of $75,000.

So, I ask the Minister again to study my two suggestions. Let us examine thoroughly the recommendations of the Sudbury chamber of commerce and let us do it now and determine if these suggestions are practical and administratively possible.

Second, let us ask the Minister of Municipal Affairs to adopt immediately the recommendations of the select committee's report, page 49. Don't lower payments for municipalities who have enjoyed the benefits of the McBain formula but increase payments to the rest so that they too can enjoy the "good life."

Because, sir, my people deserve the "good

life." They have an equal right to share the amenities of life which the public sector of the economy provides elsewhere. In fact, they have perhaps an even greater right to it.

How many of us have ever worked in the mines? How many of us have ever gone underground to mine the ores? Some of us have visited mines, some of the members of our select committee have. How have you found it? Would you enjoy working there?

How did you feel when you looked up and saw thousands of tons of rock over your head? No concrete or steel lining—it's damp or cold or often too hot—but it's always dusty and noisy and it is always dirty.

We asked a middle-aged man who operates a slusher at Frood Mine what he thought of his work. A man in his fifties, obviously of European origin, a man with some 30 years of employment with International Nickel behind him. We asked him how he liked his work. And my colleagues will remember this, the member for Lakeshore (Mr. Eagleson) and the member for York North (Mr. Mackenzie) and the member for Kent East (Mr. Spence). He replied:

> I kiss the ground I walk on. Because of this job my son is a doctor today and my daughter is a nurse.

There are 20,000 men like this one in my constituency. They are a different breed of men, tough and hard and industrious. Proud of their work, proud of their unions and even proud of their companies when they shake the president's hand to accept their 25-year service pins. They are men who deserve the "good life," and they have not always had it. They are willing to sit on municipal councils, and school boards and planning boards and hospital boards. They are willing to pay their municipal taxes to help get more hospital beds and a better road to their university and to their airport —and to build parks and sidewalks for their wives and children to enjoy.

The solution is in our hands, Mr. Speaker, the solution is in the hands of the Minister of Municipal Affairs, and the hands of the Provincial Treasurer (Mr. Allan) and the hands of the leader of this government.

But we must find additional revenues to pay for the money I have spent with you this morning. The public accounts show that this province received during the last fiscal year $14,386,839.40 in royalty taxes from the mining industry. Total payments to mining municipalities totalled $5,987,328.63 —some 40 per cent. of the take.

The resources of the province belong to everybody and not only to the people of Nickel Belt. Even if our summers are three months shorter up there and it costs more to heat our homes and to transport our fuel, our gasoline, our food and all goods we consume—and even if it costs us more to build our highways and our high schools and universities, I'm prepared to let you stand behind my back when I count the take.

But, we need it all if our people are going to live the "good life." If my good colleagues from Scarborough and Windsor and Kent West and out in York North want a share of the action, why don't we increase the mines property tax, the royalty tax? If you want a share of what we think belongs to us—and in fact what we know we need to live like the rest of you, you'll have to ask for a bigger return from this resources tax.

It is as simple as that, and this is why my people have sent me here. This is why I have decided to ask for the key to our treasure chest back, just for a few months until the hon. Minister of Municipal Affairs and the hon. Provincial Treasurer come up with a better solution. It's not too late to talk to Commissioner Smith, in fact we should take away from Mr. Smith the brief of the northern Ontario association of mining municipalities—first of all because it is not complete and it has been amended and secondly because I do not agree with all that's in it.

When all this is done we are not going to build a monument to the Minister of Municipal Affairs as my friend from Sudbury suggests. But we will again thump our desks in his honour and he will again be able to repeat the suggestion once made to me in Sudbury, "that he is the greatest man who ever crossed the French river to take a seat in this assembly."

Mr. Speaker, I could say much more. Je pourrais repeter en Français tout ce que je viens de dire, mais il se fait tard, et la session fut longue mais fructueuse.

But you have been very generous, Mr. Speaker, and so have my good friends and colleagues.

I know that it is not always too profitable to sit and listen to your colleagues talking about the problems back home. But, is this not why we are here?

As I have said, sir, this government has granted every reasonable request I have made during the first half of this Legislature. Today I place before this House some of the challenges we face during the next two years.

I know that I will not be kept waiting and

that my people will again agree with my firm belief that this province has and will continue to enjoy good government.

Mr. J. B. Trotter (Parkdale) moves the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, on Monday next we will deal with the bills on the order paper and will continue with the estimates of The Department of University Affairs.

I would like to remind the members of the House that there are two items which we must not forget. One is an outstanding vote with respect to the estimates of The Department of Health, and the second an undertaking which I gave to this House with respect to a debate in connection with workmen's compensation. The members of the Legislature should be prepared for these items at any time.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.

No. 146




ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Monday, June 20, 1966

Afternoon Session

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Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO



The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: in the east gallery, Coronation public school, Oshawa and St. Sebastian school, Toronto.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

## THE PUBLIC SCHOOLS ACT

Mr. R. Gisborn (Wentworth East) moves first reading of bill intituled, An Act to amend The Public Schools Act.

Motion agreed to; first reading of the bill.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I have a question for the hon. Prime Minister.

Is the Prime Minister aware that the Canadian Pacific Railway has disbanded its telegraph office in Perth? If so, would he advise whether he is considering asking the railway for an explanation of the withdrawal of this essential communication service?

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, as the hon. leader of the Opposition no doubt realizes, railway telegraph companies are operated under the laws of Canada and laws passed by the House of Commons. As such, we really do not have any jurisdiction over their operations.

However, for the hon. member's information, from inquiries I have made, it appears that the telegraph office at Perth will be operated from the station where new equipment is now in use and I am told that some consideration is being given to the installation of a teletype. This simply means that in Perth, instead of phoning the telephone number of what was formerly referred to as the downtown telegraph office, one will now simply phone the station and get the service from there.

**Mr. Thompson:** Could I ask a supplementary question? In view of the fact of the Canadian Pacific Railway being such a vital means of communication to many areas of Ontario, and in view of the fact that the Canadian Pacific Railway seems to be showing a disregard of its obligation to the citizens, not only of Canada but Ontario, would the Prime Minister consider making representation, if the services to communities across Ontario are being discarded, to the federal government in order to alert the Canadian Pacific Railway that it has obligations apart from making the buck, to the residents of Ontario.

**Hon. Mr. Robarts:** Mr. Speaker, I do not understand what that "making the buck" means. Any changes in rail service must be approved by the board of railway commissioners, and in view of the events during the last short period of time, we are now examining every application that is made there. Where it affects the interest of the people of the province and we think that representations from us are warranted, we will make representations on these hearings.

**Mr. Thompson:** Mr. Speaker, I have a question of the hon. Minister of Transport. In view of the possible hazards and noise caused by heavy truck traffic passing through the city of Sarnia, and in view of the government's respect for local autonomy, would the Minister explain why the department has turned down a request from the city of Sarnia for a local bylaw which would compel all heavy truck traffic to use the new Highway 40 bypass route?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, the Sarnia bylaw was not approved by our Department of Transport in the condition in which it was submitted, because it sought to restrict traffic on roads on which the 75 per cent connecting link highway grants had been made.

**Hon. G. C. Wardrope** (Minister of Mines): Mr. Speaker, before the orders of the day, I would respectfully ask hon. members to

join with me in paying tribute to a dedicated public servant who today celebrates a full half-century of service with The Department of Mines.

It goes without saying, of course, that 50 years is a long, long time to spend with one employer. I believe this gentleman deserves the full plaudits of this House for his great dedication to duty in the public interest.

So on your behalf and mine, hon. members, may I take this opportunity to offer warmest congratulations to J. Forbes McFarland who, as mining commissioner, today celebrates his golden anniversary with The Department of Mines, along with his beautiful wife and lovely daughter.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I would like to add a word of tribute also to Mr. McFarland, who has served as a member of the Ontario securities commission. While I have not had the privilege of knowing him all the years he has served, I have observed his work with the securities commission, which has been very faithful and dedicated and very helpful to us there. He is an official for whom we have great regard and great respect. I wish him well on this anniversary and hope he may enjoy many more.

**Mr. Thompson:** Mr. Speaker, I have another question of the hon. Minister of Transport. Would the Minister explain why residents of Perth must travel to Smiths Falls in order to undergo motor vehicle driving tests?

**Hon. Mr. Haskett:** Mr. Speaker, the province of Ontario is blanketed with driver examination centres and travel points, so that as far as possible no applicant has to travel more than 20 miles for his examination. Smiths Falls was chosen as the best located centre in that part of Lanark county. It was the busiest centre; best located with respect to such places as Carleton Place, Kemptville and Perth; it is only about 12 or 13 miles from Perth; and can be reached from Perth in about half the time it would take a citizen of Toronto in many instances to drive to Downsview, Cooksville or Scarborough for his examination.

**Mr. Thompson:** Mr. Speaker, as a supplementary question, would the Minister not agree that the residents of Perth may feel that this blanketing has some holes when it pertains to Perth?

**Hon. Mr. Haskett:** Mr. Speaker, I think I dealt with that by saying that it is only 12 or 13 miles from Perth to Smiths Falls by good highway and can be reached—

**Mr. Thompson:** To be walked?

**Hon. Mr. Haskett:** —can be reached in about half the time it would take to go from parts of Toronto up to Downsview.

**Mr. V. M. Singer** (Downsview): They do not want to go from Toronto to Downsview, they want to be examined at Perth.

**Mr. Speaker:** Order!

Interjections by hon. members.

**Mr. Singer:** The hon. Minister without Portfolio is hurt by that suggestion.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, I have a question for the hon. Minister of Health.

Now that the initial 30-day assessment period is over, what arrangements have been made for the ten-year-old boy in the Hamilton Ontario hospital?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, a case conference will be attended by representatives of the children's aid society and all others concerned. This has been arranged for Thursday, June 23. The whole matter will be reviewed and the boy allocated to the most appropriate setting.

**Mr. Singer:** Mr. Speaker, before the orders of the day, I have three questions for the hon. Attorney General.

The first is: In view of the fact that Toronto has been named as the fraudulent bankruptcy capital of Canada by a respected credit granting authority, what steps is the Attorney General intending to take to combat this type of crime?

**Hon. Mr. Wishart:** Mr. Speaker, I would assume that my hon. friend, who is a counsel, learned in the law, would know that bankruptcy in itself is not a crime.

**Mr. Singer:** I do indeed.

**Hon. Mr. Wishart:** The criminal element comes into bankruptcy procedure when persons use it unlawfully and fraudulently.

Mr. Speaker, in the last conference on crime, in Ottawa, the Attorneys General with the Minister of Justice and the Solicitor General, in January of this year, made representations about The Bankruptcy Act and about the procedures which could be strengthened to prevent frauds and to bring them to our attention when they are discovered.

It is a federal law. The federal authorities undertook at that conference to commence a review of the bankruptcy procedures and The Bankruptcy Act, and I think the hon. member knows that review commenced immediately and has been going on steadily. Some changes in procedure have already been made. It is my understanding from the reports that emanate from Ottawa that a review of the law is in process for this session there.

Certain key appointments, however, have been made by the federal authorities in the field of bankruptcy to pursue the matter; to investigate it thoroughly. We have met with them. Instructions have gone out to our Crown attorneys, and we are doing everything possible to work with the federal people; to co-operate with them; and to facilitate their efforts.

In addition to that, we have our own fraud squad with the provincial police and they are continuously investigating. We bring charges on fraud, but I should like to point out that when those prosecutions are given publicity, they do not always appear in the press as related to bankruptcy. Quite frequently they do not indicate that they arose necessarily out of bankruptcies.

But I think much has been accomplished since the first of this year by our efforts with the federal people to tighten down and to drive out of bankruptcy the fraud element.

**Mr. Singer:** Mr. Speaker, a supplementary question. I know my friend has been watching with interest, or did watch with interest, the efforts of the former Attorney General of Quebec, Mr. Wagner, to combat this particular type of crime. My friend admits in his reply to me that the administration of justice is a provincial matter. What really have you done about strengthening your fraud squad, by adding accountants and experienced investigators to it, to cut down this type of incident in the province of Ontario?

**Hon. Mr. Wishart:** Quite frankly, Mr. Speaker, our difficulty was not with the strength of our fraud squad. We have the people to do the work. Our difficulty was to get into the bankruptcy situation where the trustee, a federal appointment, was carrying the matter on and it was a matter of getting at the records.

We have the people to assess them. This was one of the points we made in Ottawa, and we have been facilitated in that area very greatly. I give Ottawa credit for having seized this problem and having taken it under consideration and action and I look for further action from Ottawa shortly. We found a great deal of help there and I think we did not have quite the problem Mr. Wagner had, because it was a very aggravated problem in his province, unfortunately. But, we are making very great progress since our conversations with the federal people in January of this year.

**Mr. Singer:** We will get into that one a little further in the estimates.

I have a second question for the hon. Attorney General in view of the remarks attributed to the Attorney General emanating from Sudbury over the weekend. What representations has he made or does he intend to make to the federal Department of Justice concerning the laws and the criminal code relating to lotteries?

**Hon. Mr. Wishart:** Mr. Speaker, that also was one of the subjects we placed on the agenda at Ottawa, the conference on crime, and we did make representations to Ottawa there and then that the law should be reviewed, that there were perhaps some areas in which it should be dealt with and changed, if there were some outmoded portions of it.

Those representations have also been taken into account. I am informed there is a review of the matter by the federal authorities at this time. Therefore, having made representations some six months ago, the question says, "what further representations does he intend to make"—that is the Attorney General—at this time, I do not think I am called upon in the light of the fact that we made representations then to make further representations now.

**Mr. Singer:** Mr. Speaker, by way of a supplementary question. Representations are always being made. What are the hon. Attorney General's views?

**Mr. Speaker:** Order, order. The member, rather than asking a supplementary question, begins with a statement. I would suggest if he is going to ask a supplementary question, that he make it a supplementary question in its entirety.

**Mr. Singer:** In its entirety, Mr. Speaker, what are the hon. Attorney General's views as to how the law should be changed?

**Hon. Mr. Wishart:** Mr. Speaker, that really verges on policy, which I think my government would have to, perhaps, announce, if it saw fit to do so. We suggested to the federal authorities that the law should be reviewed.

The views that I stated, I think were

reasonably well reported in the press. They were my own. They were views which I had set forth in discussion at Ottawa, that the law should be reviewed, and I think I can add nothing further at this time.

**Mr. D. C. MacDonald** (York South): Are they the same as the policy?

**Mr. Singer:** Mr. Speaker, I would have thought we could ask about policy in the House. However, let me get to my third question.

Interjection by an hon. member.

**Mr. Singer:** He cannot tell us about policy, that is taboo.

In view of the hon. Attorney General's remarks in Sudbury—he was a busy man over the weekend—on strikes and picketing and injunctions. Would he inform the House as to what specific steps he intends to take with respect to these matters? A question of policy.

**Hon. Mr. Wishart:** Yes, Mr. Speaker, it is a question of policy, and I would think any policy announcement would come in due course from the government.

I did discuss in Sudbury the matter of picketing, the matter of injunctions, the matter of strikes, which I think give concern to everybody, citizens, legislators and leaders. And I pointed out that certain labour leaders had expressed the view that the strike particularly was perhaps becoming an outmoded weapon, or method of settling disputes.

The hon. member says what specific steps does the hon. Attorney General intend to take. As I say, that is a matter of policy which I am sure would be announced in due course.

**Mr. H. Worton** (Wellington South): Mr. Speaker, I have a question of the hon. Minister of Education.

Would the Minister inform the House if his department has taken any further steps for the consideration of a resolution of the Ontario separate school board, last February 28, 1966? This regards the assessment for municipal taxes which does not allow the male parent of a mixed marriage who is non-Catholic, and is usually the owner of the property, to have his taxes given in support of separate schools, and yet wishes that his children be educated in them.

If not, can the Minister inform the House when we can expect a decision regarding this resolution?

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, I had a message that the hon. member was withdrawing his question for a day or so. I would be delighted to get him an answer for tomorrow.

My recollection of the resolution and perhaps a suggested answer would be based on the historical position of the separate school board, and the fact that the head of the family was construed as being the male head of the household, and this was how it was arrived at. This is, I think, an historical situation but I shall get a more detailed answer for the hon. member tomorrow, because I was under the impression that he had either withdrawn, or asked that the question be delayed.

**Mr. Worton:** I might suggest that I did ask that it be held over, but I have since had a communication from the Guelph separate school board to have it asked.

**Mr. Speaker:** Before the orders of the day, I would like the hon. Prime Minister if he would to introduce our distinguished guest from Saskatchewan.

**Hon. Mr. Robarts:** Thank you Mr. Speaker. We have with us the Hon. Woodrow Lloyd, who is a former Premier of the province of Saskatchewan. My knowledge and dealings with him go back to the days when he was also Minister of Education and of course I have had certain dealings with him in the course of federal-provinvial conferences over the years.

On behalf of all the hon. members here, I would like to extend a very warm welcome to Mr. Lloyd.

**Mr. MacDonald:** Mr. Speaker, I would like to add my words of welcome, for reasons that I am sure are obvious to all.

I think the hon. members of the House would be interested to know that Mr. Lloyd is visiting Queen's Park today to take a look at the facilities that are provided for hon. members of the House, not only on the government side, but on the Opposition side, and our new facilities for the mass communication media. This is a matter of growing concern and it even has provoked some heated and passionate debate on occasion in this House. In view of the fact—if the hon. members on the other side of the House will forgive me for reminding them—that in Saskatchewan the Conservative Party is not only the third party, but a party that rescued itself from extinction to a representation of one, this is rather a harsh reminder that

these matters of parties and providing facilities is really of concern to every elected member. I am certain that Mr. Lloyd is going to take back from Queen's Park many ideas as to progress we have made in this area and I am equally certain that after the next election, he will have the privilege of putting them into effect.

**Mr. Thompson:** Mr. Speaker, I should like to say, as leader of my party, that we certainly welcome this occasion to see a former Premier of Saskatchewan, now the leader of the Opposition—that is a reverse order to what some of us hope may take place. He is a former premier and a man who has served with distinction in the public service of Canada. I join in welcoming him.

**Hon. Mr. Wishart:** Mr. Speaker, on Friday last, the hon. member for Grey North asked a question which I then took as notice. I wonder if I may place the answer on record at this time, since the hon. member is not in the House.

Mr. Speaker, the question asked was:

> The constitutional principle that the accused does not have to incriminate himself by answering questions put to him by police without the presence of counsel has just been approved by the United States supreme court. What steps does the Minister plan on taking in this regard in the province of Ontario?

I thought that the question deserved a formal answer and I should like to answer it in that way and say that the question is in itself, capable of a very simple and very emphatic answer. The law of Canada is very clear that the accused does not have to incriminate himself by answering questions put by the police. No steps need therefore be taken to change the law, to answer this question.

The question was no doubt asked as a result of the decision of the supreme court of the United States in the case of Escobido against the state of Illinois. I would not do the hon. member the disservice of declining to answer the question which I feel he intended to ask.

The result of the decision in the Escobido case is that in the United States, where a suspect is under suspicion and is being interrogated and is being denied his request to have counsel present and is not advised by the police of his right to remain silent, a statement taken from him in those circumstances will not be admissible as evidence against him at any subsequent criminal trial.

This decision, therefore, relates to the admissibility of prejudicial statements made by the accused. It is in this area that the decision has great significance in the law of the United States, for under it the police will have to advise a suspect of his right to remain silent, or any statement taken from him will be inadmissible.

The law of Canada has been clearly and lucidly defined by the supreme court of Canada in the case of Fitton against the Queen. It has been confirmed that it is still the law in this country that a statement is admissible in evidence if it is shown to have been voluntary, in the sense that it has not been obtained either by fear of prejudice or hope of advantage exercised or held out by a person in authority.

Our highest court has adopted the voluntariness of the statement, as a criterion for its admissibility as a statement by the accused. The important factor is that in deciding on the voluntary nature, or otherwise, of the statement, the court will consider the absence of counsel, the absence of warnings and all other factors of the case, in order to be certain that the statement was made by the accused of his own free will. This discretion to rule upon the admissibility of the statement is left with the court, so that any circumstances that might detract from the voluntary nature of the statement may be uncovered and result in the rejection of the statement, even if it was given in the presence of counsel and after all the advisable warnings.

Society has a vital interest in our constitutional liberties, but it also has a vital interest in preserving itself from crime and violence. Over the centuries our laws have arrived at the balance that has been effective in both interests. I find no quarrel with the law as stated by our supreme court of Canada, because it is entirely consistent with our constitution and with our rights.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The eighteenth order: House in committee of supply; Mr. A. H. Cowling in the chair.

## ESTIMATES, DEPARTMENT OF UNIVERSITY AFFAIRS

*(continued)*

**Mr. R. F. Nixon** (Brant): Mr. Chairman, the hon. Minister made some remarks on Thurs-

day evening amounting to a 50-page statement. I introduced some changes in our procedures that I thought I would bring to your attention before we continue.

As you know, there were sections of his remarks included in the record without his taking the time to read them. I believe that in the past this privilege has been accorded to certain statistical tables but never before to a section of a speech, so perhaps we are getting more and more like the Congress of the United States where large and bulky pieces of informative material can be incorporated in the record. Before someone suggests that I might do that with my remarks this afternoon, I would hasten to advise you, that I feel that the business of university affairs is of special significance this year for reasons that I will make clear to you now.

During the year since this Legislature last discussed the estimates of The Department of University Affairs, two significant reports have been made available. The Bladen report prepared for the association of universities and colleges of Canada was paid for by the Ford foundation and private donors, and deals with the financing of higher education. The Duff-Berdahl report prepared for the same association and also the association of university teachers was sponsored by the whole university community and received, as well, Ford foundation funds.

This second report deals with university government in Canada. I intend to refer to both of these as well as some other sources of information during the course of these estimates.

Other important contributions to the information on university education were made by the Canadian union of students who speak clearly, intelligently and effectively for the young people directly concerned by the decisions of the governments and the community with regard to post-secondary education.

It was under these latter auspices that a survey of costs was made, which not only produced specific figures on actual up-to-date costs, but pointed up as a most disturbing fact what had always been only vaguely realized by the community at large. This fact was that youngsters from well-to-do backgrounds get into university much more readily than those with poor backgrounds; almost half the students presently in university have parents in the professional, proprietory of managerial positions with incomes of more than $6,000. These families make up 23.3 per cent of the population, while the working families making up 64 per cent of our population account for only 25 per cent of the university student population.

These figures were brought to our attention some days ago by the hon. member for Riverdale in another connection. We were dealing with the stratification or classification of the public system or the elementary and secondary system. I agree with his comments that there is classification there. My own leader has referred to this in other debates, and I would agree with him in this as well.

But it is at the university level where the real stratification of our student groups becomes most apparent. The universities, as constituted here in Ontario and in Canada in general definitely reflect a class separation based not on academic ability, but on other important factors, mainly the availability of cash in the home.

Our society has given parents the responsibility of maintaining children in free schools to the matriculation level. It is completely unreasonable to expect our young people to continue into post-secondary education if at that time they not only forego their own earning capacity of at least $2,000 a year, but become a serious new financial responsibility on the family. No wonder family encouragement for continued education tends to evaporate at this point. The average yearly cost beyond high school is set by the Canadian union of students report at between $1,600 and $2,000, depending upon a number of variable factors. The student can earn an average of $500 in the summer, and the government, according to the present student aid programme, has taken on the responsibility of providing the difference. This programme requires every student needing help to borrow money to continue his education.

Mr. Chairman, in these days of high employment opportunity, a majority of young people refuse to accept this alternative and enter the work force directly. Their potential as more highly educated citizens in productivity and leadership is then stunted at this point. If they enter university, economic pressures direct them into the highest paying summer work, and into high-paying career-directed courses and away, unfortunately, from the community service careers such as teaching, social work, the ministry and a number of others that have become much more important in the last few years by which students can undertake community responsibilities, and responsibilities for community assistance outside of Canada.

It is generally recognized that tuition is not the only battleground in this matter. Living expenses and income potential given up are

also strong pressures to keep our young people from families of moderate means and others, too, from entering university. The statistics are there for all of us to see. The children of well-to-do families form a disproportionately large group on our campuses. I do not suggest these people be kept out, far from it. But we must provide the funds that will draw far more of our capable young people into universities and provide facilities for them at that level of education.

The economic council of Canada says we have no choice if we are to keep up with the rest of the western world. An American child has twice the chance to attend university as a Canadian child. The Minister is quick to show that the figures for Ontario are considerably better than the statistics representing the rest of Canada, particularly if we include grade 13 with our estimate of those attending university. The statistics available, however, still indicate that the proportion of young people of university age who are actually in university in the United States is higher than it is here, and we are falling down in this regard.

We all agree that this is a national problem. Ours is the first responsibility as a provincial government, but we are accepting and approve of federal participation such as it is. Our provincial jealousies concerning the control of education, more evident in Quebec than here, have had the effect of channeling massive federal funds into a national technical school programme through the federal Department of Labour. These funds and more must now be concentrated on the provision of post-secondary education, without the barriers of money, geography, age, or family background interfering.

Basically, then, I completely disagree with the cornerstone of policy that this government printed on every application for student aid until this year. I quote from it: "The responsibility for the costs of post-secondary education to the individual student remains primarily with the parent—"

The time has come, in my view, when public money must eliminate financial barriers from post-secondary education of all types, first by the removal of tuition fees, and the granting of real assistance to the individual students. Our aim must be set out clearly to this end, and established as a reasonable goal, achievable only by federal-provincial agreement.

Specifically, I would say that the Ontario student awards programme is unacceptable to those directly concerned—the universities and the students.

Since I prepared these remarks, Mr. Chairman, the university presidents, the organization representing university professors and the Canadian union of students have collaborated on a release which would indicate that the award programme does not fill the need according to their views. These are the people who represent the problem at the university level, and we should certainly congratulate them for organizing their views in this regard so coherently and cogently. We will await with great interest the Minister's response to their stated views in this matter.

The government programme imposes a severe means test—which is so detailed that it serves as its own deterrent—under the plan that was announced by the hon. Minister some weeks ago. Thirty separate determinations are required so that processing will be slow, and no adequate means is available to appeal the findings based on the means of the student's family. I understand that the Minister has attempted to make clear that an appeal through the registrar of the university is available but what is not clear to the students and those who are definitely concerned, is that in the Minister's view the registrar seems to be only a channel for conveying the appeal back to the centralized bureaucracy that will make the decision.

I would say to you, Mr. Chairman, that it should be obvious to the Minister that the registrar, the man on the scene with some special knowledge of the students' problems in that particular area, should have the final right of deciding on appeal as to how the funds would be expended. Total centralization of the awards removes the flexibility exercised by the registrars that could, in fact, make the programme viable.

Mr. Chairman, I will have more to say about that later. I want to make some remarks about the funds that have been allocated to the universities for their maintenance this year, and the funds that are available for the capital costs. Until now, the annual press stories of complaints made by the university presidents on the distribution of university grants have not been heard, at least to the extent of previous years. The presidents have probably learned to keep silent from their previous experience.

**Hon. W. G. Davis** (Minister of Education and University Affairs): It may be that they have enough.

**Mr. Nixon:** It may be that they are entirely satisfied, and it may also be that there will be information available to us that

would indicate that, in fact, all is not well in the award of these grants.

The need for a formula governing these grants is very great. I know the hon. Minister himself said last year in an exchange with the hon. member for York South that was reported by Professor Bladen—and I remember it at the time—that he himself favours some sort of a formula that would permit us to get this on a more formal basis and, I suppose, get the Minister off what must be an embarrassing spot from time to time in approving specific grants for specific institutions.

**Hon. Mr. Davis:** The Minister does not approve specific grants for specific institutions.

**Mr. Nixon:** That is not really the way it appears to either the university community or the members of this Legislature when the Minister comes to the House with requests for these funds which must surely have received his approval. I would assume that the approval is based on expensive and trustworthy advice, and we will go into that in just a moment.

The Bladen report calls for this formula type of financing, and no doubt Ontario already uses some kind of formula for its determination. I am aware of certain aspects of a formula that would indicate what support would be available for, say, academic pursuits, and for the requirements at the university level for student union buildings and so on.

The Minister's advisory committee has the tremendous responsibility of acting as a university grants commission, in fact, and is one of the channels of communication between the department and the university. There is serious doubt that the committee, as presently constituted, can bear this responsibility as well as the great work—tremendously enlarging work—of developing policy and initiating research. The committee members are all busy people who may not have enough time to devote to this growing and time-consuming job. In the view of the Ontario council of university faculty associations, it is not so constituted as to be able to be in constant and fruitful touch with the universities.

The council pointed out in a brief that was submitted to the Minister now some weeks ago, months ago, that the joint committee that was set up to look into several of the outstanding problems that face the university community, and also The Department of University Affairs, had not been outstanding in the number of meetings that they have held, nor in the decisions that, as far as we know, were arrived at. The joint committee was called upon to consider the formula of the provincial operating grants, and according to the brief that was submitted by the Ontario council of university faculty associations, the joint committee had, as of the beginning of November 1965, not even met.

Now, we know the hon. Minister himself is deeply interested in the development of a formula. It could well be that his own advisers have taken on the responsibility for developing a formula, and will call on and advise the other advisory committee representing the universities to give their approval. We would hope that this is not the way the hon. Minister would operate.

The joint committee on student aid has not met steadily, and it appears that the Minister seriously lacked advice of the university committee in the implementation of his student award programme.

I would raise the point once again that because the whole university community seems to disapprove of the award programme that the Minister announced some weeks ago, it is still trying to definitely revise it—to revise the award of the money that is available this year. We would look forward to another year of having more funds available, and a situation based on a system that would be, as I have said, more viable in filling the needs of the students that are attending universities in this province.

The Duff-Berdahl report calls for more academic responsibility in university government. I believe that some changes are called for along the same lines in the advisory committee on university affairs. There are too many old politicians and businessmen on this committee, and only two of the five representatives from the academic community are full-time professors. One of them happens to be a former professor of my own, Dr. Bourns of McMaster University, who introduced to me the intricacies of organic chemistry. I know what a persuasive man he is, full of energy, and I am sure he would be very useful in representing the academic community, but even Dr. Bourns, with only one assist from the ranks of full-time professors, could hardly be expected to influence the trend of the committee thought along the lines that would appeal sufficiently to the academic community.

I know the hon. Minister may have more to say about this, but there are continuing

complaints about the committee. Perhaps he will have some announcement in that regard.

But, surely, an ineffective committee, or at least one that the university community fears, is ineffective, is a serious danger in the conduct of these important affairs. The department must be drawn into general administrative matters of the universities, using the committee as an impressively panelled screen for its actions. We must rejuvenate the committee by replacing many of its members with people representing the academics. A full-time chairman is an essential addition, and only in this way can the continuity of planning be achieved.

We have had this discussion in the House before. I am sure most members would agree we cannot turn over the advice that the hon. Minister receives entirely to those representing academics. On the other hand, the hon. Minister and his department rely to unwarranted degree on advice from people he and his colleagues have known politically in the past, and who, although they do not represent any aspect of politics now, do represent some of the higher peaks in the financial community. Their interests cannot possibly coincide with the best interests of the development of our universities. They must have a slant that would become obvious, and has become obvious, particularly in certain universities in Ontario, which have come almost directly and completely under the influence of the local business community. Surely the time has definitely come when some move can be made to correct this serious matter, that has been growing more serious over the last few years.

This House was deeply concerned—even in my own brief time here since 1962, as the post-secondary crisis loomed a few years ago —with the provision of facilities taking us over the hump of student population that harried the system at all levels after the war.

I can well remember speeches in this House, and I took part in many of them, that berated the government for not having adequate facilities first at the elementary level, as the so-called war baby boom moved into kindergarten and grade 1, and this, as a wave of difficulty, went right through the grades. I was active in the secondary system myself, as we had to cope with large classes, shortage of teachers and facilities, as this large group of young people went through the secondary system.

But I also remember the Deutch report and previous advisory reports that were available to the hon. Minister and made available to this House, that projected our plans during these years that we are presently experiencing, and indicated what the student population would be. The Minister has been able to assure us that places are available for the students at the university level, even though in our view a good many matriculated students are still kept out of the universities by an academic barrier that is very difficult to justify, particularly when we see that 33 per cent of those who are admitted at the level beyond 60 per cent, and even higher in the grade 13 work, still either drop out or leave university for other reasons.

There has been a feeling that there has been lack of planning right from the first wave of population entered in the early '50s into the primary system. We are still suffering from this. Even though the Deutch report is an old document, and the other reports that have been made available to this House are somewhat out of date, they do take us up to 1970, and perhaps 1971. The thing that does cause us some concern is that there is not continuing research, at least available to us, as members of this House, that would indicate what the path of the developing university community is going to be in the years making up the last quarter of this century.

Perhaps the hon. Minister knows what our plan is, but we on this side, and the membership of this House in general, and the people across Ontario, are not aware of the direction post-secondary education is taking in this province.

There have been some ad hoc reports made in a rush, particularly the Deutch report, that would indicate that unless a broad survey were taken of the needs in the more remote future, even their work would not be as useful as it should be.

We are not generally aware of plans beyond 1970, even though that is less than four years away. The present advisory committee on university affairs is not equipped to do the work and research that will result in this long-range planning. If the department staff is doing it behind the façade of the committee, this is not acceptable. I know the Minister would not want to use the advisory committee for that specific purpose.

I believe that the Minister's committee on the aims of education should have been constituted as a full-blown Royal commission. If it had been, it surely would be well advanced in this special field of research at the post-secondary level by now. There is still time to recast the Hall committee as a Royal com-

mission and give it this additional responsibility, and this I would strongly recommend to the Minister.

It is our responsibility here, as members of the Legislature, to assure ourselves on behalf of the people we represent, that the post-secondary resources in education are used effectively and economically. The hon. Minister himself has said that he feels the universities are not applying the belt tightening of economy that they might. He referred in a speech some months ago to the student-staff ratio at university level as being abnormally high in Ontario. Although we are not in a position to say the Minister is right or not, he himself has said that he got into some difficulty by making this statement. Surely it would be within the realm of a truly well proportioned and well set up advisory committee to be undertaking these researches, so that not only the Minister could be assured of the efficiency of the system, but also the membership in the House, which is called upon to vote the sums that are needed. I would say we are ready to vote more money than the hon. Minister has asked for for the development of post-secondary facilities. We, too, should be assured that the money is being used in the best interests of this province. So he, himself, is responsible for the general economical use of our grants, though not to the extent that his auditors go in and examine the day-to-day financial operations, or otherwise, of any of the post-secondary institutions that are set up under their own statutes.

Nevertheless, as the funds required grow ever larger, we in this House feel that we have been left out of the stream of information that should be available to us if we are going to take part enthusiastically, and urge the hon. Minister on to the development of our universities as they should be developed.

It is his responsibility, further, to recommend to this Legislature the total amounts needed, but to rely, of course, on his advisory committee in the absence of a university grant commission to allocate the funds fairly. Why, then, is there still a question as to whether Queen's University will, in fact, be able to proceed with its medical centre when the University of Toronto is already in the final stages of its plan?

Here is an instance where federal funds are going to be used in co-operation with provincial funds and in large amounts.

**Hon. Mr. Davis:** I made it fairly clear, I think, on Thursday night, that there was no delay and no indication that Queen's was not going ahead.

Perhaps that was one of the areas that was put into the record without my reading it. If the hon. member looks carefully he will see the procedures, and I think we outlined in some detail the facilities that were to be developed at Queen's.

**Mr. Nixon:** There is still the feeling that the award of these funds, and their approval, permits a specific institution to say, "All right, here is the Minister's approval, the departmental approval; we can proceed with our definite plans and even break ground and begin the extension of our facilities—", in this case, medical facilities. Toronto was able to get this approval and Queen's was left waiting longer than they should have been.

We sense, as I have said, that decisions are still very much ad hoc, and that Ontario is once again asked to spend $250 million on universities without a master plan for our whole post-secondary responsibility.

Mr. Chairman, if you will permit me, I want to speak specifically of some of the recommendations that were put to the university community—not to us—by the Duff-Berdahl report. It was commissioned by the universities; it was paid for largely with American funds available through the Ford foundation; it was not commissioned for this hon. Minister or for this House; and yet the recommendations have tremendous import for all of us in Ontario concerned with the development of our education system.

The report calls for many changes, although they are not radical changes, and many of them, I would say to you, Mr. Chairman, that will be seen in the next four or five years are not nearly radical enough. Nevertheless, it is the sort of report that even the most conservative university communities will have to look at very carefully, and will have to see to it that the proper implementation is carried out in the spirit that will take our universities and their governments into the last part of this century, and prepare them for the new demands that will be made upon them.

The report makes it quite clear that in the universities of Canada and Ontario, tensions among the administration, the student body and the staff, are extremely high and are bound to get higher and even more dangerous—if that is the appropriate word to use in this connection. We have seen that it is not only universities in the less well developed countries of the world that experience student strikes, staff walkouts and the sort of thing that we feel cannot happen here. We have followed with interest what has happened in Berkeley in California, where one of

the most well-known universities in the world has experienced this same difficulty.

Berkeley is not known for its progressive attitudes in the administration of the university and, I would say the Ontario universities are administered in much the same way. They are getting larger and larger without any accommodation being made to include the academic community and the student community in the actual government of the university itself.

The faculty members are offended at the view that is held by a good many of the boards of governors; some more than others. I suppose, perhaps, that Western University is as guilty as any in regarding their staff as simply employees. I was going to say "highly paid" employees, but I suppose that even that adjective is not correct in every area. They want to be regarded as a community of scholars, and in this connection the report indicates—in speaking for this community of scholars—that they feel they have a right to much more of a voice in the actual control of the universities themselves.

Further, I would say that beyond the faculty, the students have earned, and must be granted, a real place in the conduct of university affairs. If we think back to our own days in university, we were perhaps more easily satisfied with certain other outlets for our initiatives and energies, rather than feeling that a place in the actual affairs of the university was rightfully ours. I think that the attitude in the student community has improved tremendously since then.

I can remember just a few months ago when the students from the university across the street paraded down University avenue and camped on the sidewalk in front of the United States embassy to protest the foreign policy of, to us, a foreign government. How offended some hon. members of this Legislature were and they took the opportunity in this House to state that they felt that the students were getting out of hand in his connection.

I would say to you, Mr. Chairman, that speaking for myself, and perhaps for the Minister of Education and some others on the government benches, we welcome this manifestation of initiative and intelligence and an awareness of the developing problems, not only in Canada, but in the world. This passed over a good many of us in our student days. We missed something that was very valuable because there was not the spirit of ferment in universities to lead us to take part in these matters, and demand that we had an opportunity to take the part that the young people take now.

I submit to you, sir, that there is a tendency for many members of the Legislature, and for the people of the community at large, to lump this new requirement that the students have with some other manifestations of community irresponsibility such as the young people have given us in the Yorkville area and in some other areas. I think that there is a similarity, but the thing at the university level that we tend to forget is that these people have informed themselves; they are not carrying on at debating society level. They are deeply concerned with the future, first of their own academic community; of our country; and, of course, our province.

As I say, I believe that they must be granted a more effective place in the conduct of university affairs.

Now, there have been some suggested changes in the Duff-Berdahl report. They say that the boards of governors which were constituted in the universities by Acts of this Legislature over the years, are far too homogeneous. They are very much like the hon. Minister's advisory committee on education affairs, made up of fund raisers, financiers, politicians, and some of these people combine all three aspects in one individual.

An effort has been made, laterally I would say, to bring leaders of the community from other areas into the boards of governors. But still not nearly enough has been done in this connection, and we have passed statutory limitations, as was pointed out in the House just a few days ago, that prevent academics from sitting on boards of governors.

I suppose this would be all right if, in fact, the other governing body at the university level—the senate—was effectively representative of the acamedic viewpoint on the campus. But the businessmen who run the boards of governors have so overwhelmed the senate that a good many of the professors who would normally have an opportunity to take part in the work of the senate feel that they have become rubber stamps. They have simply abdicated this responsibility. The senate, in a good many institutions, has simply degenerated into nothing, and the responsibility has been left with the businessmen on the boards of governors.

There was a time, of course, when these people with business backgrounds on the boards of governors were necessary as fund raisers. By virtue of their appointment, many

of them brought with them large corporate donations. They were well-known in the business community and in the recreational communities of the various centres, and were able to be very helpful in making funds available for the development of the universities when we, as a Legislature and as a government, were not accepting this responsibility as extensively.

But now if you compare where the funds come from with where the funds were derived 10 or 15 years ago, you can see that the representatives from the business community are no longer necessary for this purpose. It is a shame that they were required even then, because now the funds that are administered come largely from government grants. So these people representing the business community have simply run out of time as far as their usefulness is concerned. Naturally, all areas in the community should be represented on these boards of governors, but our present statutes have become antiquated and no longer fill the bill.

The report also deals with student participation in university government, and it has some very interesting paragraphs in this regard. It recommends that the students have definite opportunity to state their opinions and to vote on decisions having to do with fees; certain matters in curriculum dealing with what subjects should be elective and which subjects required; students should be able effectively to criticize library facilities and suggest means whereby these facilities can be improved or used more effectively. It also suggests that they should have a formal way to give their views on the relative merits of staff.

The report takes as an example one way whereby this might be achieved as it is presently done at Queen's University where they have the system of a rector elected by the students, who is able to sit on the board and speak for the students. The Duff-Berdahl report goes to some length to recommend this as a solution.

I was interested to hear that the students at Queen's do not consider this an effective way whereby they may be represented; that the rector there is a gentleman known across Canada, but in fact although he represents valuable opinion it cannot be said that he does represent the views and even the needs of the students. I would say that we would have to jump over the rector idea and make some facilities in the statutes themselves so that the students can take on this responsibility.

But this leads me, Mr. Chairman, to our position here in this House, because none of us feel that we want to take the statutes that actually govern universities and amend them along our own way of thinking. Surely we have come far enough along this line so that academic freedom and university autonomy really means something in the Legislature of Ontario. The approach must be made from the universities themselves.

I do not know what role we can play in this regard other than make it publicly known that we would favour some liberalization—a good word in this connection—of the university governments. We have, I would submit, just recently passed statutes that form the constitution of universities which were seriously out of date at the time we ratified them just a few years ago. This was perhaps a mistake on our part, we were not aware enough of the needs of the university community.

The mistake has been made as far as we are concerned and we must wait for the initiative from the universities and from the leadership of the students themselves, which the Minister knows is very effective in the last few weeks and years. And it may be from this very source that the universities are going to be led into a whole new world of university government, that even transcends that which has been recommended by Messrs. Duff and Berdahl.

However, Mr. Chairman, we must be convinced in this House that the public funds, over which we do have control and responsibility until they are passed on to the universities, are used wisely and justifiably. Previously, we have spoken about the need of an objective university grants commission; I presume the Minister considers his advisory committee fills this need. I have some doubts myself, nevertheless this is the system that has developed here and it appears to be functioning reasonably well, even though from time to time there are some sharp cries from various universities that it might be improved.

I would say along with the report, the Minister of Education, many members of the House and certainly a good many people on the campuses of the universities realize that we are facing in the next year or two a period of great changes in the universities. The biggest difficulty obviously lies in the university at London, the University of Western Ontario, where, if we can believe press releases and reports and I would submit they are carefully documented, it is really a hotbed of ferment as far as these

changes are concerned. In that particular university it does not seem to be the students who are so put out by the "stand-pat" attitude of the board of governors, but the staff of the university itself. It may be that it is at that university that the pot will come to the boil and require the changes requested by the university of this Legislature. Changes that we will be so glad to discuss and act upon along these modern lines.

Mr. Chairman, we have discussed briefly on other occasions possible reorganization of the Minister of University Affairs' general responsibilities. He knows my views on this matter. I personally believe that the whole gamut of educational responsibility should continue to repose with one Minister. The leader of the NDP has indicated he favours a division of this responsibility into at least two departments and I feel he is following a pretty reactionary road in this connection. I think he has gotten off the track again in recommending that the responsibility be divided. I would say there are many examples now in other jurisdictions whereby one Minister could retain this responsibility at the Cabinet level. He could have from among his elected colleagues in the Legislature two or perhaps more people who would be given specific responsibilities, perhaps with the development of grants at the primary and secondary level or grants all the way through the system. In this way, the Minister himself could report to a small effective Cabinet that has not grown disproportionately large so that effective discussion and decision is held up.

I would be interested to know the Minister's views on the matter of reorganization, because it appears to have some urgency. He himself is required not only to carry on his duties in the Legislature and in his department but he has very far-ranging political duties in the best sense across the province in maintaining good public relations among the people who are buying these educational facilities and between those people and the government that must make so many of the administrative decisions. So there are a lot of problems facing him and I await his comments with interest.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, let me begin where the hon. member ended, on the question of administrative rearrangements. I am not going to argue the case that I have advanced for two Ministers, one in each department, so that that load can be reduced. I suspect we face the fact that the government has decided to have two Ministers and that on this side of the House we will talk for a long time before we will overcome the inertia that will retain that fact.

My immediate concern, therefore, is to inquire of the Minister as to what rationalization he intends to make of the division of responsibilities between the two departments at the present time. Now, I raised this earlier, indeed I raised it in my lead-off on education. We had a perfect illustration of the irrationality of the present situation when we got to the discussion on community colleges because it was impossible to discuss some of the extremely important aspects of community colleges without in effect looking forward to the whole university affairs estimates and dealing with a considerable body of material that would be more in order during those estimates, namely now, than it was back some two or three or four days ago when we were discussing community colleges.

**Hon. Mr. Davis:** The member is not suggesting any remarks were made—

**Mr. MacDonald:** They were out of order in place of time, they were very much in order in terms of the inadequacies of government policy, if I may make that distinction.

The other case, quite frankly, Mr. Chairman, in which the Minister's own action has conceded the irrationality is the whole student awards programme. It used to be—to the extent that the government was involved —back in The Department of Education; it has now quite logically and sensibly been taken forward into The Department of University Affairs.

My suggestion, I repeat, and solicit the hon. Minister's comment, I thought he had promised some sort of a comment. Indeed, he had told us it would likely come when we got to University Affairs, and I looked for it in his lead-off statement, but in all 52 pages, nary a word was said on this point. So I am still waiting.

I solicit his comment on the question of whether the rational division now would not be to put all public and secondary schools in The Department of Education, and this growing range of matters that relate to post-secondary education, in The Department of University Affairs, and conceivably it would then have to be renamed slightly.

Now let me proceed, Mr. Chairman, to three matters that I want to touch on in the course of my introductory comments. The first two of them will in part, in my view, document the underlying theme that I attempted to present in my lead-off in the education estimates, namely, the fact that our educational system in the province of Ontario

is a class structure educational system, both in its administrative set-up and in terms of the difficulties that it presents to young people coming from families of lower income in getting some equality of educational opportunity within this province.

I am not going to repeat all of the detail with regard to some of the topics my hon. friend from Brant has already dealt with, because it is there on the record. But, I would like to, by way of underlining the points that strike me as being of most importance with reference to the student award programme, to place on the record three or four direct quotations from this three-level representation that was made available to the public last Thursday or Friday, namely a joint statement from the committee of the presidents of provincially assisted universities, along with the Ontario council of university faculty associations and the Ontario region of the Canadian union of students.

The first comment on page 1 of this statement, Mr. Chairman, is an interesting documentation of the basic point that I was attempting to make, and the hon. Minister was rather vigorously disputing when we were discussing community colleges. We got into quite a statistical tangle, and there was great danger that the point was going to be lost. Here I have an opportunity to resurrect it with all of the prestige of the university presidents of the province of Ontario, along with faculty and students. Their comment, Mr. Chairman, was this:

> We feel strongly that consideration will have to be given, now or later, to increasing substantially the amount provided for student awards. We recognize that this programme of reducing the financial barriers will bring a large increase in the number of students, which in turn will necessitate very greatly increased support for the universities themselves.

I can remember some three or four years ago, an off-the-cuff comment from the now hon. Minister of Lands and Forests—at least as reported in the press—to the effect that there was no student in the province of Ontario who was barred from getting a university education because of financial difficulties, a comment, Mr. Chairman, that I suggest is just a little on the fatuous side.

Here you have the university presidents themselves, supported by the faculty and supported by the students, saying that we need more money in the student awards programme, and that undoubtedly if we have more money, the result will be that we will remove some of the financial barriers that are keeping young people who are entitled to higher education out of the universities altogether.

In short, Mr. Chairman, at the present time we have not got equality of educational opportunity in this province, at the higher educational levels, by admission of all concerned.

Now, in coming to some comments on the student awards programme, Mr. Chairman, the first one I want to make is puzzlement as to where in heaven's name the hon. Minister dreamed up this programme. He is accused of "announcing now and planning later" to borrow that rather neat summary of the hon. Minister's approach to things. I attempted to describe his approach in my lead-off in the educational estimates, but I freely confess that I did not have any summary of it which was quite so neat as "announce now and plan later." It is in today's *Globe and Mail*, if you would like to read the article on page 7.

Mr. Chairman, if my voice, with its difficulties, can surmount the rumblings to my left, from the disturbed areas of Sarnia, I would like to draw reference to the fact that the basic underlying theme, or objective, presumably, in the reorganization of the student awards programme, is one that flies in the face of the basic recommendations not only of the Bladen commission in Canada, but of the Robbins commission in Great Britain. So I ask once again, who in heaven's name was advising the hon. Minister?

This so-called joint advisory committee is not meeting. You have the Bladen commission in Canada saying emphatically that we should move away from the kind of heavy emphasis on loans, and in doing so they were reiterating the best considered advice that has emerged in the studies of the university system in Great Britain. Yet the government moves in with a new student awards programme which has a very heavy emphasis on loans, with all of the consequences that the university community as a whole are now deploring.

Let me give you these two or three quotes, which are a documentation of the theme that I have attempted to present to the House. Little did I expect that I would have this august support before we finished the estimates. On page 2 of their statement it says:

> The government believed that it could achieve wide coverage of the student population only by including a large loan component in the scheme, but this heavy dependence on loans is a serious drawback to the effectiveness of the programme

> in meeting its stated purpose. Loans are a deterrent rather than an incentive for students from the lower income groups, the very students that the programme is primarily intended to reach.

Let me pause there. In its simplicity, that one statement is a devastating indictment of the whole student awards programme. It not only confirms that we are bolstering the class structured system, which is perhaps at its worst at the higher educational level, but it is a severe indictment of the whole programme. It means that the objective of the programme, the stated objective of the programme—to remove these financial barriers from those for whom the barriers are highest—simply is not fulfilled.

Heavy dependence on loans forces some students away from the long undergraduate courses, such as medicine; away from graduate work. Students are forced by indebtedness into high-paying jobs and, therefore, it drives them away from some of the professions where the need is perhaps greatest, but salaries do not happen to be the highest. For women, it has the effect of creating a negative dowry. In short, student loans cannot equalize educational opportunity.

That is the first basic point that they made.

The second is contained in another quotation which I would like to put directly on the record:

> Moreover, the student whose parents are very low on the economic scale should in all equity receive more of their assistance in non-repayable grants than those whose parents are not in such stringent circumstances, otherwise the greatest load of debt must be assumed by those least able to afford it.

Once again, a solid documentation of the fact that you are defeating the ostensible objective of your whole programme, and burdening those in the lower income groups to the greater extent.

Finally, there is no provision in the programme for recognizing academic excellence. All awards, whether publicly or privately sponsored and which are based on merit alone, are deducted from the bursary portion of the programme, thus reducing the incentive to win merit awards.

If I may interject here, I wonder if the hon. Ministers and his advisors have contemplated the likely effect of this kind of a programme on all of the existing awards—private awards—that have been made up until now, or might be made in the future.

As it now stands, the student whose parents are comfortably off and who win a merit scholarship can keep the whole amount, whereas, sir, the economically-disadvantaged student who wins a scholarship and needs still more assistance, loses the benefit of his scholarship and is forced into debt. In other words, Mr. Chairman, scholarships are now more advantageous to the wealthier students.

I underline those aspects of the student award programme, and will let the matter rest there for the moment. We can get back into further details when we consider the estimate itself.

The second point that I want to touch on, Mr. Chairman, is this whole question of university self-government—university administrative structures—and our responsibilities here in the Legislature with regard to that.

Let me emphasize right at the outset that I am one who recognizes the extreme complexity and dangers involved in this Legislature attempting to move into what will certainly be felt by many people in the university family, to be an encroachment on their autonomy. With the hon. Minister—if I may accept the statements he has made on a number of occasions publicly—I agree with the proposition that universities should be self-governing to the greatest extent possible. In my view, the greatest threat to the autonomy of universities today does not really come from the fact that they are getting a growing proportion of their budgets from governments. It is going to come even more from the failure of universities—if they continue to fail—in meeting the needs of modern society.

I think our problem at the legislative level is to see if we cannot create some sort of a relationship with universities, so that the necessary reforms of their administrative structure and of the inadequacies in their self-government structure, can be made by themselves. Yet we can raise our voices to give expression to the kind of misgivings that are certainly arising throughout society as a whole.

Now I am going to deal, by way of underlining and perhaps further elaborating what my friend, the hon. member for Brant has touched on, with some of the weaknesses and inadequacies at the moment in university administration and structure, by reference to the study that was prepared by Sir James Duff and Robert Berdahl, at the request of the university community itself.

References can be made basically to that portion of their report dealing with first, the board of governors, and second, with the

senate. First, dealing with the board of governors—as the hon. member for Brant has indicated—they point out that our board of governors today are perhaps the most shocking example of the class-structured nature of portions of our educational system. They are not representatives of anything other than the business community.

They say on page 8, for example:

> This condition is not surprising—

the homogeneous nature of the membership of the board of governors—

> —in view of the fact that most of these board members have been recruited with the functions of fund raising and financial management as major selection criteria, the reality, as we perceived it, is that these boards are not, on the one hand, getting more involved willy-nilly in the questions of educational policy, which are theoretically outside their jurisdiction, while on the other hand their duties as fund raisers and as estate managers are, ironically enough, growing relatively less important.

Without intending to be at all unkind in my comments with regard to the normal attitudes of the business community, they are not characterized by a great generosity toward education, or even a great understanding of education and its needs. We have already debated at considerable length the problem of retraining, and noted the fact that there is a very, very, small proportion of industry and the business world willing, voluntarily, to accept its responsibility for retraining in its own ranks. Therefore, this whole problem is being forced, more and more, into the public sector. I have advanced the proposal that the fair way to do it is to tax the business sector and to rebate it to those who develop their own programmes, and retain the funds in the public Treasury for the kind of programmes that we have to organize publicly in order to meet the needs.

On page 19 of the report, they go on to a few more rather pungent comments with regard to boards of governors:

> Businessmen and lawyers tend to predominate. Both are admirably suited for the fiscal and constitutional aspects of the board's duties, but what we may describe as the window on the world, ought to be wider open.
>
> We hope it is not offensive to say that businessmen and professors as types, have exceptionally different standards of values, each tending slightly to disapprove of the other. Both need help to cross the gulf. Such help could be given by adding to the board members of other professions—scientists, writers, men of mark in any of the arts or those who have retired from any branch of public service, not excluding former academics.

Later, they point out that one of the characteristics of the charters granted to universities across Canada is it excludes people from the faculty on the board of governors. This, presumably, is on the rather false premise that a university is like a business, and it would not be a good thing to have the employees become mixed up with the employer on the board of management. They point out in rather strong fashion that this argument does not hold, because a university is not a corporate business and certainly it should not be run like a corporate business.

Therefore, to sum it up briefly, because the hon. member for Brant has already put a good deal of this on the record, they suggest on page 24 that the charters and Act should be modified, where necessary, to permit the inclusion of faculty members on the board. Their specific proposal in this connection is that beyond the minimum of three members, to permit proper rotation in office the number of faculty members on the board should vary with the size of the board, but not exceed 25 per cent.

I come back to the other point that I was raising earlier, and that is how we, in this Legislature, can play a role in achieving this desirable objective. It may be the kind of ferment that has arisen in the university world in the province of Ontario will be such that from within the university will come the necessary initiative and incentive for pushing the authorities of the universities to come here of their own volition to seek amendments to their charters.

The fact of the matter, however, is that in the last few years this government has been responsible for introducing in this House bills that were in some instances private bills, and in other instances they were government bills, certainly with government support. This resulted in a proliferation of universities across the province of Ontario, all on this old, outmoded 19th century, business-dominated, class-structured kind of situation. Now, having just set them up, we are faced with pretty solid evidence and very strong recommendations that changes should be made so we can anticipate and meet in advance the difficulties that are going to be created in the university world if we do not permit a more democratic structure.

It may well be that all the government has to do is publicly proclaim its willingness to

sponsor amendments that would permit the implementation of the recommendations of the Duff-Berdahl report. I have been told, for example, that there have been moves within the Canadian association of university teachers, with its office in Ottawa, and working with universities all across Canada, to attempt to draw up a model bill or charter which could be provided to all universities. That, in itself, would be a bit of a lever to get some of the more stodgy boards of governors to recognize the fact that they should move now rather than later—five or ten years later. Certainly if we do not get action to implement the objectives of the Duff-Berdahl report, I think this Minister is going to be facing difficulties, or universities are going to be facing difficulties, and for precisely the same reason. I regretfully had to tell him that I think he is going to face some difficulties in our community colleges. On that score, he has to take all the blame himself, because he is the creator of the structure and he has structured it in the old 19th century fashion so it centres back to that fountainhead of paternalism, namely, this government and the Minister himself.

However, let me go on to their comments with regard to the senate. As my hon. friend, the member for Brant, has stated, the tragedy is that if we had effective senates in our universities today, either in Ontario or across this country, there might be some centre of power to counter the boards of governors. Since they do not have as much responsibility for raising funds in a day when more and more of it is coming from public sources, they are tending to extend their authority out into the educational field. If we had strong senates, they could counter this encroachment into a field for which the board of governors is not equipped at all. But, as the Duff-Berdahl report says, as bluntly as one could put it in simple English: "We say with regret that all too few of the universities that we visited in Canada have really effective senates." Then they go on to elaborate that it really is not the fault of the people involved, it is the fault of the system itself.

So they suggest there should be a reorganization of the senate, and that there should be perhaps here some cross-fertilization, conceivably by having some representation from the board of governors on the senate in a very small way. Then you would not have senate members and board of governor members expressing the fact that they had been both in their positions for years, and have not yet had an opportunity to meet each other.

Their specific recommendation was that the majority of the senate should be elected from the faculty for staggered three-year terms, with rotation considered as normal, but re-election not ruled out. Now, Mr. Chairman, in attempting to pursue for a moment the basic problem that I was raising here—of how we can create a kind of relationship between the Legislature and universities which will permit us to play our role without appearing to encroach on the self-government and the necessary autonomy of universities—I want to make a comment on the Minister's advisory committee which has been doing the key work with regard to university grants up until now.

In my view—and I have already expressed this in the House—when the last meeting of the old advisory committee was held prior to the establishment of The Department of University Affairs and they made their report, and they raised the question of whether or not, since there was now going to be a department with a staff of its own to carry on many of the jobs that they had had to do in the absence of such a department before that, that conceivably they should pass out of the picture altogether. At that time, there was a great deal of concern—indeed public outcry is not too strong a term—from university circles where an outcry is usually in very muted fashion—

**Hon. Mr. Davis:** I have not noticed that. It is not always muted.

**Mr. MacDonald:** The Minister has not noticed that? Well, everything is relative in this world, and I would suggest that an outcry from the universities is always somewhat muted. I wish they would stand up and speak with much more vigour than they have done.

In any case, the proposal itself was that they should pass out of existence and the department should pick up some of the administrative responsibilities. Presumably then the decks would have been cleared for the establishment of a university grants commission. I emphasize to the Minister that while this advisory committee apparently has moved into a more tranquil period and is not provoking the same antagonism it used to, its personnel and its historic relationship with the government—which has been a very, very close one—is such that it is going to be very difficult to be critical of things that we should criticize in the universities. We must not give the appearance, if not the reality, that the impact of criticism from the government side of this Legislature will be transmitted through

a body that is advisory to the Minister. I think the time has come to establish an independent university grants committee.

I pause for one moment to acknowledge that I have no illusions that experience with committees has indicated that they are as completely independent as those who originally supported them felt they should be; that inevitably they develop relationships with governments so that the committee anticipates what the government is going to do. By a kind of intuition they have learned what the government is willing to do and how far they are willing to go. It may not be 100 per cent independent, but at least there is an appearance of independence, and if the right people are appointed to the committee, I think you have the reality of independence. Then, I think, it would be possible, not only for members of the Legislature who are on the Opposition side, but also for the Minister to get up and speak his mind when things need to be spoken with regard to what is happening in the university world.

At the moment I can quite understand the Minister is a little inhibited, to put it mildly. He goes off and delivers a lecture—what was it, the Gerstein lecture—at York university. It was a very academic discussion of the relationships of universities to government and their internal structure, and I am sure he was shocked the next morning to discover that sentences within it were torn out of context and captured the headlines on the front pages of the papers. They were construed as an open and blatant threat on the part of the Minister to the university.

Now, in some of the things he was saying, I do not know that I necessarily disagree with him. But I do not know how we are going to maintain the objective that he has stated; that we have stated on this side of the House, of maintaining to the greatest extent possible the independence of the universities if you do not create this kind of separation with the independent university grants commission in between. Then we can all speak our minds with full freedom and hope that we will move in the direction that Duff-Berdahl have indicated in organization and in many other phases of university education.

I refer back for a moment, for example, to the discussion that my colleague, the hon. member for Scarborough West, had in this House with regard to the desperate shortages of social service personnel. I was rather interested afterwards—when he had documented the case for a desperate and urgent need for our universities to participate in the provision of social service personnel—to write to a number of universities and to present these views to friends that I have in them. I found there was an attitude almost of impatience with regard to this prodding from the outside.

In one instance, the comment was: "The young men will just have to be patient, we have a lot of things on our platter now." I would be the last to deny that the universities have a lot of things on their platter, but anybody who reads the speech of the hon. member for Scarborough West will have a solid documentation as to the existing shortage of social service personnel. The result is that it makes a mockery of most of the stated programmes of The Department of Health, of Public Welfare, The Department of Reform Institutions and, indeed, some aspects of The Department of Education.

If universities are not going to serve a society in areas where the need is as desperate as it has been shown to be here, then I think you are going to create a pressure against universities that will really represent an encroachment upon their self-government and their autonomy. The federation of universities, I understand, have, as of last year, agreed to meet this fall with the Canadian welfare council, or some national body of that nature—will meet to look into this problem. In other words, it is a slow approach to an urgent problem for which there must be a crash programme, if we are going to be able to meet these needs.

Once again, as on many other occasions that will undoubtedly arise in the future in this House, we must have here in the House a situation in which we will feel free to speak our minds; the Minister will feel free to speak his mind, and yet not appear to be moving into a serious encroachment on the independence of the university.

Now, I want to turn finally to another aspect which I think is an extremely important one in Canada today and in the province of Ontario today. For reasons that are conceivably historic, this whole development, to the extent that it exists in Canada today, has not been too closely related to the educational field.

I am referring to the research in science and technology. I raised, during discussion of The Department of Economics and Development estimates, in reference to the Ontario research foundation, a number of questions by which I finally was able to get rather a clear picture with regard to the amount of resources that are being directed to what is generally known as industrial research in some context in Canada. To

sum it up, we discovered that the Ontario research foundation was providing know-how at no cost to the bottom 50 per cent; to small industry in the province of Ontario. They are doing ad hoc jobs for the top five per cent of the big corporations—who were doing their own work—and they were, in effect, doing most of the research, to the extent that it was being done, for the middle 45 per cent, the middle bracket of industry in the province of Ontario.

But the Minister confirmed after our discussion that the total percentage of our gross national product that is being devoted to industrial research—what in more high-faluting terms is referred to as science and technology in other jurisdictions where an actual Ministry has been set up, for example in Great Britain—that the total percentage in Canada, or in Ontario, was in the range of .85 of one per cent, approximately one-half of the kind of concentration of resources that you find in most of the countries of western Europe, and approximately one-third of what you find in the United States of America.

Now coming directly to this issue in the context of Ontario or Canada, I was very interested to read a paper that was drawn to my attention, by J. H. Chapman of the defence research telecommunications establishment in Ottawa, published in the *Journal of Engineering Institute of Canada,* in July 1965. In this, Dr. Chapman points out that, as has been researched in the United States, some one-fifth of the gross national product in the United States has now been attributed to education and to the research related to it. As much as 46 per cent of the actual growth in recent years has been attributed to education, and this compares interestingly enough to a contribution by the capital input into the economy of only 15 per cent.

Later on he points out that in consideration of this issue in the United States one Jesse E. Hobson, head of the Armour research foundation, and later of the Stanforth research institute, declared that—

> One Ph.D will generate employment for ten engineers. Ten engineers will generate employment for 150 technicians and skilled workers.

—and indicated the kind of ebbing effect that is created. He notes, as has already been noted in this House, the distressingly small number of Ph.Ds in all fields, let alone in the engineering field, that are available in Canada as compared with the United States. However, he moves on to state that just producing Ph.Ds is not the answer. They must have an environment that retains them where they can be of most value to the country. Without reading long extracts from this, I was very interested to get an account of the whole development of MIT, and the related industries to MIT in Massachusetts, or the comparable kind of development that you now find in California, or a newer development, a smaller one, but a very burgeoning one, that has emerged down in Texas. You have this concentration of research in the science and technology field, and industry inevitably develops around it. Indeed, he makes a pretty interesting case to prove once again it is difficult to find whether it is the chicken or the egg. If you have the research, the industry will come. If you have the industry the research will grow. Each has an effect upon the other.

Dr. Chapman then refers to the comments of Lord Robbins in Great Britain, and his study of higher education over in that country. I want to put a few quotations on the record here, because I think they are extremely important from our point of view.

Lord Robbins, who conducted a study into higher education in the U.K. had said:

> In countries such as the Netherlands, Switzerland and Sweden, which owe much of their prosperity to skills and the wide use of limited resources, there is at least one special institution of this kind—

that is of the MIT kind—

> —to about six or seven millions of population.

Lord Robbins had pointed out that in Britain they had only one such institution now, namely, the Imperial college of science and technology. Two more are going to be built, namely the college of science and technology in Manchester, and the University Strathclyde in Glasgow. Now this is Dr. Chapman's comment:

> Based on Lord Robbins' rule of one to each six or seven million of population, Canada needs three institutes such as MIT or Imperial college. We have none. We might conclude that Canada is unlikely to capture the new technology until this void is filled.

Finally, in the Robbins report there is some very interesting comment on the fact that this kind of development is not possible if it is not closely related to the educational world. I quote:

> The complex and sometimes unique facilities of the research establishments

> are national assets much too valuable to remain isolated from the education system. Collaboration is especially needed in fields where there are no comparable facilities in university colleges. More research should be carried out by students under the joint supervision of academic staff and the staff of a research establishment. If joint arrangements for supervision are made, it will be possible to work in the establishment to form part of a project leading to a higher degree. There should be a freer movement of staff between higher education, government research establishments and industry.

If I may interject here, we have some very creditable government research establishments in this country, but once again they do not seem to be fitted into what appears to be the necessary complex for the fullest possible development in this country. Again back to Lord Robbins:

> Institutions of higher education should invite more part-time assistance in teaching from staffs employed in other fields. Such part-time help will be especially needed by universities and colleges in the period of expansion ahead. Closer contact with education may provide scientists employed in research establishments with new interest and may introduce a possible flexibility into the careers of some whose interests are no longer predominantly in research.

Finally Dr. Chapman quotes from a symposium at Queen's, from a Canadian, Dr. G. C. Lawrence, president of the atomic energy control board, who expresed the same sentiments, namely, that "awareness of industry's problem in the national laboratories and in universities, and in exchange of personnel between them, would be of benefit to all."

Without going into it at any greater length, I have attempted to indicate the extreme importance of this for a country that pretends increasingly to be a growing industrial nation. Experience in both Europe and the United States indicates the close relationship that must be developed between research in science and technology in the industrial world and in the educational field itself. We need, in Canada, at least some three such MIT's and Imperial colleges, and we have none.

The question I want to put to the Minister is really a twofold one: admitting that much of this is a federal responsibility, has the government at the provincial level, because of its responsibility for education, given any thought to this problem and how they may play a role in building a closer relationship between research in science and technology, as carried on in industry and education. If so, how does the government, from the Minister's point of view, envisage Sheridan Park fitting into this whole picture? Because, once again as I read the kind of pattern that has developed in other countries, I am a little puzzled as to exactly what is the role of Sheridan Park.

It could become an industrial MIT—if I may call it such—it is an educational research institution, in a sense, out in the industrial world, with the government playing its part. It just seems to be out of character with the kind of development that is taking place elsewhere.

I am not suggesting that we cannot break some new ground and that we cannot do some pioneering, but I am curious to know whether the government is doing any planning in this vitally important field or whether here, as in so much else, there is going to be an announcement tomorrow and the planning will take place next year or five years from now, as we try to rationalize the topsy-turvy development.

**Mr. Chairman:** Would it be agreeable if we continue the debate now under vote 2301?

On vote 2301:

**Hon. Mr. Davis:** Mr. Chairman, may I first reply to some of the general observations. Once again, if I miss some of them, I am sure that the hon. members opposite will remind me as we go through the specific votes in the estimates.

I should deal with the question of the relationship between government and universities very briefly; I do not want to go over a lot of ground that has been covered in other years.

I think it is fair to state that we have not yet achieved perfection by any means in this area. Perhaps the one redeeming feature is that I find in reading material from other jurisdictions in this country, in the United States and the continent, that our problems are not any greater and perhaps we have, to a degree, made better progress in many respects, than some of our sister jurisdictions in this whole area of government-university relationship—

**Mr. Nixon:** When you say "sister" do you mean Canadian?

**Hon. Mr. Davis:** Yes, and I would think certainly more so than in several states of the union where the situation that exists between government and universities at the moment

is rather questionable, to say the least. This applies primarily to the state institutions; private institutions in the United States do not have this same difficulty because their supply of money comes primarily from private sources so that there is not the same difficulty existing there. I would say, Mr. Chairman, that progress can and will be made yet in this area, but generally speaking, we have come a fair distance in this, quite frankly, delicate area of government-university relationship. I think I could state once again in fairness to the committee—and I should point this out to the hon. member for Brant —that the Minister does not determine the specific amounts for specific institutions. The recommendation comes from the university affairs committee. The government then has the right to reject the request or the recommendations that have been made, but as I have said on other occasions—and this year is no exception—that the government has accepted in total the recommendations made by the university affairs committee.

**Mr. Nixon:** On that point, if you can reject it and do not, then you must approve it.

**Hon. Mr. Davis:** In total, the government is always in the position to say to any recommending body, if they have recommended X number of dollars, that we do not have this amount of money! But, when it gets down to individual institutions this is a determination made by the university advisory committee.

I should also point out that the constitution or the personnel of the committee has changed rather definitely in this past year or so. I think one could state that the academic proportion is very close now to 50 per cent of the committee membership.

**Mr. Nixon:** How many are working professors?

**Hon. Mr. Davis:** Dr. Bourns is a working professor; Dean Wright is a working professor and the late Dr. MacFarlane, while you might not say he was working full time—

**Mr. Nixon:** But the other three, in fact, are not working professors?

**Hon. Mr. Davis:** I do not know that this is very relevant, because Dr. MacFarlane had spent most of his life in academic circles and was still closely associated with the university field. Dr. Taylor, once again, was fairly directly connected with the academic community and I think was one of the recommendations from the faculty association when the personnel for the committee was considered.

Of course, Dr. Reva Gerstein still is active in university circles.

**Mr. Nixon:** Excuse me. Dr. Gerstein's appointment, was that recommended by the faculty—

**Hon. Mr. Davis:** I believe that her name was also on the list. Really, Mr. Chairman, we try to do everything we can to accommodate those who made recommendations—

**Mr. Nixon:** She is recommended to so many associations—

**Hon. Mr. Davis:** She is a very competent person, very competent indeed.

So when you take those four or five individuals you realize that you are coming very close to 50 per cent of the total number of the committee itself. I would say that in any area of change or expansion, particularly in the field of education, you cannot say that you have reached the ideal type of situation and I am not saying that we have here. I am just saying that it has, I think, worked reasonably well in this past three or four years and certainly it would appear on the basis of this year that universities have received every consideration as far as their financial requirements are concerned.

I was a little concerned when the hon. member for Brant was referring to Queen's. I thought I had outlined it in my general remarks on Thursday night, but just in case it is not clear, I shall read a letter:

> I have your letter of May 30—recording decisions reached at Ministerial level regarding the health sciences centre at Queen's University and Kingston general hospital. These decisions are very reassuring and gratifying to Queen's University. We have now prepared along with the hospital and will send you in a day or so, the detailed analysis of the situation—

and it goes into some of the details of what is required and the submissions—

> The pattern proposed in your letter is confirmed as satisfactory to the university and I understand the advantage of having one person here identified as responsible for the co-ordination in the health sciences—

and it goes on to name the personnel involved.

I will not go into detail, Mr. Chairman, as to the specific programmes at Queen's. I can only assure the hon. member that all the universities are treated in a fair manner by the university affairs committee and by the government. The fact that a university may

announce something—actually, McMaster announced their health sciences planning complex some months ago and—

**Mr. Nixon:** Have you a letter from them along the same lines?

**Hon. Mr. Davis:** I think if I looked carefully, Mr. Chairman, I might even find a similar letter from that great university, too.

I just want to point out that we are doing our best to see that the universities are treated in a fair manner in this respect.

Dealing with the question of student-staff ratio, it is really an individual type of situation. The hon. member raised the question of economies. I do not want to read the whole of the lecture that I gave at York. We would be here for quite a while and it really is not that interesting; I am sure that you have read it carefully anyway. It has received a certain amount of attention, I have discovered, outside of this province as well.

I did raise the point and I was trying to provoke some discussion in those areas where, perhaps, the universities could more realistically look at their operations. I really started out, not on the question of student-staff ratio, but on the whole question of whether the universities, in looking at their operating costs, have looked at the way they are conducting their own internal administration. I do not mean by that just the day-to-day administration, but whether they are using sufficient imagination—and I will quote my own words here—"and innovation", by dealing with "new techniques and devices of teaching," whether there is "enough flexibility shown in adjusting old concepts of what was thought proper for higher education" to the situation which confronts us today. These were really questions that I was posing.

I raised the question of student-staff ratio, because in Ontario we are endeavouring, or will almost have reached this year, roughly one to 12.6. I quoted two statistics and these are matters of judgment. I am not in a position to inform the House who is right and who is wrong. Of course, statistics can always be interpreted in different fashions, but, as I recall it I quoted California and Michigan where the student-staff ratio is in the range of one to 16 in California and one to 17 in Michigan.

I think one would look at both those states as having, sir, fairly competent post-secondary or university situations. Obviously, if we could move—and I am not saying it is desirable—but if we could move to a higher student-staff ratio here in Ontario, if it is appropriate, then there would be a substantial saving in cost. I made the point in my remarks, and this was lost sight of when it was reported, that I am not saying who is right and who is wrong or whether it is a case of being right or wrong. I am saying it is something that we should study and I believe the universities are looking to see, whether the situation that exists here is proper and if it is proper, it will be supported. But I think there should be some objective analysis of it.

Dealing now, Mr. Chairman, with some of the other matters raised by the members opposite, I assume there will be some more specific questions on the student loan plan. I will deal with it when we reach that item in the estimates so I will not need to repeat what I have to say, except I should point out—and I would read this into the record—since the hon. member for York South read certain other portions into the record: "We warmly welcome"—I point this out—"the substantial increase in the amount provided for bursary assistance, and the removal of the requirement which previously limited eligibility for such assistance to those in the upper academic levels. We particularly welcome the government's evident intention of eliminating the financial barriers facing anyone qualified for admission to an institution of post-secondary education."

This was a sort of preamble to the other material that the hon. member for York South—

**Mr. MacDonald:** That is the Minister's objective, but he does not achieve it.

**Hon. Mr. Davis:** We will get into the details of the programme itself, but in fairness, I thought it was somewhat relevant to point out that the universities and the faculty people and the students themselves recognize that we were making this rather sincere and fairly valid attempt to do what the first two paragraphs of these sentences here point out. I just thought I would add that to the record, Mr. Chairman, so there is no doubt in the mind of the member for York South, as to what we are attempting to achieve.

**Mr. MacDonald:** Did the Minister read the final sentence in that paragraph?

**Hon. Mr. Davis:** I would be delighted to: "We are not satisfied with either the amount provided, or that the form of operation delineated for the scheme will be adequate to accomplish that objective." I will get to that right now because I think we get to a fairly relevant point. It was woven through the whole text of my remarks, and I can only

assume that because it was so late at night the members were not paying close attention. In fairness, the member for York South had to leave early. He had a bad throat, and I do not blame him a bit—

**Mr. MacDonald:** I had to catch a train.

**Hon. Mr. Davis:** But I am sure he read them. Throughout the whole course of my remarks I was attempting to indicate, Mr. Chairman—and I say this most seriously—that we are faced with rather substantial financial problems, not only throughout the whole education programme, obviously, but with particular relevance to the post-secondary field, and I am referring now to universities. I think the member for Brant acknowledged there was some federal responsibility here. I was disappointed because the member for York South usually finds these occasions to at least—

**Mr. MacDonald:** As a matter of fact, I forgot it, but I will come to it.

**Hon. Mr. Davis:** I am glad the member will come to it.

**Mr. MacDonald:** In fact, I am disappointed in the Minister for reasons that he will be surprised to hear.

**Hon. Mr. Davis:** I want to make this point, Mr. Chairman. I feel there is a very definite spot for further federal assistance as far as university education is concerned. When you take the student award programmme, you will see that it is related to and really a part of the federal student loan.

When the member for Brant gets into this area, I would just quote some of this material and I am referring now to the student loan plan.

> The plan was set up to supplement family and other financial sources available to students, not to replace them. It follows that certificates of eligibility may be issued only if you can establish that the financial resources available to you, including those of your parents, are not enough to meet what the awarding authority considers to be reasonable costs for the academic year. To this end you will be asked to give a signed statement which will include information concerning your financial resources. Since in general, parents remain primarily responsible for the costs of post-secondary education, your parents will normally be asked to give information concerning their income. Under the plan, a ceiling is placed on the total loans.

And so on. This, Mr. Chairman, is a direct quotation from the pamphlet prepared by the federal government. In fact, I even see the Hon. Mitchell Sharp's name on this—

**Mr. Nixon:** Why is the Minister still distributing that stuff? Do not all these student aid—

**Hon. Mr. Davis:** No, no, Mr. Chairman, this is the part that perhaps has not really come fully home to the member for Brant. The loan portion of the awards programme is the federal student loan.

**Mr. Nixon:** They never asked for the information the Minister is asking for.

**Hon. Mr. Davis:** With great respect, Mr. Chairman, they are asking, and have asked, for substantially the information that is included in this form, and I will discuss this when we get into greater detail.

**Mr. Nixon:** Well, let us wait for it then.

**Hon. Mr. Davis:** That is fine, but I am just pointing out that we recognize that there can be improvements, particularly in amount. I made this point to the hon. Prime Minister of Canada, to the secretary of state, Miss LaMarsh, and I have urged them to allocate the funds that they have set aside for these 10,000 scholarships. There was a statement by the Prime Minister of Canada in the fall of 1965 indicating roughly what was going to happen, suggesting that the proportion that would go to Ontario—and it would be roughly $3,300,000-odd—should be built into the student loan plan and award programme here in the province of Ontario. It is quite obvious, Mr. Chairman, that if these sums were added to the $5 million to $6 million the province has provided for in straight awards, the rough percentage of 60 per cent loan, 40 per cent grant, could perhaps either become 50-50, or perhaps could even be reversed. I would express the personal view that this would be highly desirable. It is not a case of trying to build up the loan portion, but the loan portion and the requirements and information requested are very directly related to the Canada student loan scheme which is providing a very large portion of the funds. I acknowledge this. But we have to go by certain guidelines that are established for us, and this, I think, is rather relevant when we get into the whole discussion of the student award programme.

I will not go into greater detail because I know the members opposite will want to discuss it when we get to that item in the vote.

Getting on very briefly, to the field of

internal university organization, I think the only observation I would make at this moment is that the Duff-Berdahl report was prepared at the request of the universities. I can tell the hon. members it has created some great interest in the academic community, and is very much under consideration by the universities themselves. I think perhaps I shall reserve any comment on this area of internal university administration until such time as the universities themselves have either taken the initiative or otherwise in seeing if there is some way of bettering their own internal governmental—if we can use this term—organization.

**Mr. MacDonald:** How long might that be?

**Hon. Mr. Davis:** Mr. Chairman, I cannot say. I would think certainly that one could anticipate this might be a lively or otherwise topic of debate when we next reach these estimates. I can assure the members from my own limited knowledge of the field that the universities are taking a very serious look at the Duff-Berdahl report. I do not want to get into this area of defending or criticizing the existing system or the existing boards of governors.

I would only say this to the hon. members, that the boards of governors and the personnel on the boards have made—and I emphasize this—a very important contribution to the development of higher education in this province and I do not think we should minimize it. I do not say that there should not be changes or improvements, but I suggest, Mr. Chairman, that we should not knock a group of individuals who have really, at some sacrifice to themselves, made, I think, a substantial contribution to the general development.

Now, Mr. Chairman, the one final matter on which I usually get some consensus from across the House. Today there is no complete agreement between the two education critics as to what the ultimate structure or the administration of the two departments should be. I would say that there is a very definite relationship between all levels and all areas of education. In some respects, really it is becoming more related. The question of teacher training obviously is of interest to the elementary field. It is now, if one were to accept or implement in specific form the report on teacher training of great interest to the universities.

In the field of the colleges of applied arts and technology, there is obviously a relationship between these colleges and the universities. But there is, perhaps, just as important a relationship between the colleges and the secondary system itself. It is very hard to determine and, quite frankly, it is not because I do not wish to express any views, but I am not sure really what the rationale should be at this present time. I think that over a period of time it will emerge, but I would have to say that in my own personal view we would have to be very careful completely to divorce or separate one area of education from another.

Perhaps this horizontal type of division is not the most appropriate. Perhaps some type of vertical division might be more appropriate, I do not know. I only can say this to the hon. members opposite: I recognize the rather monumental task that is imposed on any individual who is endeavouring to administer this department. I can only say that in spite of the fact that in this morning's *Globe and Mail,* the OTF were suggesting that the changes, with respect to grade 13, were announced first and planned later, and I think this criticism was confined primarily to grade 13, that we have had the benefit of some very competent people in both departments, and in both areas of administration, and really, I think in the final analysis, this is perhaps the answer. It depends on the personnel who are giving you the advice as to whether one, two, three or four individuals are needed to administer any particular area of government.

I am sure I have missed some of the matters the hon. members were concerned about, but perhaps we could pick them up as we go through the individual items.

**Mr. MacDonald:** One question in relation to what the hon. Minister has said, and it comes under this vote. The hon. Minister wants to forego any comment with regard to internal reorganization at the universities at the moment, but would he be willing to comment on this one point which relates directly to us here, namely, is this government willing to entertain, or even take the lead, on a revision of the charters insofar as they have been granted by this Legislature to permit of the recommendations that the Duff-Berdahl report has made?

**Hon. Mr. Davis:** Mr. Chairman, I can only say at this point that I think it would be more desirable if—and I emphasizing the "if"—the Legislature thought some changes were in fact desirable, and it is obvious that the hon. member for York South feels they are, and if the government and the assembly as a whole felt this was the case, then I would suggest it would be more desirable if the

initial move were to come from the universities themselves. I feel this very strongly.

**Mr. K. Bryden** (Woodbine): They may not want to.

**Hon. Mr. Davis:** They may not, and I think we have to have some period of time to digest and assess the Duff-Berdahl report. It is still a fairly recent document.

**Mr. MacDonald:** I hope we are not waiting five years from now.

**Hon. Mr. Davis:** No, I do not anticipate that. You will remind us if you find we are.

**Mr. R. M. Whicher** (Bruce): Mr. Chairman, I wanted to say something on this first vote.

**Mr. Chairman:** Vote 2301?

**Mr. Whicher:** I suppose that is as good as any. It is generally to do with the main office.

Mr. Chairman, when the estimates of the hon. Minister of Health were up, I made myself rather unpopular among some of the members and, I think, probably amongst some of the members of my own party more particularly, when we were discussing the dental situation in Canada, and more particularly in the province of Ontario.

**Mr. Bryden:** The Whicher forced labour system.

**Mr. Whicher:** I suggested that the time was fast coming, when we who are out of dentists in many areas of the province and running out of money educating them, perhaps some time in the future we would have to have some contract with them before they went to university. A contract which would say that when they finished their training, which was being paid at least two-thirds by the state, that they would have to remain in this province or at least in Canada, for a period of X number of years, probably two or three or up to five.

This afternoon I wish to reiterate my arguments and to say again that I feel in the next few years we are going to have to do something like this about all of our trained personnel that go through, not only Ontario, but Canadian universities.

I agree absolutely with some of the remarks that were made by my friends to the left, who said this was a poor way to stick up for free enterprise. On the other hand, if we are going to protect these things, and indeed protect our way of life, sometimes some freedom has to be given away and I think in this instance it is going to have to be done.

I am one of those who believe that we have a great obligation to all of the young men and women, our own sons and daughters, who grow up into young men and women as they go to university. Surely, all we would have to do—all of the members of this Legislature—is to examine the financial expenditures of the province of Ontario, for the public, for the secondary schools and for the universities, to realize that in a monetary way we are at least approaching the sum of money that the province can afford to educate our youth. No one can emphasize too much, I think, the fact that we owe an obligation to our youth and in order to make Ontario and Canada great, we must educate them. But, Mr. Chairman, the obligation that the parents have and the taxpayers have to young people, must not be overshadowed by the fact that these young people have an obligation to us too, to the people who helped to pay the bills and who, in many instances, particularly in the rural parts of the province of Ontario, actually hurt themselves financially, in order to send their sons and daughters to the various universities of this province.

Now I do not know how many leave, perhaps the Minister can tell us, perhaps he did tell us as a matter of fact, but if so, I did not hear him. Perhaps he could tell us how many, what percentage of graduates of universities of the province of Ontario leave immediately or in the two or three years after they graduate.

I was talking to a young man engaged in research the other day—engineering research—he told me that 48 per cent of all the graduates of Canadian universities left Canada for the United States last year. I do not know.

**Hon. Mr. Davis:** What percentage?

**Mr. Whicher:** 48 per cent of all engineering research students left Canada. Now, I stand to be corrected on this, but I know that it is a large number, in any event. I am almost certain that I heard in this Legislature last year, by some responsible Cabinet Minister, that one-third of all doctors who graduated from Canadian universities last year, left Canada. They went into some other field, whether it be the United States, or some other country.

Let us just look at what we are doing for our students today, right from the cradle up to—many of them are still being educated at the age of 35 or 40.

**Mr. Bryden:** Shocking, shocking!

**Mr. Whicher:** I think we as taxpayers have done a very good job, and one that is very necessary, and I am all for it. I remember, and lots of other hon. members here remember too, anybody who came from a rural area, walking five miles to public school when you are only six or seven years of age, and then turn around and walk five miles at four o'clock, was nothing, and it was done five days every week.

Then when we wanted to go to high school, we did in many instances exactly the same thing.

Now I am not one of those who wants my boys and girls to have to walk that far, but I merely point out to you that they do not have to. They do not walk at all. The buses come along at costs of millions of dollars to the taxpayers, pick them up and take them to the school and then we build them $100,000 or a quarter-of-a-million dollar gymnasiums to give them exercise after they are there.

I am not against these things.

**Mr. MacDonald:** You are more Tory than the Tories.

**Mr. Whicher:** These things are a way of life and I am all for it. But, I say to all intents and purposes, and speaking generally, they are getting a very good education, certainly as good an education as many of the people in this province can afford to give them. Then we come along when they go to university, and this is where we get closer to the subject I am talking about. I understand that the state, at the present time, is paying approximately two-thirds of costs of a student going to university and that the—

**Mr. Bryden:** They should be paying the whole thing.

**Mr. Whicher:** I am going to suggest that—

**Hon. Mr. Davis:** Three quarters.

**Mr. Whicher:** Three quarters, thank you very much.

The state is paying three-quarters of the cost of all students who go to university. This is very fine, but I know that in many instances the student has a hard job making up that extra 25 per cent. If he does not make it up, his parents do or he has to borrow it somewhere else.

The fact is that the state is paying a great deal of the cost of that education at the present time, but there are still many people who do not have the opportunity to go to university today, and some who may not have the desire to go to university.

May I respectfully point out that it is still necessary to have good plumbers in this country of ours; we have to have good carpenters and good farmers and good small businessmen, too. We have to have good insurance agents. If you are not good today, you are no good at all. But the point is, you do not have to go to university to be a good plumber, and if your bathroom happens to be not working, he is much more important to you at that moment than a good dentist or a good lawyer.

I say this, these university students have an obligation to us, too. They have an obligation to us, Mr. Chairman, to attempt to repay to you and I who have paid the bills in the first place, not only the services that we need, but are crying for all over this province. They have an obligation to repay in the form of taxes some of the money that we have paid to educate them up to that moment.

I believe that the vast majority of these university graduates would be only too pleased to accept that responsibility if it was pointed out to them in a decent, businesslike way. I feel that they feel they have an obligation. On the other hand, when you can make an extra $5,000 or $10,000 in the state of California rather than stay in the city of Toronto and Ontario, do you suggest that they stay here. Why should they stay? Why not go to California? The weather is lovely down there; there is all kinds of employment; and if the good people here give them this free education, why not go down there and really enjoy themselves?

It would be wonderful, Mr. Chairman, but the province of Ontario cannot afford it. We cannot afford it financially, and we cannot afford to lose their services. If we are going to make this country great and make this province great, we are going to have to have a plan. The key to the whole thing is the hon. Minister of Education. Every hon. member around here says so. Education is a thing that we need most in this province. We must educate our people in order to become great.

Well, what good does it do to educate them then send them all down to California? In my mind, it does not do nearly as much good as if they stayed right here.

As I understand it, from what the hon. Minister of Health said during his estimates, when dentists were being given bursaries, for example, they sign a card that they will

stay in this province for two or three years, or whatever the case might be. In fact, they will not only stay in the province, but they will go where they are sent.

I am not going that far. I am not suggesting that the Minister of Education should send every university graduate some place 1,000 miles away from his home, which would be quite easy in the province of Ontario. But I am suggesting that they should stay, if not in Ontario, then in Canada.

There are some people who could not stay here. This young engineer who was engaged in research the other day told me that the reason that he was going to California was because there simply was not a job for his talent not only in Ontario, but in all of Canada. He said that if he were to pursue his education and work at what he wished, industry simply did not have the research capabilities in Ontario or in Canada where his talents were needed, and he must go to the United States. Well, I would be one of the first to agree that he should go. On the other hand, when we require these people why not keep them? Particularly, if they are willing to stay. Anybody who gets a bursary as far as the dental profession is concerned is quite willing to stay.

What about the armed forces? When a person joins the armed forces they will send him all the way through university, but one thing he must do it to sign a piece of paper promising that he will stay in the armed forces for five years. Is this any more dictatorial than if the Minister of Education of Ontario suggested that students stay here for five years when we are paying 75 per cent of the fees now, and when those services are so much needed in this province of ours? I think not.

On the other hand, Mr. Chairman, it could be—as some of the people on the left have suggested, and as I have suggested on numerous occasions too, if not in this body then in other places—that if the students are paying 25 per cent it may be that their life should be free, and they should be able to go anywhere they wanted to in the world. My suggestion is this: that we pay the whole thing, 100 per cent, instead of the 75 per cent that we are now paying. But in order that this be done, they must practice somewhere in Canada for a period of from three to five years, whatever the hon. Minister and research tell us—

**Mr. J. H. White** (London South): Is that Liberal policy?

**Mr. Whicher:** No, that is not Liberal policy, that is not Liberal policy at all. As a matter of fact, everything you say over there is not Conservative policy either.

**An hon. member:** You will not even tell us what your policy is!

**Mr. Whicher:** This is not Liberal policy at all. It is just myself talking here as a member from a rural area where these services are so greatly required.

**Mr. MacDonald:** You are more Tory than the Tories.

**Mr. Whicher:** Mr. Chairman, the hon. member to the left may say I am more Tory than the Tories. I do not care what I am, but I want to be sensible anyway, and that is something that everybody is not around this place.

In conclusion, I want to tell you that this is not anybody's policy. These are my views and, Mr. Chairman, I say that hon. members can laugh all they want to. But ten years from now, it is going to be in effect if for no other reason than the fact that the people of this province cannot continually put out $1.5 billion in education through the province and through real estate taxes. They cannot continually do it, and then export a large percentage of students to other countries.

**Mr. Bryden:** Is that government policy? It sounds like it.

Vote 2301 agreed to.

On vote 2302:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, if this is the appropriate vote under which to raise it, I would like to raise the question of admission to the universities. I do not see any other vote under which it can be raised.

**Hon. Mr. Davis:** Mr. Chairman, I do not know that there is an appropriate vote under which to raise the question of admission to universities, because admission to universities is something determined by them. The Department of University Affairs has nothing to do with the question of admissions.

**Mr. MacDonald:** Except to make some suggestions every now and then.

**Hon. Mr. Davis:** We are still citizens of the province, and we can still make suggestions, but we have no control over admissions. This is set by the universities themselves. There is no specific place in the estimates for it.

**Mr. Renwick:** Mr. Chairman, that is exactly the reason why I think we should discuss it at this point, because the Minister, whether he wants to or not, cannot avoid discussing the relationship between the government and the universities—

**Hon. Mr. Davis:** I have no objection to this at all. You asked me if there was, and I said there was not.

**Mr. Renwick:** You mean it is not appropriate to discuss it.

**Hon. Mr. Davis:** I did not say it was not appropriate. You asked if there was an appropriate vote, a specific place, and I said that there was not.

**Mr. Renwick:** The matter that concerns me is that I noticed, for example, in the Trent University calendar—and probably it is in many of the others in the provision—that the furnishing of the certificate from the grade 13 graduates, an honour certificate, is but a minimum requirement for entrance to the university. If you have that certificate, it simply establishes for most students a basic qualification to make an application to the university system.

The other side of it is that I agree with the hon. Minister's remarks that if up until now admission to the university has been a matter that has been determined by the universities, it is also true that until quite recently the production of a grade 13 graduation certificate was an entree to the university and certainly to the arts colleges of the University of Toronto. You were not refused admission, except perhaps for some extraordinary situation. But for practical purposes it was your entree to the university, and I do not recall having seen in previous years —I am going back some time, I am not talking about the immediate past two or three years —when it was stated that a university entrance was dependent on some other requirements. The Minister said the other evening that we are going to pass to the point where there are going to be admission tests, taking over the United States admission tests into the universities here which I gather means that we are going to agree to the proposition that the universities are going to establish their own admission standards.

**Hon. Mr. Davis:** Which they are presently doing.

**Mr. Renwick:** Which they are presently doing. Now, it would seem to me this is one area which is going to require the greatest degree of co-operation and co-ordination between this Minister in his capacity of Minister of University Affairs and the universities themselves, to make certain that the universities do not continue to have a monopoly on the qualifications required for admission. By this I do not mean that the Minister should take over the question of admissions, but it touches the very delicate relationship between the government, which is now providing such a substantial part of the operating costs of the universities, and the traditional autonomy of the universities.

It would seem to me this whole question of admissions is one which the government should have some view on. Because, if we are going to have a public education system under the Minister of Education up to leaving the secondary school system and moving into the post-secondary school system, I think that we must establish that the qualifications received at the end of that secondary school education should entitle—if that is not too definite a term—entitle the person to enter a university in this province.

I have the very real concern that by departing from the grade 13 honour certificate and by providing for different admission standards by the different universities throughout the province, that in some way this government is about to perpetuate the entire monopoly of admission to university in the universities themselves.

I do not think in reality that has been the condition up to now and I do not want to see it become the condition. I think this government, through the Minister of University Affairs, has to co-ordinate in some way the admission requirements of the universities to make certain that by and large those coming through the public education system are entitled to be enrolled in a university in the province. I do not think we need to get into the other areas of internal, traditional areas of responsibilities of universities but this particular one, admissions to the university system in Ontario or admission to one or other of the universities, should be a matter in which the government in some way indicates its standards and its wishes to the universities without being accused of intruding on the autonomy of the universities.

**Hon. Mr. Davis:** Mr. Chairman, I will not take long in answering this. The new service for admission to university and college is one which will be governed by the representatives from the university community, The Departments of Education from across Canada and the national university organization. I should point out there will still be certificates from grade 13. This service for admission and the

tests which it administers will provide a test score for the universities. They are being provided with this information. The determination as to what level of test score or what percentage they want on the leaving certificate from grade 13, is, I suggest, within their area of responsibility. I do not think the situation can do anything but improve. I do not see it becoming more difficult than it is at the present time. I think by the fact that they are going to be relying on these two types of information, that it should be better than it has been in the past.

**Mr. Bryden:** Mr. Chairman, may I ask if the Ontario scholarships are paid out of these estimates or out of the estimates of The Department of Education?

**Hon. Mr. Davis:** They are included in vote 2304, Mr. Chairman.

**Mr. Nixon:** The Minister has referred to certain matters; one of them was the staff-student ratio at universities, which he says is being investigated by universities themselves.

**Hon. Mr. Davis:** I said—and I want to be very careful on this—I believe universities are themselves researching this question of student-staff ratio.

**Mr. Nixon:** I think this an interesting problem and one that I feel bears in on us here, even more than that as a matter of economy is the fact that the dropout at the university level is 33 per cent. I find this practically incomprehensible since the admission standards are artificially high, as has just been pointed out.

Does The Department of University Affairs have research facilities that can be directed by the university presidents committee so that the Minister will not necessarily be accused of interfering in these matters, and yet the facilities are there so that the committee of presidents can carry out researches in these matters that are of general and collective interest to the university community? I feel that research should be carried out on the dropout rate because this is one of the grossest uneconomical practices that one could imagine. Is our secondary system inadequately preparing the young people for university life and experience, as has often been indicated by those expert in the field? We should know about these things, because we do have control at a secondary level, and it may well be that the answer to the problem lies completely within our jurisdiction. So basically I would like the Minister to comment on how these matters of broad and general interest at the university level are dealt with by his department.

**Hon. Mr. Davis:** The presidents committee have their own research organization.

**Mr. Nixon:** Who pays for that?

**Hon. Mr. Davis:** They are paying for it collectively from amongst all the universities, so indirectly we are probably paying a portion of it. But it is done by themselves. There is no specific allotment for them. We have our own research branch within The Department of University Affairs, and these two groups on common situations meet and discuss and correlate, if they can, their particular findings. I should point out that I do not know that the 33 per cent figure is necessarily a valid figure. It may be in some faculties.

**Mr. Nixon:** I think it is higher in some faculties.

**Hon. Mr. Davis:** I am sure it may be higher in one or two faculties, but I am not sure over the general spectrum that it is so high. There may be transfers from one course to another. I have no specific figures. If we had some I would be delighted to pass them on. We have the most recent figures from Trent, where last year I believe their failure percentage was something under ten per cent. I could be open to correction, but it is somewhere in that neighbourhood at that particular institution. It is easier to assess it there because they have such a small, in a relative way, number of students. It was somewhere in the neighbourhood of ten per cent.

**Mr. Nixon:** The report of the president of the University of Toronto indicates that in certain faculties the failure rate is higher than 33 yer cent.

**Hon. Mr. Davis:** That is right.

**Mr. Nixon:** I feel this is something that should be looked into. What types of research does the Minister's research committee carry on, that he does feel is within his jurisdiction?

**Hon. Mr. Davis:** We are doing some research into the area of physical plant costs and we have done research into the areas of student aid. The committee has assisted in preparing material to be used by the subcommittee of the university advisory committee for formula development. Another area, of course, on which research is being done, both by the department, and based on

figures prepared some time ago by Dr. Jackson and his group, is that of specific enrolment needs of the various universities or of the province as a whole. These are general areas where I do not think there is any infringement on the traditional responsibilities of the universities.

**Mr. Nixon:** On the matter of research, is there any possible way that decisions relating to the eventual size of individual universities can be investigated? Are the universities themselves doing some research that would indicate what the optimum conditions are as far as size is concerned? We know that across the world some of the universities have become very large, and it may be there is a limit beyond which efficiency does drop off. Is there any research being carried on in that?

**Hon. Mr. Davis:** I cannot specifically speak on behalf of universities. I know of one or two areas, of course, that they are researching. I think we are reaching a point where some assessment will have to be made as to the optimum size of a university. I do not think we have reached it here in this province. If you can compare it with other jurisdictions, the U of T would be the only one that might be close to the optimum size and I know that while they have not come to any final decisions, they are in the process—or are considering, shall we say—an upper limit for the main campus here in the city of Toronto.

It is difficult to say. Some years ago, somebody would have said that 5,000 or 6,000 is the optimum size of the university. Today, some will agree that it should be 20,000 or 25,000, and you will get as many views on the subject as there are people who are prepared to give them as to what the optimum size would be.

The University of California, Berkeley campus, as I recall it, is somewhere around 26,000 or 27,000. Yet they are developing a new campus that will be held down to a student enrolment of, I believe, either 4,000 or 6,000 in individual colleges, because they want to see if this type of environment might do, in effect, a better job without, in the final analysis, costing any more money. But they are not in a position to say either, at this stage, which is the most desirable.

**Mr. Nixon:** During the estimates of The Department of Economics and Development, I raised the matter—it was raised also by the hon. member for York South this afternoon—about the possibility of having an institute of technology developed in association with Sheridan Park, where private industry and the Ontario research foundation already have outstanding scientists gathered. The point was these people who are working in industry could very well accept some responsibility for teaching at the higher levels of technology and would perhaps welcome the opportunity to do this, in the same area as Sheridan Park is now developing.

The point is that similar industrial research parks will be developing across Ontario, in Sarnia and Cornwall and in the north, we trust; and that such an institute that would take graduates from the institutions that we have at present and lead them to the very highest range of competence in these matters, would be very much in order, as my friend from York South pointed out this afternoon.

The hon. Minister at the time, made some noncommittal noises about it and said we would have to wait for The Department of Education and University Affairs to get the government's view on this matter, so I suppose this would be the time.

**Hon. Mr. Davis:** Mr. Chairman, I want to emphasize I am only expressing a personal thought, and that this is not government policy at all. I should point out that two great counties, Halton and Peel, and I do not often refer to the county of Peel since I do not make many Throne or Budget speeches so you will pardon me if I use that term on this occasion—have been designated as an area for a college of applied arts and technology. Of course the technology faculty will be a portion of it and Sheridan Park, situated really on the border between those two counties, would not be too far distant from a geographical location that might be selected for a college somewhere within the general Peel-Halton area. It would not be that far away from Sheridan Park development.

**Mr. Nixon:** I think, Mr. Chairman, it would be fine to have some specially good technical facilities associated with the William G. Davis community college, if that is what it is to be known as—

**Hon. Mr. Davis:** You had better speak to the hon. member for Halton.

**Mr. Nixon:** We are getting so many William G. Davis schools across the province, it is going to be confusing.

**Hon. Mr. Davis:** Mr. Chairman, I want to make this point, there are none yet.

**Mr. Nixon:** Well, they are calling for tenders for one, and I could not resist mentioning it.

**Mr. Bryden:** Will this become a condition of receiving grants?

**Hon. Mr. Davis:** No, it will not be built into the grant structure.

**Mr. Nixon:** But you are aware of this and have acceded to their request to use your name, just in passing, is that so? In Windsor.

**Hon. Mr. Davis:** In Windsor, that is correct. I say so with some embarrassment.

**Mr. Nixon:** Mr. Chairman, if you will permit me, I was saying a moment ago that it would be fine if this community college did have an especially useful technical school, but this is not what I had in mind. I was thinking of something whereby the graduates of the community college, or from all over the province, could go on to much more advanced technical training and actually take part in the decisions that technicians and scientists must make in association with industry.

I think there is much more that could be done here, than simply put up a building as a part of a community college. I believe it should be separate from that system and be one to which graduates from these many facilities that we already have could go to, to achieve real excellence in this field. I would put it to the hon. Minister that he should consider this.

**Mr. MacDonald:** Mr. Chairman, in preparing for my comments on this science and technology, I had the benefit of reading rather an interesting article on the biology of industrial research by R. W. Jackson. It is carried in *Physics in Canada* in 1965. There was a quotation in it which is painfully apt to the exchange we have just heard in this House. The Duke of Edinburgh on one occasion, made the comment that "the brain drain was a very nice compliment to our educational system" and this inspired the observation from Sir Bernard Lovell:

> The attitude implicit in such comments shows a deep lack of comprehension of the significance of science in the modern community. America accepted the challenge of the Sputnik, the leaders of Britain did not. It was quickly appreciated in the United States that the revolution was needed throughout its science and technology of which space was merely the immediate showpiece.

And the author of this article says, for "the leaders of Britain," read "the leaders of Canada."

I do not want to be unkind to the Minister, but the hon. Minister has made exactly the same kind of irrelevant comment. He said, for example, they were going to have a college of applied arts and technology. This has nothing to do, and it is rather remote from, the proposition we are talking about. We are talking about post-graduate work in relation to industrial research, of an MIT pattern.

**Hon. Mr. Davis:** Mr. Chairman, with great respect, as I understood the hon. member's remarks, I do not know initially that they all related to post-graduate work and once again, with respect, I do not know that you can confine it to the post-graduate field.

MIT obviously is not confined to post-graduate work, nor is Cal Tech, and some of the very valuable people that are produced come out below the graduate level from the undergraduate field.

If you are referring specifically to graduate work of a very sophisticated nature, chances are this will not be done in fact at any of the colleges of applied arts and technology. In order to train technologists—and rather sophisticated ones—the colleges have to work in association with, and perhaps to transfer staff with, industry. This you can do within the framework of the colleges of applied arts and technology. The graduate work at Cal Tech and at MIT would be on a par, or comparable to the type of graduate work that you would offer perhaps at the University of Toronto.

**Mr. MacDonald:** Let me pursue the point, the significant thing is if you get to MIT, an extraordinary percentage of MIT students are post-graduate students. The point I was making, in terms of a relationship with industry and getting a tie-in with education, is at this level.

Sure you can produce your technicians—

**Hon. Mr. Davis:** I am sorry, I thought you were talking at the technologist level.

**Mr. MacDonald:** —at your community college. These are the base of the pyramid. We want a few peaks in our pyramid, and what happens here is that our undergraduates will graduate here, then they have to go to the United States.

Let me pursue the point that the hon. member for Brant has now underlined. What is

the government planning to do? The hon. Minister of Economics and Development who, like his predecessor sometimes seems to become the Minister for everything, passed the ball to the hon. Minister of University Affairs, and said you will have to get some comment from him. I submit that in the kind of situation we face in Canada, where we increasingly lament about the brain drain, even though on occasion the technical advisors to the Prime Minister of Canada said we do not need a lament, there are as many people coming in as going out. But, the people going out are the Ph.Ds and the people coming in are the bachelors, at the undergraduate level.

**Hon. Mr. Davis:** I do not think that is right, Mr. Chairman. I tried to quote in my opening remarks, I think it was a quotation from Dr. Sheffield where it was pointed out that, in fact, in this flow of resources, either in or out of Canada, the number of Ph.Ds coming in was as high or higher than those who might be leaving, but I do not think it is fair to state that we just have Ph.Ds going out and BAs coming in.

**Mr. MacDonald:** I am sorry, Mr. Chairman, the hon. Minister and I are mixing two things for a moment. In fact, there is another point in relation to university staffs that I want to raise, but since the hon. member for Brant has dealt with this, on the science and technology side, the problem is that the people who are going are the Ph.Ds or the potential Ph.Ds and any replacements for them are at a much lower educational level. In fact, my comment is—and I have just checked on it with a person who has supplied some information to me here—that Mr. Pearson's scientific advisor, Professor Frank Howard, has said in a well-publicized speech that the brain drain is overestimated because there are acquisitions by immigration. This could be a subject of much discussion but those of us in direct contact with the flow in both directions know we are losing scores of Ph.D. level people every year. Many are those who leave to do their post-graduate work in the United States and who then do not come back. We also know that by immigration we are not getting people of this calibre. Immigrant scientists and engineers are largely at the bachelor level.

However, having made this point, let me come back to the key one. Having gotten Sheridan Park and having the possibility of drawing together a great collection of highly trained and highly educated people in this field, is the government giving consideration, in light of the experience in the United States, in Britain and in Europe, to making some sort of a move to create the equivalent—if I may choose the example used by the hon. member for Brant—of an MIT in Canada, so that you can have this intimate cross-fertilization between industry and the academic field? Because there is so much evidence—and I do not happen to have it here to present to the House and perhaps it is not necessary—that this kind of a course is the kind of thing that will attract the development of industry.

Indeed, one can go back, for example, to the impact of black Friday at A. V. Roe when the Arrow was suddenly scrapped. The consequences on Canada of that one event are almost incalculable because there was a central core of highly skilled personnel who had literally been drawn from all over the world. The ramifications of their efforts—from that one airplane, down to many subsidiary industries that were supplying them —were such that they affected literally hundreds of industries in this country and without that flow this all just gradually dwindled. These people went to the United States, indeed, from the technicians' level up to the high experts' level went to the United States.

Now, I come back to the main point—Sheridan Park is a kind of nucleus, a kind of starting point. Is the government giving any consideration at the level of the Minister of Economics and Development, or at the level of the Minister of Education, to using this as a focal point around which you can attract a kind of educational development? Then the two of them can have an impact on each other and, conceivably, ultimately have a very great impact on the kind of industrial development that we can have in this country.

**Hon. Mr. Davis:** Mr. Chairman, I cannot answer the hon. member specifically. I can answer him, perhaps, with some personal views. Once again, if you get into the various levels I would think that the relationship between Sheridan Park and an established institution that is producing technicians and technologists will, without doubt, be very valuable. I would have to express the personal view that at this stage to develop a programme that might be comparable, say, to MIT or Cal Tech, cannot be done by developing a graduate school in isolation from the balance of the facilities. To do this effectively —and my own view is that obviously it would be desirable—you would have to do it in association with an existing engineering school, and in this instance, more than likely, the University of Toronto. Geographically, it

is not so far away that it would cause a problem.

So, if this were to be considered—and the engineering faculty of the University of Toronto has received a grant from the national research council as well as other specific grants for research relevant to this matter—I think this would be the appropriate way at this stage of our development to bring this about, probably through the University of Toronto.

**Mr. MacDonald:** I will just make one final comment on this, if I may, Mr. Chairman. My calculation is that if Canada was putting into this field in accordance with what is agreed to be the model percentage, we should be putting in $900 million a year, and we are putting in a very, very small proportion of that.

Now, this may well be a federal responsibility rather than a provincial responsibility. But if some small proportion of the money we are not devoting to this were put into the kind of development in relationship to the University of Toronto, you might have a graduate school in this field emerging out there.

I think the consequences of it are far too great to ignore, and I just make the plea to the Minister that somewhere in his department—because it is basically an educational matter at the university level—some thought should be given to it.

There is another point I want to raise, Mr. Chairman, and see if I can get from the Minister some more up-to-date figures, sir. The Minister gave some rather reassuring figures in his lead-off with regard to the relative ease with which we are getting the necessary university staff, and the extent to which we are able to attract them back from the United States and elsewhere. I was interested in reading a paper based on the symposium in which Dr. Corry at Queen's was involved, "Higher Education in a Changing Canada" to the Royal society of Canada last year in which he pointed out that in 1957-58, 43 per cent of the new university teachers hired in that year came from outside Canada. In 1962, the percentage of new university teachers hired from outside Canada was 49 per cent.

Now, he points out that at the moment—and that is presumably 1964-65—we have about 7,500 Canadians working toward advanced degrees in American universities, and there are probably 1,000 in the United Kingdom and western Europe. So we have approximately 8,500 Canadians doing post-graduate work in Britain, Europe and the United States which, he quite rightly indicates, is a pretty encouraging pool from which we may draw.

Has the hon. Minister any figures beyond 1962 to indicate whether we are still succeeding to such a remarkable degree of getting 43 per cent in 1957, 40 per cent in 1962, and now conceivably more than 50 per cent of our new university staff requirements by attracting Canadians back home?

**Hon. Mr. Davis:** Mr. Chairman, I do not think that there are any figures that are more up-to-date than that, sir. We are in the process of assessing the situation, and I can only say from my personal discussions with the universities that they are encouraged by the relatively high proportion of their new staff coming from other jurisdictions particularly those who were, in fact, Canadian students. As I outlined in my general remarks, we are endeavouring to encourage this as best we can and in talking, for instance, to the head of the new school of business administration at York University, I am informed that he has been encouraged by the developments that have taken place here and suggests that the feeling is being duplicated in many areas of the United States where we have Canadian graduate students.

It is very difficult to get up-to-date figures, but we are in the process of trying to determine this ourselves, and so are the universities. I can say that on a percentage basis, the recruitment of staff has gone up with the enrolment of personnel. If the forecasts for 1966-67 are reasonably accurate, we should reach a student-staff ratio of 12.9. In 1965-66, it was 14.1, so that we have managed to not only attract good staff, but perhaps the numbers indicate that we are keeping almost ahead of the student enrolment.

**Mr. V. M. Singer** (Downsview): Mr. Chairman, the committee on university affairs—how many members are on that committee?

**Hon. Mr. Davis:** There are nine members on the committee. There are provisions, I believe, for 11. There are two vacancies. Dr. MacFarlane passed on very recently. If you would like the membership of the committee—

**Mr. Singer:** Yes; that was my next question.

**Hon. Mr. Davis:** The Hon. Dana Porter is the Chairman, Professor Bourns from McMaster University, the Hon. Leslie M. Frost, Mr. George Gathercole, Dr. Reva Gerstein, Mr. James Hughes, Mr. Robert Mitchell, Dr. Kenneth Taylor, Dr. D. T. Wright.

**Mr. Singer:** Of those nine people the Minister listed, how many are in the academic profession?

**Hon. Mr. Davis:** Your colleague went into this while the hon. member was out of the House.

**Mr. Singer:** Yes, he did, but let us go into it again.

**Hon. Mr. Davis:** I would be delighted to do so. Of the one, two, three, four, five, six, seven, eight, nine, ten names I read out to the member, Professor Bourns, Dr. Reva Gerstein, Dr. MacFarlane, Dr. Ken Taylor and Dr. Rice, are all academic people.

**Mr. Singer:** Dr. Gerstein surely is not an academic person; she is a qualified—

**Hon. Mr. Davis:** I would suggest the member might take that up with her. I am sure she considers herself to be an academic person.

**Mr. Singer:** She does not teach.

**Hon. Mr. Davis:** Well—

**Mr. Singer:** She does not teach.

Interjection by an hon. member.

**Mr. Singer:** Well, there is substantial suggestion. I am very happy that the Minister of Energy and Resources Management is going to get into the university affairs debate. I think we need him in here for some of his words of wisdom.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): I have heard more of the debate than the hon. member has.

**Mr. Singer:** Well, why does the Minister not participate instead of sitting there mumbling all afternoon?

It would seem to me that the point my colleague, the hon. member for Brant, makes is a very valid one, that there should be more academics on this committee.

**Hon. Mr. Davis:** Mr. Chairman, it is about 50/50—

**Mr. Singer:** Well, it is not quite 50/50, if my arithmetic is at all good.

**Hon. Mr. Davis:** Let me read these out. I suggested there were ten and Dr. MacFarlane has passed on. There has been no reappointment. If there are ten—and I will just count them against—yes, there are ten, and of that number Professor Bourns, Dr. Reva Gerstein, Dr. MacFarlane, Dr. Taylor and Dr. Wright are academics. According to my mathematics, it makes five. I will count that against for the member, five—this constitutes 50 per cent of the committee.

**Mr. MacDonald:** Depending on whether you and the hon. member from Downsview can agree on Dr. Gerstein as an academic.

**Hon. Mr. Davis:** Whether you use the new math or the old math. But even under the new math, Mr. Chairman, I would think it still is 50 per cent of the—

**Mr. Singer:** Well, perhaps so, perhaps so, depending on how you categorize various people. I wonder how this fits in with the representations that have been made to the Minister by university staffs that there is not enough academic representation on the committee. They are not happy with it, as the Minister would indicate that they should be.

**Hon. Mr. Davis:** Mr. Chairman, in fact, you will find it in the Duff-Berdahl report, if you will read that document, where it points out that the additions and the alterations made to the committee are a substantial improvement. I cannot say whether the academic community feels there should be seven out of the ten, eight out of the ten, or even ten out of the ten. I am just saying that at this stage we are at the 50/50 percentage level.

**Mr. Singer:** But surely, Mr. Chairman, the Minister must recognize that in this day and age, when it is important enough to create a separate Department of University Affairs, that a great deal more time and attention should be paid to as important a committee as the committee on university affairs. Now, you start off with the chairman, who coincidentally is the Chief Justice of Ontario, and I would suspect he has a few other duties other than administering the affairs of the committee on university affairs. It would seem to me that this is just another committee with a lot of important names on it. They are very capable people, I am not criticizing any of them. But it is the sort of committee that the government likes to set up; get the consent of a number of important people to lend their names to it. Then the government goes on its merry way doing exactly what it wants to do, because it does not have the people who have sufficient time to devote to doing the job the committee is supposed to do.

The Minister of Education is doing the same thing that so many of his colleagues do. He sets up a good high-sounding com-

mittee with important people on it; with capable people on it; very busy people on it; who are not able to devote their time and attention to the job that is supposed to be done.

**Hon. Mr. Davis:** Well, Mr. Chairman, I do not want to prolong this. I just point this out to the hon. member. I realize he was disappointed when he found out that 50 per cent of the membership was academic—

**Mr. Singer:** I do not agree there is 50 per cent.

**Hon. Mr. Davis:** I would suggest that this leads to his further observation, and I can only tell the hon. member that the committee worked very hard during 1965, and up to date in 1966. I could give him the exact number of meetings, and he would be interested to know that even with all the busy people, they have had an attendance factor of some 82 per cent, and they worked very hard.

**Mr. Singer:** How many meetings a week did they have?

**Hon. Mr. Davis:** They held 20 formal meetings—

**Mr. Singer:** A week?

**Hon. Mr. Davis:** Well, Mr. Chairman—

**Mr. Singer:** How many meetings did they have? Twenty formal meetings over what period?

**Hon. Mr. Davis:** It is pretty hard to have 20 formal meetings in a—

**Mr. Singer:** That was my question. Over what period did they have the 20 formal meetings?

**Hon. Mr. Davis:** They had 20 formal meetings during 1965. The committee would meet on some occasions for a day, sometimes for two or three days at a stretch.

**Mr. Singer:** Well, would not the Minister agree that if the work of the committee is as important as he says it is, and if the advice that it gives to the government is as important as he says it is, it would be advisable and helpful if they had at its head a person who could devote full time, or nearly full time, to it rather than the Chief Justice of Ontario?

**Hon. Mr. Davis:** Well, Mr. Chairman, I am not going to prolong this. I am only going to say that the committee has worked very hard in the preparation of their recommendations to the government and devoted, I think for the purposes, a substantial amount of time. I should point out that the university grants committee in the United Kingdom, for instance, met eight times in making up their recommendations for the government of that jurisdiction.

**Mr. MacDonald:** As a matter of fact, Mr. Chairman, with respect, I do not want to get into an argument. The hon. member for Downsview has messed up the whole situation. This is not necessarily the kind of committee which is going to be meeting every week in the year.

**Hon. Mr. Davis:** Quite right.

**Mr. MacDonald:** It is a committee which must have not only the appearance, but the reality of independence.

**Hon. Mr. Davis:** That is quite different from what the hon. member for Downsview said.

**Mr. Macdonald:** I agree. And then having been set up—

**Mr. Singer:** Who is crawling into bed with whom now?

**Mr. MacDonald:** We happen to be dealing with the reality of the committee, and the member was sounding off on something he does not know anything about—as usual. However, let me get back—

**Mr. Singer:** Well, I am not quite the authority on all subjects that the member for York South is.

**Mr. MacDonald:** If the member would take a look at some of the people who know something about education in his party and the pained look on their faces every time he gets up, maybe he would get up less frequently.

So the point is, Mr. Chairman, that you need a committee of people who are obviously going to be people who have no connection at all with politics, or else have a representation that is going to be multi-partisan, rather than being partisan. And that cannot be said of this committee. It must be an independent committee. It is going to be a committee whose work will be concentrated in a certain period of the year—as they are moving towards the making of grants for this particular year. I think it would be in the fall and the early part of each year that their meetings would be concentrated. And I am not surprised that the university grants committee in Britain, perhaps with a smaller

number of universities, is going to be meeting only eight times a year.

But I am wondering, now that we have had some discussion on this, whether or not the Minister is giving any indication or any consideration to a new university grants committee on an independent basis instead of one that is advisory to the Minister. If it is independent, its powers are going to be final. It decides what the grants are going to be, and there are just no ifs, ands or buts about it. If the aggregate of the grants that it decides upon exceeds the amount of money that the government is willing to make available in that year—as I understand the procedure—the grants have to be pro-rated down across the board, and that still retains the independent status of the committee.

Is the government giving any consideration to this kind of a committee, rather than the advisory committee they have?

**Hon. Mr. Davis:** Mr. Chairman, we are always considering any ways we can improve any existing structure, but I would point out we question whether moving towards the type of grants committee they have in the United Kingdom is any improvement. In fact, I think it perhaps leads to a higher degree of inflexibility than exists here by a long way. I do not think that would be an improvement.

**Mr. MacDonald:** Mr. Chairman, I will make this as a final comment. The feeling among universities is that there is a very high degree of flexibility in this committee, and its flexibility stems from personal associations, political associations, other kinds of traditional associations, precisely the point we want to get away from. I will be perfectly fair and say I do not think that feeling is as great now as it was two or three years ago.

**Hon. Mr. Davis:** I do not think it is, and I am probably just as close to it as the hon. member.

**Mr. MacDonald:** I know the Minister is a lot closer to it, but my point is that there were a lot of things being said publicly and we heard about it. But it is this excessive flexibility of the operations of the committee —because of the relationships of the people involved—which resulted in a perpetuation of traditional approaches to financing certain universities in this province and to others not feeling that they were getting a fair shake—through some kind of a grants formula or by some assessment by an independent body.

**Mr. Singer:** Let us get back to this university affairs committee. The Provincial Treasurer said in his Budget speech that it has decided the amount required by the universities and colleges of Ontario from the federal government and provincial government together for 1966 and 1967 is $122 million. The portion of this being provided by our estimates is $91.4 million, an increase of $26.8 or 41 per cent over the present year.

Now, the point that was made before on this—and this is the reason why some of us are concerned about the way this is working—the point that was made before on this is that if the need is for $122 million, why does this government accept the advice or embark upon the grant policy that deducts from those needs what revenue is coming from other sources? Why do you get down to the $91.4 million figure, when the figure that the universities put forward is $122 million? Surely if there are federal grants on the way through, those should be over and above what the basic requirements are. Is this not what we criticize other levels of government for, adding to and subtracting from various sources of grants?

How does the hon. Minister put this in proper context?

**Hon. Mr. Davis:** Well Mr. Chairman, I will endeavour to put it in proper context. Perhaps I am a little dense, but I really do not know quite what he is saying.

**An hon. member:** Neither does he.

**Hon. Mr. Davis:** If you could put the question in rather simple language for me I will endeavour to answer it.

**Mr. W. D. McKeough** (Kent West): You explain it.

**Mr. Singer:** Well the government simply subtracts $30.6 million from the $122 million to arrive at their figure of $91.4 million. In other words, it uses the federal funds to offset its own contributions to the universities.

**Hon. Mr. Davis:** Oh, no, not at all.

**Mr. Singer:** No?

**Hon. Mr. Davis:** No.

**Mr. Singer:** Well then, how do you get to the $91.4 million, when the needs are $122 million?

**Hon. Mr. Davis:** Because, Mr. Chairman, you calculate the need, then under the federal formula, you calculate what can be anticipated from the federal level of government. They have outlined the rough formula, or the

formula that is going to be used, but we cannot calculate it for the individual institutions because it is a weighted formula. If you would read my opening remarks, I explained this. We do not know the individual amounts for each institution from the federal government until next year, because it is based on next September's enrolment.

Now we suggested they adopt some other type of formula, which would have simplified it for us, but this is the formula that they proposed. So the university affairs committee arrive at a figure, which they have done in other years, as to what should be the operating costs of the individual institutions. We came up with the figure of $121 million, and then deducted from this the amount from the federal government. But we do not know what each institution is going to get, because it is weighted on the basis of the number of students in the various years, and we cannot tell what it is. So the universities have been guaranteed a certain amount. The federal government will pay so much, and whatever the balance is, we will make up. It is really very simple.

**Mr. Singer:** Well, surely the object—it seems to me as I read about what the discussions have been in the federal House—surely the object of the federal grants has been to supply some over and above what are the immediate needs, so that your universities can expand over and above what their immediate needs are, and the immediate financial benefits are going to be from the province.

**Hon. Mr. Davis:** Oh, no, Mr. Chairman. These are operating grants, grants to be paid for the operating of the institution for one fiscal year, and surely you are not suggesting that if a university says it requires $10 million to operate for 1966-67, the federal government is then going to say, oh well you should have an extra $5 million for some additional purpose. This is not the way the grant system works at all.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I would like to ask a question which really is tied with the qualifications to get a BA, and I realize, having listened to the other speakers and to the hon. Minister, the sensitivity which this Legislature should have concerning ever interpreting to universities what the qualifications should be. On the other hand, sir, I have been concerned that a very real barrier exists to many working people who want to continue their education; it is that there is a residence qualification in the universities, which states that you can get your BA, or you can get your B.Sc, or whatever it may be, provided you spend a year at the university. The argument has been, I presume, that in residence you get the stimulation and the vitality of being with another group of students, and a closer contact with the professors.

And yet, as I listened previously, I heard that the—

**Mr. S. Lewis** (Scarborough West): You mean physically in residence?

**Mr. Thompson:** No, not necessarily physically in residence. But I know for myself, in wanting to take postgraduate work, I was told that to get my Ph.D I would have to spend one year either as a day student or in residence at a university—or two years. Well in this particular case it was one year, and another year of Ph.D fieldwork.

**Hon. Mr. Davis:** What is so unreasonable about that?

**Mr. Thompson:** I raised this I think for the many people who are working and who have a family, and would like the opportunity of getting a BA, or B.Sc or a law degree, and so on.

**Hon. Mr. Davis:** Well, you are confusing us. One minute you are talking about a Ph.D. The next, you are talking about a BA.

**Mr. Thompson:** Well, all right, I come back again to—

**Hon. Mr. Davis:** Let us deal with the BA.

**Mr. Thompson:** I would say that in a number of cases, where you have a BA again there is a qualification that you have to attend the university for a full year. My argument is, and I think that the hon. Minister is not aware of this, but he should be—

**Hon. Mr. Davis:** Mr. Chairman, I am aware of this.

**Mr. Thompson:** I am sorry, I will finish my point. I think if the hon. Minister is not aware of this, he should be, and that is that there are a large number of people who would like to get a BA; would like to go ahead in law or medicine. I realize also when I referred to the law or to medicine that we have the law society and their qualifications, but these working people are hindered from spending a full academic year at a university. They would like to continue on a part-

time basis, to arrive at this. Now the hon. Minister smiles as though to say, so what.

**Hon. Mr. Davis:** No, I did not smile, but I just cannot understand how you expect to graduate a medical practitioner, say, by correspondence or extension work. It just does not make sense.

**Mr. Thompson:** Fine, good. I am glad that the hon. Minister is limited in his point of view that he thinks it must be by extension work, or by correspondence. I had hoped he had more imagination than that. I hoped he would see an institution that could be used in the evenings. I hoped he had read about Simon Fraser. I hoped he had looked down at the United States and seen a number of institutions—

**Hon. Mr. Davis:** Many of our colleges do this right now.

**Mr. Thompson:** I know. I am coming to this. I would have hoped that in the United States he would have seen where you can take a BA, and you can take a law degree at nights.

Now I know you will say we have the Atkinson college and you can work towards a liberal arts course.

**Mr. Bryden:** You can take a BA in evening classes at the University of Toronto.

**Mr. Thompson:** And you can take a BA at the University of Toronto?

**Hon. Mr. Davis:** A BA, yes.

**Mr. Thompson:** A BA, yes. But I would say that in a number of the universities in Ontario, they still come back to the fact that you have to have one full year in which you have to take a full year's course. Similiarly we know that with law—to get it down to the hon. Minister's own professional background—that once again you hear this point of view expressed that there must be one year; perhaps you have continually to be at Osgoode and at the law school, but you have to be there steadily, in residence.

And yet, in the United States, over a number of years, they have been giving courses at night to people. Again, I come back to the point that when I was in the United States about five years ago, and looking at some of the UHF courses given on television, they were accredited courses. They were given at six o'clock in the morning for working men to be able to look and take correspondence courses this way.

**Hon. Mr. Davis:** McMaster is doing that right now.

**Mr. Thompson:** Fine. All I am saying is I think that this could be spread more widely to cover other degrees, and I look, for example, at what Atkinson college will give. You get classes in English, economics, geography, history, philosophy, political science, psychology, mathematics and sociology, and now they are moving into two other courses —computer science and a special degree in administration.

Yet I think, sir, that there could be an extension by universities to encourage degrees in engineering, and I will come back. You may say that we cannot possibly have law given at night college. It is done in the United States, and I think it could be done here by extending our facilities to fit the routine of people who are working in order to keep a family together, and yet want to go on to advance their educational requirements.

I say again, I realize that the Legislature should not be interfering and saying what should be the qualifications in order that you will provide a degree to universities. On the other hand, I say that universities should not be ivy ghettos for the privilege of those who can spend daytime only there. There are men who are working and at night they would like the opportunity of being able to advance, to get some professional qualifications. I think that we should be giving some recognition to them, and I say, for example, that we could do it through the grant system. I notice that in the Bladen report for part-time courses, the grants suggested are far less than for full-time courses. I realize the logic in that, but on the other hand I think that we could be giving the part-time students some incentive, particularly evening students, with scholarships and a whole variety of other approaches that would give an emphasis to them.

I would like a comment from the Minister.

**Hon. Mr. Davis:** Mr. Chairman, I am a bit confused. The hon. leader of the Opposition started out with a question concerning admission requirements, and with great respect, whatever extension courses—at least to my knowledge—are given, or whatever timetabling is developed in any jurisdiction south of us as far as the course material is concerned, it is the same, and the admission requirements are relatively the same. It is a question of time-tabling—

**Mr. Thompson:** I was not referring to admission, but to qualifications for a degree. I

said that we had already discussed admission requirements, and I said that I would like to talk about qualifications for a degree which included a residence requirement.

**Hon. Mr. Davis:** Mr. Chairman, you can get here a general BA degree without the so-called "residence" requirement, if this is the term the hon. leader of the Opposition wishes to use. I think you can see the difficulty, and I question whether there are many institutions that will grant a Ph.D. without some time at the institution. I question whether you can have a valid programme, say, in medical education without some full-time attendance at the institution, and I question whether there are any accedited medical faculties in the United States where, in fact, they do this. Now I may be wrong and I am subject to correction, but if it is—

**Mr. Thompson:** What about law?

**Hon. Mr. Davis:** Mr. Chairman, I do not want to get into law—

**Mr. Thompson:** Why not?

**Hon. Mr. Davis:** Because, very simply, there are some states where you can get a so-called "law" degree, which may or may not be recognized by the state bar authorities. The law course could be quite different from what you might get at the full-time faculty, and the various types of law degrees in the United States—I am sure that the hon. member for Downsview knows this—are quite different in many areas from the rather provincial approach that we take here in Ontario. I question whether this is the solution.

Interjection by an hon. member.

**Hon. Mr. Davis:** No one is objecting. Atkinson college has a very good and comprehensive programme, but I do not know whether you can get into some of the professional faculties in doing this. I would doubt it, Mr. Chairman.

**Mr. Thompson:** Mr. Chairman, I appreciate the Minister's questioning, which I take as apprehension to change from the practice of full-time courses during the day. I believe, frankly, that you could have night courses, and I say this very sincerely, in law. You could have night courses, in medicine. You could have night courses, and you would have to come before a bar admission in order to see if you have attained the standards required by the profession. I would suggest to you that I think we have to look at a more flexible programme by universities; to recognize that there are people who, for one reason or another, did not get a university qualification prior to starting work; and because of the obligations of the family and having therefore to maintain their employment, it is in the evenings when they would have an opportunity to advance. I think it is narrow and rigid for us to hold, as many of the universities do, to the fact that you must have one full-time year during the day.

As far as I am concerned, there are people who can work just as well in the evening and who can study just as well.

**Mr. Bryden:** Mr. Chairman, on this point —I am not going to get into the argument about residence qualifications for post-graduate degrees. I have a feeling that the universities have a tendency to be a little rigid on them sometimes, but for the information of any hon. members of the House who may be interested, I would like to advise the House, Mr. Chairman, that I managed to persuade the school of graduate studies at the University of Toronto that being a member of the Ontario Legislature really does not constitute gainful employment, and, therefore, does not militate against one's residential status at the university.

**Some hon. members:** Hear, hear!

**Mr. Nixon:** On the matter of operating costs and grants in general that might come under the first item here, does the Minister feel, as he and his advisors get more and more experience in dealing with the requirements of the universities, that they might get away from the year to year basis of these operating costs?

In the past, I know that there have been guarantees both for capital and operating costs; that the universities could look for at least as much in the subsequent years, so that their planning might be made on that basis. This is hardly good enough, and I wonder if the Minister might not consider the universities getting together their information on a two-year basis, rather than having to go through the ordeal of preparing a submission to the department each year.

**Hon. Mr. Davis:** Mr. Chairman, I think the formula would solve this. I am not sure whether the Legislature could or should vote, say, two years' grants in one year. I do not know; I have not considered this. I think in the area of operating grants, the universities fully realize that there is no problem as far as what they can expect next year, say, as a minimum. I think the formula development—and I am optimistic that we can achieve this in the general areas at least—

would make this relatively simple. I think that for the specialized faculties, and for the new universities, it may be difficult to come up with a particular formula. I do not know and the committee is not sure.

**Mr. Nixon:** Who is working on this formula?

**Hon. Mr. Davis:** There is a committee of the university affairs committee, and there is a committee of the research committee of the university presidents committee. These are the two groups, and it is a very complicated matter.

**Mr. Nixon:** Are they working together?

**Hon. Mr. Davis:** Yes, they are working jointly on it.

**Mr. Nixon:** The university presidents committee and the university advisory joint committee, do they report more frequently than the committee representing the university teachers does with claims? They were very critical of this.

**Hon. Mr. Davis:** Yes, they were. That submission is roughly a year old, as I recall it.

**Mr. Nixon:** No, it was in February of this year.

**Hon. Mr. Davis:** Well, whatever date it was, the committee has been meeting quite regularly. I cannot say to the House that they will, in fact, come up with a formula, but they are optimistic.

**Mr. Nixon:** Is the Minister's research branch inquiring into the matter of formula, too?

**Hon. Mr. Davis:** No, they are working collectively on it. Everybody involved is working together to see if they can come up with this formula. I have a list of the names here: Professors Bourns, Taylor, Wright—I cannot read the Assistant Deputy Minister's writing here —Dr. T. L. Batke of Waterloo, Mr. R. Willis of Western and Mr. B. Trotter of Queen's.

**Mr. Renwick:** Is the research committee that assists the university advisory committee, is that committee responsible to the advisory committee, or is it responsible to the Minister's department?

**Hon. Mr. Davis:** Mr. Chairman, the group that is studying this is responsible to the university affairs committee. They are personnel—Bourns, Taylor and Wright—all from the university affairs committee itself, and when I say it is responsible to the university affairs committee, it is responsible to the committee of presidents and to the committee on university affairs.

**Mr. Nixon:** Mr. Chairman, item 4 calls for over $9 million to be made as a grant to universities so that they can make their payment back to us on the principal and interest on behalf of the grants that they have received, or at least the loans that they have received from the university capital aid.

In discussing this with the hon. Provincial Treasurer during his estimates, I asked if there was an ironclad agreement between the government and the universities, so that there would be no residual responsibility at the university level to repay these tremendous amounts. In fact, we are providing them with the funds, through this vote, to meet their repayment responsibilities. We have done that this year, and I expect we will do it next year. But do they have an agreement that they will never be left with the financial responsibility for repayment?

**Hon. Mr. Davis:** Mr. Chairman, there has been a letter go from the department making this commitment on behalf of the government, and stating that the government will be responsible for the interest on the debentures that the capital corporation in fact buys.

**Mr. Nixon:** They do not have to concern themselves with this debt?

**Hon. Mr. Davis:** Not a bit.

**Mr. Bryden:** Mr. Chairman, the hon. Minister and other members have emphasized on a number of occasions, and quite properly in my opinion, that the fact that we are on the point of voting $80 million of public funds to assist in defraying the operating costs of universities, should not in any way put us in the position where we try to tell the universities what they should do. I agree entirely with what the hon. Minister has said, both in the House and on other occasions on this point. There are no strings attached to such grants, and there should not be strings. They are negotiated according to a certain system, and the universities are free, within very broad limits, to determine their own policies.

At the same time, Mr. Chairman, I think it is in order for members, and indeed even incumbent upon them occasionally, to comment upon activities or plans of the universities which they think call for public comment. I would like to make a comment on one development taking place in Ontario, and I suppose it could be said I am commenting as a citizen, although I am using this forum to do so.

I want to make a reference to Glendon college, which is in the process of being developed within York University. If one can judge from the statements that have been made by Mr. Escott Reid, the principal of that college, as to the plans that are now afoot for it and as to the form the college will take, one can only conclude that it is going to be a school for snobs, designed to train a meritocracy which will be as fully insulated as possible from the rough and rude masses whom they will aspire to govern.

I have no doubt that the graduates of Glendon college, after it gets into full operation, will be able to converse at cocktail parties, in either French or English, with that precise combination of urbanity and vacuousness that is regarded as socially acceptable in sophisticated circles. I have no doubt even that they will acquire ideas and knowledge along the way, although I also suspect that they will learn that it is bad form to make a display of ideas and knowledge.

According to press accounts of Mr. Reid's plans, one of the sciences in which the students of Glendon college are to be instructed is described as dining protocol. This, I take it involves teaching the students that, shall we say, it is considered inelegant to cool one's soup by fanning it with one's hat, or to eat peas with one's knife, and other weighty rules of conduct in the ingestion of food. But why is it necessary at an institution of higher learning to provide such instruction at all?

It seems to me, Mr. Chairman, the answer is quite obvious. It is considered desirable and necessary at Glendon college, or will be when the college comes into operation, because the students there are being prepared for a life of feeding at the public trough, at the expense of working people all over the world. Why else would you teach them dining protocol? State dinners are going to be the order of the day for them, because they are going to be on the top of the heap. It is a college to train people for the top of the heap. They will partake sumptuously and the people, though excluded, will have the privilege of paying for their dinners.

I again emphasize that I am not suggesting that there should be any intervention by the government or by the Legislature in relation to these plans. I merely wish to express my opinion about the matter, and my opinion is that Canada has no need of a college to train an elite in the conduct appropriate to their anticipated elite status.

Glendon college, in my opinion, is an anachronism. It is a throwback to an aristocratic view of society which we should at least be trying to outgrow in this so-called democratic age. I think it is a regrettable trend and the more I have read about it, and the plans for it as outlined by Principal Reid, the less desirable I think it is in its present form and in the present plans for it.

**Mr. Chairman:** Is vote 2302 carried?

**Mr. Renwick:** Mr. Chairman, before we leave that vote, do I understand it correctly that once these figures are agreed on—as to the amount which is to be appropriated to the universities through the intervention of the advisory committee—once that is done and the grants are made, then there is no further accountability of the university to either the committee or to the hon. Minister? Is my understanding correct that that is so, and that we are voting these sums of money without any accountability on the part of the universities, either in the future, or next year, or the year afterwards?

**Hon. Mr. Davis:** Mr. Chairman, without getting into a lot of detail, the universities at the end of the fiscal year, submit an audited report of their expenditures, and it relates to their application for grants for the following year. Obviously if they have substantially underspent in an area where they had indicated they needed funds—and if they made a similar proposal, this would be taken into account by the university affairs committee. We do not have specific auditors going into their books, and so on, but we do have an audited statement from the universities to the university affairs committee, generally outlining how and where the money has in fact been spent.

**Mr. Renwick:** I do not quite understand the hon. Minister. Does it mean, in fact, that there is no accountability for the funds, other than to this advisory committee, and this in essence is a non-professional view of accountability—not accountability in the sense of performance of what has been done? The advisory committee simply takes the statement of what use has been made of the funds and takes that into account in deciding the amount that is going to be recommended to the government for allocation for the ensuing year, because the advisory committee certainly is not professionally equipped to deal with accountability.

**Hon. Mr. Davis:** Mr. Chairman, we do not go into a detailed assessment of the statements of the internal operaton of the university. We do not check whether, in fact, they

bought X number of new desks, or what have you. This not checked by the committee or the department.

**Mr. Renwick:** I think this is what bothers me, and I know it is again this same sensitive area. What is the position of the government going to be as each year a larger and larger proportion of the operating costs are going to be voted by this Legislature, and the only intervening body is the body which has been the matter of comment by other hon. members—this advisory committee. It is the only intervening body which is involved in the allocation, the appropriation and the expenditure and the reporting on an annual basis and further appropriation through this assembly.

Surely, this is such a basic problem, related to university autonomy and operation of the Minister's department that you are going to have to give some consideration as to how, in a proper way, without intervening on university autonomy, there is in fact some accountability.

It just defies me to think that over the years from now on, there are going to be these tremendous sums of money voted to the universities, which have traditionally had this autonomy but are now entering into this new relationship because of the dependence on the public Treasury for so much of their funds. Surely, there is going to have to be some method of accountability. With the greatest respect for the whole tradition of the university, which the Minister knows I have, it just seems to me that this is going to require a considerable amount of detailed thought, open discussion, argument and dispute in order to find out how, if at all, we are going to have some sensation of accountability.

I just do not see how we, as a Legislature, can each year vote $80, $90, or $100 million to traditional universities without having some way in which the Minister, or this assembly, expects accountability. It may well be that we are going to have to provide a committee of this Legislature rather than to have the government as government intervening in what the universities do.

It may well be that we are going to have to have a committee of this Legislature which is part of the overall liaison arrangements with the various universities throughout the province and not just this government-appointed advisory committee to assist in this large area of this assembly being satisfied with the accountability for the funds, the way in which they are used, and at the same time not to interfere with the areas of autonomy of the universities.

I personally do not think we can let this sort of question go from this year to next year to the year afterward without having some very clear indications from the Minister, first of all, that it is a government problem that requires consideration through something other than, or in addition to, or in a different way from, the advisory committee. We must have an indication that the government thinks there is some merit now in starting to immerse some members of this assembly, either through a standing committee or select committee, in this whole area of the relationship between the government in this new stage—which it is obviously entering into—and all the universities throughout the province which have developed in the last few years, on this question of accountability which is the major and principal concern to this assembly.

The second consideration is the relationship, on the other hand, of the universities to the community, the way in which they are governed, the way in which the universities co-ordinate their activities throughout the province to avoid what must of necessity on some occasions amount to unnecessary duplications. I branch out into those other fields from this question of accountability because accountability is the basis on which we must start to look at all those other problems.

I would think it is just not sufficient, now that the Duff-Berdahl report has been submitted, it is not just sufficient for the Minister to say, "Well, we are going to wait now for the universities to come forward with suggestions as to their internal arrangement."

I think at this point the government has now got to say that they are vitally interested in this whole area of the other side of that internal government, namely, the relationship between the government and the universities throughout the province.

It seems to me that the Minister could consider recommending to his colleagues that they appoint a select committee of members of this Legislature, so that we can begin to get within this Legislature a body of people who are knowledgeable about university affairs in their major aspects—the question of autonomy; the question of academic freedom; the question of accountability to this assembly for the funds which are spent; and other areas such as that.

It seems to me that one very useful way would be to have some of the elected members in the assembly conversant with those

problems. They could start to look into them and to inquire into them, because although I have the greatest respect for some of the men who sit on that committee, I am not satisfied that that is the technique or the ultimate structure. I am not certain that it can grow like Topsy to deal with this tremendous problem.

I would feel that we as an assembly were defaulting in some way, unless there was some standing committee or select committee of this assembly either as an additional aspect of university affairs, or as a substitute for existing arrangements, which would have a continuing association with the universities; their problems and their traditional values and the new stages into which we are moving where so much of their operating costs, and so much of their capital costs and, indeed, so much of the funds made available to students are going to come from public sources. I would hope that the Minister would see fit to make some comment about how he thinks this assembly can be involved in the question of accountability.

**Hon. Mr. Davis:** Mr. Chairman, I am not in a position to give any views on that right now. It is not that I do not wish to do so, and I will consider the thoughts from the hon. member. I would suggest that we are really talking on two different subjects—the question of accountability, and the planning or the duplication of facilities and so on. The latter is handled by the university affairs committee. On the specific accounting for individual programmes within an institution —I am not sure really just whether the university affairs committee would be the answer—whether a select committee or a standing committee of the Legislature would be the answer, I do not know, quite frankly.

**Mr. Thompson:** As I understand, last year the Minister had been kind enough to suggest to us that we would get a copy of the submissions by the presidents of universities so we could compare what they were asking for with the grants that would be given. He said that would be submitted to us.

**Hon. Mr. Davis:** Mr. Chairman, I do not recall. I may have said this, I am not saying I did not, but I do not recall having said this. The members have been given copies of the amounts that have been allocated to the various institutions. As I say, it does not set out the provincial share because we do not know what the provincial share, in fact, will be until we get the federal formula determined.

**Mr. Thompson:** I think the reasoning behind it, sir, was that last year there had been a discussion about or there had been reported in the press, some dissatisfaction by some presidents about the amount of grants which the provincial government had given. In asking questions about this at that time, as I understood it, the Minister said: "Well, you can see what the presidents ask for. It is natural that some of them may ask for more than they are going to receive, but on the whole they were fairly satisfied." I wonder if the Minister would consider that we could see the presidents' estimates?

**Hon. Mr. Davis:** I can go through these if the hon. leader of the Opposition would like. Perhaps we might do it this way rather than reading off a large number of amounts. I will just give the figures:

Trent University, on a percentage basis, received 69.4 per cent of its request; Brock University received 76.3 per cent of its request; York University, 92.6, Toronto, 96.3, Ottawa, 98.4, Laurentian, 98.2, Lakehead, 98.8, Guelph, 96.8, Carleton, McMaster, OCA, Osgoode, Queen's Waterloo, Western, Windsor, received 100 per cent. We cannot do much better than that.

**Mr. Nixon:** Perhaps the Minister would tell us why the Trent estimate was so far off in his view, or in the view of the advisory committee?

**Hon. Mr. Davis:** Well, Mr. Chairman, I do not get detailed explanations from the advisory committee on each individual institution. I cannot give any specific reasons why Trent received only 69.4 per cent of their request. But on a student amount for a new institution, they received a comparable figure. The only reason they received 69.4 I suppose was that, in the view of the committee they had asked for a shade too much.

**Mr. Thompson:** I think, Mr. Chairman, this comes back to the accountability which the member for Riverdale was discussing. There may be something which a university had asked for, they had put in an estimate, which from the point of view of representatives of the public we might feel really was very much justified. It seems to me when we hear that Carleton, McMaster and I think the University of Toronto, was it, got 100 per cent—

**Hon. Mr. Davis:** No.

**Mr. Thompson:** Sorry! Well, anyway, just four got 100 per cent—

**Hon. Mr. Davis:** There are roughly six or seven which got 100 per cent.

**Mr. Thompson:** Yes?

**Hon. Mr. Davis:** Eight.

**Mr. Thompson:** That seems a very happy situation, but when you go to the other end of the scale, and get 69.4 per cent—

**Hon. Mr. Davis:** I should point out, Mr. Chairman, it is not as easy to assess, and this is why the formula is hard to develop. Brock and Trent are two of the new institutions. Trent received 69.4, Brock 76.3. These are, shall we say, the two youngest institutions, apart from Guelph, which really was established because of the existing faculties there. The balance of all the universities either received 100 per cent, or over 90 per cent of their request. The difficulty in assessing both Brock and Trent is the fact that they are quite new and young institutions. But they did receive as a matter of interest, the highest per student amount.

**Mr. Thompson:** Would the Minister consider for next year that we would get the presidents' estimates?

**Hon. Mr. Davis:** Well, Mr. Chairman, I personally have no objection. These submissions are made by the universities to the university affairs committee. I will certainly consider making the total amount of requests available to the hon. leader of the Opposition. As I say, I have given the percentages of the requests they have received, so really you have a fairly substantial answer.

Vote 2302 agreed to.

It being 6 o'clock, p.m., the House took recess.

No. 147

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Monday, June 20, 1966

Evening Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO



The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF UNIVERSITY AFFAIRS
(*continued*)

**Mr. Chairman:** On vote 2303:

**Mr. R. F. Nixon** (Brant): Mr. Chairman, just on this vote, I do not believe it necessary to make a motion on the miscellaneous part of the miscellaneous grant.

The hon. Minister is aware of our feelings on this side, about the necessity of asking us to vote for $26,800 under the heading of miscellaneous. Naturally the motion has been put twice before, but we would like to pass this time by just expressing our disapproval.

Vote 2303 agreed to.

On vote 2304:

**Mr. Nixon:** The Ontario graduate fellowships have provided a programme that has been very acceptable indeed. The report of the graduate school at the University of Toronto, put out by President Bissell, calls for an increase in the size of the grants. I do not believe it necessary to read all of his reasons at this time, but it is pointed out in the report that these graduate students should not be concerned with living on a diet of sausage entirely, that they are giving up a lot themselves in order to continue with graduate education. It suggests the grants should be raised to some more reasonable level from the present $1,500 or $2,000 per year grants that are available.

The basic support available should be $2,500 for single students, $3,000 for married students, and for those with dependants, $4,000. I do not believe there is any reason why the students with proved academic ability, who are prepared to sacrifice some of their earning years in order to continue their education, should not have more generous support through the fellowships we are discussing at the present time.

**Mr. J. H. White** (London South): Mr. Chairman, on that point, if I may interject: in my experience, students with proven ability do get departmental awards. In the department of economics at Western, for instance, they are paid up to $3,500, or sometimes $4,000 in total, that being the sum of the Ontario fellowship and their departmental awards.

**Mr. Nixon:** Would the hon. Minister agree with the member for London South that most of these people have external assistance?

**Hon W. G. Davis** (Minister of University Affairs): I cannot say that most of them do, there are some who do have further—

**Mr. Nixon:** Most do not though.

**Hon. Mr. Davis:** I cannot say.

**Mr. Nixon:** I could say it.

**Mr. Chairman:** Vote 2304 carried?

**Mr. Nixon:** I wonder if the hon. Minister would explain item 2 just briefly, where does that come from?

**Hon. Mr. Davis:** What do you mean, where does it come from?

**Mr. Nixon:** Did we set this up by statute, the John A. Macdonald graduate fellowship in history?

**Hon. Mr. Davis:** No, it is not set up by statute. It is just a scholarship that was mentioned in the House a year ago and, as I indicated, we propose to do the same with George Brown when the appropriate occasion arrives.

**Mr. Nixon:** Oh, I thought these were just for the books.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, perhaps the hon. Minister would tell me whether I have a correct understanding of his statements earlier this afternoon, on student awards and the Ontario student awards programme, when he said that the portion of any grant which is made, which is participated in by this government, is a bursary and not a loan. Is that correct?

**Hon. Mr. Davis:** Yes.

**Mr. Renwick:** No part of these awards are by way of loan, so far as this government is concerned?

**Hon. Mr. Davis:** No, ours is all grant. The loan portion is all federal money.

**Mr. Renwick:** Including the first $150?

**Hon. Mr. Davis:** Yes.

**Mr. Nixon:** Mr. Chairman, if you want to discuss item 5, the student awards programme, one or two questions have occurred to me, particularly since the Minister's remarks about the complexity of the application that has been put out for this year's programme.

Comparing it with last year's application, it is certainly much more expansive in size. I suppose this was paid for by the "unforeseen and unprovided" vote a year ago. But in perusing it more closely, I see there have been added to last year's forms questions regarding the life insurance of the parent, life insurance type, what the annual premium is, the face value, insurance loans owing, and present value, less borrowings. These questions are associated with the insurance, with the home owned by the parent of the applicant, the value and year purchased and present market value.

I submit that this is pretty complex information to be required on a form of this type. I feel the hon. Minister is making the form itself a deterrent, and with this view evidently there are a number of people who would agree, particularly those at the universities.

Without spending too much time on the detail of the form, it is an elaborate means test that will serve as a deterrent to those concerned with taking part in the student awards for the coming year.

I would like to ask the hon. Minister, on the awards programme for this year, how he arrived at his requirements on what the student's summer savings must be and what his living costs should be. Where did this information come from?

**Hon. Mr. Davis:** This was done on the basis of an average from the past two years; the rough earnings of the student in the summertime and the costs. Information was taken from the bursary and loan programme over the past two years and these were the averages worked out.

**Mr. Nixon:** It seems to me that by insisting the students should earn a certain amount over the summer, you are directing them out of community service work during these vital years, or vital periods between their academic years, when they should have an opportunity to follow their perhaps more idealistic tendencies and take on responsibilities that would lead them to service occupations after graduation.

I was wondering when the pamphlets of information would be available. Have these been published and have they been used by the students at the University of Guelph, who have had first access to the new programme?

**Hon. Mr. Davis:** Mr. Chairman, we are in the process of getting the pamphlets published. I should point out that we do not insist that the students work during the summer. But we have to make some evaluation as to what his possible earnings would be, because many of the students wish to have the information prior to registration in the fall. Thus we have to make some assessment in the loan programme. But there is no insistence that they actually work.

**Mr. Nixon:** Mr. Chairman, I wonder if the hon. Minister would tell me what part the registrars will eventually play in the appeal procedure?

**Hon. Mr. Davis:** It may not be the registrars. Most universitits have student awards offices and instructions have gone out that if students are not content, or if they feel they have a valid objection to the assessment made, they are to take this up with the student awards officer at the university. If the awards officer agrees, in his analysis, then he takes this up with the student awards officer in the department itself.

**Mr. Nixon:** Surely this centralization of responsibility for every application is needlessly complex and inflexible. To what extent will you have to take on extra staff to administer this programme?

**Hon. Mr. Davis:** There are some obvious advantages administratively to having it centered in one office. I would acknowledge that we will have some, and are having some, difficulties in the initial year of the programme. But once the programme has the kinks ironed out, it is obvious that we can get most of this information on tape, so that it becomes a pretty routine situation year after year and most of the students will be getting assistance probably for a three- or four-year period.

I should point out that there may be some universities who would like to have it done within the university itself, but I think it is

fair to state that a substantial number of them would prefer to have it done centrally. It does give the whole programme, shall we say, an impartial assessment; at the same time has sufficient flexibility in that we are prepared to listen to appeals from the individual awards officers in the universities.

I think the material that was submitted, for instance, from the university presidents research committee suggested it be centralized in one agency, rather than having it done by all the individual universities.

**Mr. Nixon:** How much more staff would be needed; have you any idea—an estimate of the cost?

**Hon. Mr. Davis:** The staff has been transferred from The Department of Education. There will be more staff of the casual nature required, of course, during the summer months when the bulk of the applications will come in. There will be some increase in staff, but perhaps not too great an increase.

**Mr. Nixon:** Could you tell us how much of the vote would cover the administration of the programme?

**Hon. Mr. Davis:** I believe administration would actually be under vote 2301, under the student awards branch vote, so that the total sum here of $6,481,000.00 goes directly to the students.

**Mr. Nixon:** There has been some confusion among the applicants as to what the circumstances are that will permit them to go it alone, as it were, as far as their application is concerned and the financing of their education, without the responsibility evolving on their parents. Is it correct to assume that they must in fact be out of school for a full year before it is possible for them to go ahead with their education with the assistance from this programme without recourse to their parents' financial position?

**Hon. Mr. Davis:** Mr. Chairman, if they are undergraduates this is one of the conditions laid down. I think we got into this really in The Department of Education Act in another programme. It is a condition laid down by the federal government.

**Mr. Chairman:** Yes. I would ask the members then, if they will, to stay with vote 2304 so that—

**Mr. Nixon:** Are you implying that I am not with vote 2304? I submit that I was talking about the Ontario student awards programme and I am very concerned about the fact that a student cannot have the option to look after the financing of his own education; that the application that I drew to your attention a few moments ago is mandatory in that the parents' financial position must be intimately revealed to the extent of 30 questions having to do with their salary and their taxes and the worth of their home, how much they borrowed on their insurance, and so on. This is precisely what this vote covers, I would submit to you.

As far as I am concerned in these questions, Mr. Chairman, I wonder if the Minister would care to tell us what his response will be to the announcement and the statement last Thursday on behalf of the university president, faculty and students, that the present programme, in their view, does not fill the need as they see it. They are the people, of course, most intimately concerned. The Minister has a responsibility to the taxpayers, as have we all, and yet the emphasis on the loan aspect is one that has been criticized by these three groups, working, I think, for the first time that I know of, in concert.

Perhaps the Minister could report on his knowledge of their objections, and tell us what his response would be for the coming season and for the year ahead.

**Hon. Mr. Davis:** Mr. Chairman, like so many areas in education, there are very few problems that cannot be resolved by a lot more money. And this is perhaps one of them. I should point out that as I read the submission that has been made, and the discussions I had with the three groups, there are two areas of concern—if you can divide it into two areas.

One is the administrative side: they have raised objections to the form of the application. The second is the amount of support. Dealing with the one, I have indicated to the universities and to the students—and they have set up a committee, I understand, to study the form—that we are quite prepared to consider any reasonable suggestion. But, I should make it very clear, Mr. Chairman, that the form itself relates very directly—we have tried to integrate the two—to the Canada student loan programme.

**Mr. Nixon:** It is much more detailed.

**Hon. Mr. Davis:** I should point out, Mr. Chairman, it is more detailed than last year. There is no question about this. But at the same time, this form was agreed to in discussions among all the various provinces and the federal government. We did consider that we could divorce the Ontario student awards

programme from the federal loan programme. We could use the federal form to assess need for the grant area, but we did not feel this was really too appropriate so we have tried to couple it in the one form itself. No one is denying that the form is detailed.

I should point out for instance, and I will get duplicates of this for the hon. members, that the Princeton scholarship service—which is the main, shall we say, bursary service in the United States—goes into all these details, including the parents' assets, liabilities, life insurance, home ownership, and so on. I can send the hon. members and the hon. member for York South a copy of this particular type of form. It is related very directly to the Canada student loan programme.

I think there has been some confusion in the university circles as to the fact that the Canada student loan is a major portion of the programme, and that there is certain information and material that we must go through to satisfy the federal authority. It is there and it has to be done. I make the further observation that, leaving the administrative side of it where the form could be altered, I am not saying that there cannot be improvements.

When you get down to the question of the amount of loan and the amount of grant, as I said earlier today, as far as the department is concerned, and as far as the government is concerned, if the federal government would allocate the funds it has suggested for scholarship programmes—which I personally suggest is not a realistic approach, because it is very difficult to determine scholarships—and make these funds, some $3.3 million, available to put into the grant portion of the programme we are developing here, it would alter the figure so that it could be 50-50 or perhaps a higher percentage of grant.

The suggestion was made at the discussions we had, and I anticipate there will be further detailed suggestions in our discussions in a week or so, that there be a higher percentage of grant in the first two years and then in the final two years the loan percentage be increased. In other words, this is to give incentive to the students in the first or the first and second years.

As far as we are concerned, Mr. Chairman, our purpose here is to develop as equitable a programme as we can with the resources that are available. There is no doubt, and I am sure the member for York South will be wishing to make some observations, that if there were more moneys available we could increase the grant portion of the plan. But the point is, Mr. Chairman, we have certain limitations on resources in this province in spite of what some of the members opposite may think, from time to time, and we have increased the bursary assistance or the grant assistance by over 100 per cent in one single year.

One point that is not perhaps fully recognized is that by doing this we have been able to assist, or will be able to assist, 70 per cent of those who received loan money only last year. In other words, 70 per cent of those who received loans and no bursary assistance whatsoever, will be getting something by way of grant—a straight grant—this coming year.

I should point out, too, that there is one other observation in the memorandum, or brief, or release, that was circulated, with respect to the parental contribution. The facts are somewhat misleading because they imply that a family with children, one of whom is a student, and a gross income of $5,000 would be required to contribute $540. In fact, and this is, I think, fairly relevant, the contribution of $540 would only be expected from a family that had only one child, and whose income remaining after deduction of taxes paid, and allowances for exceptional expenses, was $5,000. I think really there is quite a difference between what I am suggesting here, and what was said in the release and I think they just did not have sufficient information when they included that example.

I should also, as I said earlier, point out that the position on summer savings really is of some interest because we have to make this determination prior to the students receiving any salary for the coming summer.

I should point out that while people have raised the point of the complexity of the form, we have now processed something over 3,026 applications, and we have had less than one per cent of these in difficulty as far as the straight administration, or the filling out of the form, is concerned, which is a relatively low percentage of the total we have received to date.

I should also note that while the memorandum did come from the various groups involved, two or three universities—one in particular—expressed the view that, to their knowledge, to date the plan is working, and there is sufficient flexibility built into it. There is no secret—this is the University of Guelph, and it is the only university to date that probably has had any real experience with it because this university used it with the summer semester students.

Mr. Chairman, I do not say for a moment

that there cannot be improvements, but I think the principle is sound and that is, we are endeavouring to assist all students who are admitted to university. Last year, if memory serves me correctly, it was only those with roughly 68 or 69 per cent or higher, who received any assistance. Our attempt is to give assistance to everyone who is admitted—this means 60 per cent and upwards at the university level, and whatever the admission requirements would be at other post-secondary institutions.

Mr. Chairman, if the federal government, in its wisdom, decides to add these funds to the programme, I think we will reach a good balance between loan and grant. As I say, dividing the problem into the two areas, I think some of the administrative problems can be resolved as we work through the programme. The question of amount is a matter of the resources that are available. It is as simple as that. If there are better ways of distributing the amount, of course, we would be delighted to discuss this with the people who are directly involved.

I should also point out that, since the plan was announced, the student awards officers at the various universities have been briefed fully on the procedures of the plan and we have had from the student awards officers no complaints or problems with the straight administration of the programme itself.

I think, Mr. Chairman, that the bulk of the argument that is raised by the people involved—the presidents, the faculty members and students—really hinges around whether additional funds could be made available to increase the grant portion of the plan itself.

**Mr. Nixon:** I was interested in the Minister's comment that the University of Guelph supported the programme. I assume—

**Hon. Mr. Davis:** I do not want to misconstrue it; I am saying that the University of Guelph has indicated it had very few problems and it has found a great deal of flexibility built into the programme.

**Mr. Nixon:** All right. Because of the general objection that is expressed in this brief, which is a joint statement by the committee of presidents of provincially assisted universities in Ontario, there is one problem remaining in my mind. The Minister told us this afternoon that a joint committee of the university presidents and his advisory committee were dealing with the whole problem of student aid over the past year.

**Hon. Mr. Davis:** No, I think, Mr. Chairman, we were talking about formula.

**Mr. Nixon:** No, but there was another committee as well.

**Hon. Mr. Davis:** Yes, I said there was the student aid committee of the university affairs committee and also the research committee of the committee of presidents. The latter group submitted material to the department on student aid and the two groups did in fact meet. But their meetings were not as prolonged as they were in the area of formula discussion.

**Mr. Nixon:** The strange thing is that these people were at least in the machinery of consultation that the Minister has available for the development of a student award programme. And yet this important part of the consultative machinery now comes out publicly saying that the programme is not good enough. There is a certain peculiarity there, I do not know whether it is possible to explain it. Has the Minister any comment? Other than that, on the one hand the university presidents are advising him and on the other hand, on the same matter, they are criticizing the Minister's decision. Where did the information come from that the Minister used to base this programme?

**Hon. Mr. Davis:** Mr. Chairman, the recommendations came from, as I say, both areas. I think in fairness one could say that the basic principles which were set out in the report from the research committee of the university presidents have been adopted. But, at the same time the committee did recommend a higher proportion of grants. There is no question about this. But the principle of having it centralized, trying to do it on a provincewide basis, and the importance of the need factor were a part of the report. The decision as to how much money is made available, of course, remains a governmental decision. But I would say that the main objection as I see it, apart from the administrative side, is about the amount of grant that is part of the plan. Mr. Chairman, you endeavour to find as much support as you can for these programmes and this is a 100 per cent increase over last year, which is a fairly significant increase in support.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, do I conclude correctly from what the Minister has said that the programme as announced, and as he is now explaining it, stands for this year?

**Hon. Mr. Davis:** Mr. Chairman, I said to the group the other day that if there are changes that can in fact be made this year, or if there are any changes that are logical to make this year, we will certainly consider them. It will not be easy to do because we have already processed some 3,000 applications. They are suggesting the form might be altered and we would have to take this up with the federal authorities. As far as the amounts of money available, the $5 million, Mr. Chairman—there would be no alteration in this total amount. If there are improvements possible in the methods of allocating the sums that can be carried out this year, we are prepared to take a look at this. But I cannot tell the hon. member, until the group that has been established has had an opportunity to assess the matter in some detail, whether in fact, from the practical standpoint, any improvements can be made. So I am not in a position to say.

**Mr. MacDonald:** Well, for practical purposes it means there will be no changes this year?

**Hon. Mr. Davis:** It will not be easy.

**Mr. MacDonald:** I would like to focus attention for a moment directly on this proposition of the greater emphasis on loans on this combined programme the Minister is now presenting—combined, that is, with the federal authorities.

As I pointed out this afternoon, this greater emphasis on loans flies in the face of the recommendations of the Robbins commission—

**Hon. Mr. Davis:** Mr. Chairman, I want to make it very clear. There is not a greater emphasis on loans as far as this government is concerned. In fact, there is a decrease in emphasis on loans by the fact that we have increased our grant assistance by some 100 per cent, so that from our standpoint I am saying to the House that there is a decrease in the emphasis on loans. I further acknowledge that if we had additional funds, or if the federal government would make the scholarship moneys available, there would be a further decrease in emphasis on loans.

**Mr. MacDonald:** Well, the Minister has really anticipated what I wanted to ask and has answered it. In effect, he is saying that to the extent that this programme plays a greater emphasis on loans, it is because he as well as an awful lot of other people, are a victim of that government in Ottawa and its policies.

**Hon. Mr. Davis:** Mr. Chairman, I would say this, in fairness to the government in Ottawa, I think the Canada student loan programme has been helpful. I do not think there is any question about this and I would not in any way want to take away from the contribution it has made. But I do say—and I have urged this upon the Prime Minister and the Secretary of State—that their scholarship proposal really would be very difficult to implement on a national basis. We should be moving into areas of need rather than scholarship because scholarships will become increasingly hard to determine in the various problems. Obviously, it will become increasingly difficult in our own province because of the lack of the departmentals by 1968 and we are suggesting that the money should be channeled into areas of need. This is the concept we are trying to develop.

**Mr. MacDonald:** With respect, I must say to the Minister that if anybody ever puts the question to him whether he has stopped beating his wife, I am sure he will come up with an answer that nobody else has ever heard of.

I would like to solicit the Minister's comment on the specific proposals that were in this three-level representation put to him last week, namely, that the net effect of this is that it penalizes the low-income student and, therefore, presumably fails to achieve the objective, which is the stated objective. The Minister very adroitly this afternoon spelled out what the stated objective was without taking full cognizance of the fact that the rest of the brief, in effect, says that you do not reach that objective.

Now, how can you justify a proposition in which it really makes it more difficult—creates disincentives for the person coming from a low-income family to be able to get a higher education?

**Hon. Mr. Davis:** I cannot really follow the logic of that argument. I am not saying there are not problems. But, I am saying this, that compared to a programme where there was no grant assistance for students between the 60 and 69 per cent area, surely this is an improvement and there must obviously be more incentive under this programme than on what existed before. There cannot help but be. There is another $2 million or $3 million of incentive. It must be there.

**Mr. MacDonald:** Obviously the Minister is correct insofar as he has gone but I cannot help but point out to him that no matter what

programme is put forward, and it is not I who is doing it this time—it is the university presidents, faculty and students—who point out that the ultimate effect of it is to place the greatest penalty on those with the lowest income. And, indeed, it becomes even a bit ludicrous when you have a low-income person who is of high academic standing and wins awards that may come from other sources altogether. Yet he discovers that award must be accepted as the equivalent of the grant he is going to get, so that virtually all of the assistance he can get from the department is in the loan category. In fact, this would be the case if his award was a fairly sizeable one.

**Hon. Mr. Davis:** But, Mr. Chairman, the hon. member should also realize that when you look at the assessment of need and the amount of assets the student has, the income of the family involved, the lower the resources the more support he is entitled to. I mean, it is graduated and cannot help but be of greater benefit to the students who come from families of lower income because their need assessment will be higher. I am not saying it is going to solve all the problems but I find it difficult to accept the argument that it is going to discourage, more than previously, youngsters from a family of low income. It cannot help but be better than anything they have had before. It cannot help but be.

**Mr. MacDonald:** Well, I am sure that all this assembled collection of brains who presented these arguments would be interested in the Minister's attempted demolishment. I do not think it does, but there is no point in pursuing the argument much further.

**Hon. Mr. Davis:** I think there are two sides to the story though and, as I say, we are delighted to discuss it with them and maybe we can come up with an improvement.

**Mr. MacDonald:** I go back to the point my hon. friend, the member for Brant made, that I find it passing strange—indeed, to put it bluntly, a bit incomprehensible—that a group of people who presumably were advisors in the setting up of the plan come down and present such basic and solid criticisms of the plan when, presumably, they or others in the university family were the people who advised the Minister in setting it up in the first instance.

There are a number of other detailed items but I think, to be frank, the member for Brant has raised most of them, except that I would like to have the Minister's comment on, first: the discrimination that this combined plan that he has now worked out works against foreign students; and, second: on the fact it eliminates the travel grants. If I might make one comment on the latter point, as I understand it, the argument is that you calculate the needs in the expenses, including the travel and, therefore, the travel grant becomes an irrelevant factor because it is already included in the calculations. I think this is going to be a little difficult to comprehend for the person who has to come in from Kenora or Kapuskasing or somewhere else and face these extra expenses, particularly when what you may calculate gets cancelled out by other factors in this very complicated setup.

**Hon. Mr. Davis:** Mr. Chairman, dealing with the need assessment, two trips, instead of the one previously, are allowed for the students so that it is doubtful if the allowance for travel will be any less than before. The chances are that the allowance will be somewhat greater because they are being allowed two trips where prior to this they were only allowed one.

With respect to foreign students, it is not a case of discrimination; it is a case of having X number of dollars available and quite frankly we felt it should be spent on Ontario students. If the students from other provinces wish to qualify under their loan scheme or if the universities in their private scholarship programmes wish to assist these students, we have no objection. But, Mr. Chairman, I do emphasize that there are certain limitations on funds available and I think in fairness that the funds should be spent on the education of the children who are resident in this jurisdiction.

**Mr. MacDonald:** Mr. Chairman, there is an obvious logic in what the Minister is putting forward, but it provokes me to say something that I have said in earlier years with regard to education and its financing. I have always felt that, to the extent the universities of the province of Ontario are now carrying up to 10 per cent of students from foreign lands, the legitimate place for this burden to be carried is as part of our external aid programme—our technical aid programme—or however you wish to describe it—and therefore, more legitimately it is a federal government obligation. I would be willing to accept the Minister's argument if I felt any real hope that we could get the federal government to be a bit more generous in this area.

From a moral point of view we place ourselves in a vulnerable position when we begin to discriminate on behalf of our own people against sharing our great assets and educational institutions here for the assistance of other less fortunate people in the human family. I think this is a small enough contribution on our part and I do not like to see a provincial government, even on the argument that we just do not have enough money to go around, to end up doing this kind of thing—to end up doing it before it has persuaded the federal government to accept the responsibility.

This brings me to a final comment. I interjected this afternoon that I was disappointed in the Minister when he said that he has been pressing the federal government to accept 50 per cent of the cost of the building of universities and the financing of universities. I said before, and I repeat, I do not know why the federal government, particularly because it raises none of the normal constitutional problems encroaching upon education which is a provincial responsibility, could not have extended the basic principle that was involved in The Vocational and Technical Assistance Act.

Indeed, I would say that, if it was a valid proposition for the federal government under Diefenbaker to move in and provide 75 per cent for the building of vocational and technical schools at the secondary level, then it is certainly valid for a Liberal government under Pearson to accept the same responsibility at a 75 per cent level, not a 50 per cent level. Perhaps we would then have enough of the slack to deal with adequate student awards and many other things that are left for provincial responsibility.

I know that the Minister will appreciate this little assistance—

**Hon. Mr. Davis:** I would say to the—

**Mr. MacDonald:** I am not responding in light of his obvious efforts to solicit a comment. I am only repeating, unfortunately, what I said last year and the year before last, in the hope that we can get some action on it.

**Mr. Chairman:** The member for Russell.

**Mr. A. B. R. Lawrence** (Russell): Mr. Chairman, my remarks will be very brief tonight and unprepared, but I must say that I was much impressed by the representations made by the students with regard to loans. It does seem to me that the hon. Minister and those in Ottawa will have to recognize, to some extent, that from a psychological point of view, the loan programme may appear to have gone sour.

Also, in dealing with the spectrum of those who need support or have different approaches to education, I will not at the moment speak of the wealthy who will get their education somewhere or other in North America or the world, or the bright who need and can obtain, and should obtain, scholarships, or the question of bursaries which translates itself pretty quickly into a lessening of fees.

But I did want to speak just for a moment about those of us—and there are several of us in the House, more than a handful—who received their education and the whole base of their ability to compete in today's life from a salary paid by the state and free tuition. I speak of those of us who have received our education through the postwar DVA grants which gave us approximately $60 a month at that time and paid our tuition. In this regard, Mr. Chairman, as a result I would think that none of us who received a salary and free tuition from the government of our day, can be very much against a liberalization and a widening of the grants available to students.

There is one thing I would like to ask the hon. Minister to concern himself with and that is an investigation—and there may have been such—of the question of establishing a salary for attending university and free tuition, something similar to the pattern that affected us, and of equating it to service to Canada. It strikes me that the company of young Canadians and a half-dozen other programmes, perhaps of the provincial government and of the federal government in our north and among our Indians and other peoples, together with foreign service, or with service in the forces, might be a worthwhile field to explore. Then those who are neither brilliant nor particularly poor nor particularly wealthy, on the basis of some reasonable service to Canada—two or three years' service to their fellow countrymen—might expect in return an education supported by salary and free tuition.

I wonder if the Minister will reply to the suggestion that, although this is a field that we have not discussed, as far as I know, this evening, he might discuss it with the federal government because service to Canada within this field would be of prime significance.

**Hon. Mr. Davis:** Mr. Chairman, there have been no discussions to date with the federal government on such a possibility. This is the first suggestion that has been made, as far as I am concerned, in this area. I would

have to give this very serious consideration to whether it would have practical application. I quite frankly do not know.

I should point out to the hon. member for York South that while there is not provision for need assistance to the foreign students, it should always be kept in mind that they do receive probably three quarters of their cost at the expense of the province of Ontario and from the federal government contribution as part of the grant to the university. We do not exclude foreign students.

**Mr. Chairman:** Shall vote 2304 carry?

The hon. member for Ottawa East.

**Mr. H. S. Racine** (Ottawa East): Mr. Chairman, I have a few remarks to make in connection with this subject and I would refer particularly to this form that the hon. member for Brant has mentioned. I have been approached by some of the students, particularly some representatives from CUS, who have found that form very difficult to fill in, particularly for some of the parents who have not had much education. They find that this form would require the services of several Philadelphia lawyers and others. The problem in my area, Mr. Chairman, is that this form, being printed in English only, presents a lot of problems for people—

**Hon. Mr. Davis:** I do not want to interrupt, but I should inform the hon. member that the form is in the process of translation and printing in French. It should be available very shortly in the French language so that the students attending Ottawa University or Laurentian or any other post-secondary institution whose native language is French, will have no difficulty as far as the language of the form is concerned.

**Mr. Racine:** I appreciate the remarks of the hon. Minister, but I think he should realize that this form, having to be filled out in English by some people who have not had too much education themselves—I am referring to the parents—would have presented some problems.

In connection with those bursaries and scholarships, some of those students have told me they are afraid that many university students will not continue their studies, because they are afraid of facing considerable debt at the time they graduate. They were mentioning the fact that some of them might be into debt to the extent of $5,000 or $6,000, and because of that fact, they may decide to suspend their studies and go to work.

This is one of the arguments that has been mentioned and I believe it is quite valid, Mr. Chairman.

**Hon. Mr. Davis:** Mr. Chairman, since the hon. member for Ottawa East is much closer to the scene than the rest of us, if he would impress this argument upon the people responsible for the federal student loan plan and suggest to them that they increase the amount of grant, or at least make grant money available, rather than loan money available, I assure you there will be no diminution of the amount we are making available, as far as grant is concerned.

**Mr. E. A. Dunlop** (Forest Hill): Mr. Chairman, I think that the Ontario fellowship programme is quite a superb and imaginative programme. I should like to ask the hon. Minister a question about the manner in which the programme is developed and administered.

Am I correct that the regulations governing the programme are developed by the department, on the basis of the advice that it gets from the committee composed largely of the deans of graduate studies?

**Hon. Mr. Davis:** Yes, Mr. Chairman, the deans of the graduate studies in the province submit recommendations and are very helpful to us in the development of this programme.

**Mr. Dunlop:** And am I correct in understanding that the actual administration of the regulations is carried out by the universities concerned, that is to say that they, and not the department, select the candidates who will be successful in obtaining fellowships?

**Hon. Mr. Davis:** Yes, this is true, Mr. Chairman.

**Mr. Dunlop:** I should like to ask the hon. Minister about one problem which has fascinated me.

In certain fields of science, fellowships are set forth as being applicable, and in other fields of science they are set forth as being not eligible, and I mention particularly fields such as anatomy and histology. By and large, anatomy and histology in this province, Mr. Chairman, are taught in professional schools, notably schools of medicine, and for some reason, these and certain other scientific disciplines have been excluded from the programme. I gather that this is done on the advice of the deans of graduate studies, but I wonder if the hon. Minister could explain whether he has been told the basis of the advice he has been given?

**Hon. Mr. Davis:** Mr. Chairman, going back to the origin of the programme, it was introduced with the prime intent of supplying teaching personnel at the universities, primarily in the social science field. This is where, shall we say, the bulk of the student enrolment will be going, and it was decided to concentrate the programme, and our efforts, to turn out professors or teachers at the university level with respect to this particular area.

I would think, Mr. Chairman, perhaps through The Department of Health that some moneys, and I am not sure of this, might be available for people in the fields that have been mentioned by the hon. member for Forest Hill. Just like everything else, there are those who would like to see the fellowship programme extended into other disciplines, or fields of study, but the decision had to be made and a decision was made to concentrate on the areas that are at present covered by the programme itself. As I say, the prime purpose of the programme was to develop sufficient teaching personnel and while I do not want to say it too early, and I think it is to a degree, I believe we have been rather successful in developing teaching personnel for the universities because of the programme.

**Mr. Dunlop:** I should not like to suggest that the programme has not been successful in developing teachers. I think you mentioned social science. I think, Mr. Minister, the fellowship programme goes beyond social science.

**Hon. Mr. Davis:** Humanities, I am sorry, and pure science.

**Mr. Dunlop:** It is the hon. Minister's advisors who worry me. The deans of graduate studies, who by and large are in the traditional faculties of arts and science, and who I believe tend to feel that anything taught in a professional school is not science, may well be misleading him.

To suggest that a field such as anatomy or histology or cytology is a matter to do with health rather than science, seems to be an abrogation of the responsibilities of The Department of University Affairs. More particularly, I think the advisors seem to feel that once you leave the traditional field of the arts and sciences and move into a professional school, in some way you have done something which is counter to the proper sphere of a university. I should be most unhappy, Mr. Chairman, if it were continued as a principle in the organization of higher education in Ontario, that those scientists which might conceivably have a remote relationship to health, should be regarded as a responsibility of The Department of Health, rather than the responsibility of The Department of University Affairs.

Mr. Chairman, I have no criticism of the hon. Minister or the department in this matter, but I have some very considerable criticism of the advice apparently received from this committee of deans of graduate studies, who I think are not quite aware of the nature of the scientific explosion.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, just following up on what the member for Forest Hill said, I frankly have deep concern. If advisors are not doing the job, then the hon. Minister should get other advisors. He is responsible, and that is the situation.

**An hon. member:** We got you to criticize the hon. Minister.

**Mr. Thompson:** May I say this. Frankly, in the past I have had some concern about the approach that is taken in scientific study, and I am thinking of medical study. I have talked to some people who are trying to get post-Ph.D research work done—and I hope the hon. Minister will not be shocked at that, post-Ph.D work being done—

**Hon. Mr. Davis:** Mr. Chairman, I learned long ago not to be shocked.

**Mr. Thompson:** Thank you. But I would say this, that one of their concerns has been really—with all respect to deans of medicine across the country— that these men are administrators. They have certain traditional approaches and when you are looking towards the need for scientific research, and this could apply to the humanities as well as the medical research, you want to have scientists on the advisory board, who themselves are doing research. They can therefore walk into labs, or look at suggested background for research and can assess this, far more than the dean who is an administrator. They are much more on top of research.

Frankly, a suggestion that I have made to the hon. Minister of Health, and I think it applies to the hon. Minister of University Affairs, is when you are looking for research and where you should be giving grants, I think it would be very helpful if among the advisors you had men who do research. For

a two-year period, they might be put on the group of advisors the committee and so on.

I think this is essential, because with all respect to deans of medicine, there is a tendency, as was pointed out by the hon. member for Forest Hill, of a traditional approach. Perhaps they are not as yet up to date on new advances taking place, either in medicine or in the humanities.

I turn to another point which interests me, and I may say that I thought the idea from the hon. member for Russell was excellent. I think there is a real need—the hon. member for Brant has brought this up before—for a challenge to young people in this province, to get into humanitarian work, to do something for their fellow citizens. I would feel that one of the concerns that some of these young people might have is the fact that if they give two or three years of their lives to dedicating themselves to service, whether in mental hospitals or on reserves or anywhere else, that is a gap from their education.

I know we are moving from these estimates into The Department of Public Welfare, and I also know that, as year after year after year, we are going to get the old hidebound answer, "Well, I can't get professional workers, that is why there is such a dilapidated and inadequate department programme in many areas."

Therefore, sir, I come back to the member for Russell and I say rather than using the excuse all the time that, well, we will talk to Ottawa about this, the member for Russell has a very able member for Carleton near him. If they want to raise it in Ottawa, fine, go ahead, but apart from that let us realize this is our province. We can be imaginative on occasion. We can surely realize the need for young people in a number of the institutions and mental hospitals, the challenges all throughout this province, and the need for them to have training. Let the province of Ontario, this great affluent government, say to him, "All right, if you will dedicate two or three years of your life, whether the federal government will help us or not, we will put on a programme to see that for those two or three years, just as with DVA for veterans, similarily for you, you would have the opportunity to go through university being paid, and that you get your university training." I therefore endorse wholeheartedly this suggestion.

But let us not always shuffle away from our own responsibilities, saying we will have to go to Ottawa or something, or you hope that an hon. member for Ottawa might talk to Ottawa. These are facetious and ridiculous remarks. The Minister is responsible for programmes. If he cannot get Ottawa to get on with it, he himself should get on with it.

**Hon. Mr. Davis:** We are also responsible for the economic situation facing the province.

**Mr. Thompson:** Well, we have listened to the economic situation facing the province, but to me education is an investment. As surely as night follows day, we are going to hear from the hon. Minister of Public Welfare, as we have heard from the hon. Minister of Reform Institutions, that one of his great lacks is that he does not have young trained people to work in either institutions or work on programmes. We are going to hear that.

I suggest that young people with idealism coming out of school want this sort of challenge and we can have our own young company of people of Ontario and then give them from that the opportunity to go on to university and take training.

**Hon. Mr. Davis:** I just want to have one word, Mr. Chairman, so that there is no misunderstanding in regard to the observations made by the hon. member for Forest Hill. I do not want to leave the impression that the deans of the graduate studies are opposed to any type of programme in the areas that he has mentioned. Priorities, Mr. Chairman, have to be established. The member for Forest Hill, I think with justification, feels that the programme, or some type of programme, should be extended into those areas. But the basic proposal behind the Ontario graduate fellowships was primarily for teaching personnel and this is how the programme has developed. I want to make it very clear that I do not want the House to feel that the deans of the graduate studies have attempted to inhibit any extension of the programme. I want to make that statement.

The only other observation, Mr. Chairman, that I could make is that the hon. leader of the Opposition refers to imaginative types of programmes. I do not want to go too far with this, but I think you will find that the Ontario graduate fellowship programme in itself is a rather imaginative programme and one that is of great interest in a lot of other jurisdictions. It has done a very excellent task.

**Mr. Dunlop:** Mr. Chairman, I have two brief remarks. One relates to what the hon.

Minister has just said. I am sure that the deans of graduate studies do not wish to inhibit any progress in science, but it seems to be the impression that they are taking a somewhat fragmentary view of the nature of science. I am sure they will correct that if that is so.

With respect to the remarks made some minutes ago by the hon. leader of the Opposition, following mine, I had referred to deans of graduate studies and he followed on referring to deans of medicine. I am sure he recognizes that I was not referring to deans of medicine, I was referring to deans of graduate studies.

**Mr. K. Bryden** (Woodbine): Mr. Chairman, there is one point on which I would like to get information from the hon. Minister, with regard to the Ontario scholarship programme. As I understand it, the number of subjects in which a student must get 80 per cent is going to be reduced to seven, since the number of subjects required for senior matriculation will be seven. With respect to this year, I believe the number of subjects is eight, is it, in which a student must get 80 per cent in order to qualify for an Ontario scholarship.

**Hon. Mr. Davis:** Mr. Chairman, this has been under consideration and I believe that probably it will be seven for this year to qualify for an Ontario scholarship.

**Mr. Bryden:** The reason I asked the question was that, as I understand it, when the students embarked upon the year they had reason to believe that biology would give them two subjects but during the course of the year it was declared that biology would be one subject only. In those circumstances I am wondering if the Minister could make his statement even more definite than he did, that it will, in fact, be seven for this year.

**Hon. Mr. Davis:** Mr. Chairman, we hope to be in a position to do this in a very few days.

**Mr. MacDonald:** May I go back to item 2 for a moment, Mr. Chairman? I do not think we gave any consideration to the Sir John A. Macdonald scholarship. Is it available anywhere in the province of Ontario?

**Hon. Mr. Davis:** Yes, it is, Mr. Chairman.

**Mr. MacDonald:** I just want to make a brief comment, Mr. Chairman. The capacity of a Conservative government, in trying to come to grips with its founding father, to fumble in a major fashion, or in a small and unwitting way, is apparently without end. In this instance, it even has his name spelled wrong.

**Mr. Chairman:** Would the member excuse me for a moment, we are dealing further on No. 5 and then we will revert to No. 2.

**Mr. MacDonald:** We had finished No. 5 and gone on to something else.

**Mr. Chairman:** No, we are on vote 2304 and we are just finishing item 5 of 2304.

**An hon. member:** The hon. member was not here—

**Mr. MacDonald:** Oh, I was here. What I want to do is get the Conservative Party to concentrate on its founding father. His name is spelled wrong in the award.

It is a small point, but a week or so ago, rather belatedly, somebody dreamed up the idea—I understand it was the hon. Provincial Secretary—that we should go down to the statue at the end of the park here and commemorate him. It was conceived of so late and therefore it was impossible for any organization to know that we were commemorating the founder of this nation—at a time when the hon. Prime Minister was otherwise occupied and could not attend, and the leader of the Opposition was otherwise occupied. I am not blaming him, because we all got notice of it literally about 48 hours before the event. I hope that the Conservative Party in the future can really get in communication with its founding father and spell his name correctly, among other things.

**Hon. Mr. Davis:** Only Mackenzie King could do that.

Vote 2304 agreed to.

On vote 2305:

**Mr. Nixon:** Mr. Chairman, rather than ask a question before the orders of the day tomorrow, and since the matter of the change in the grade 13 papers has already been raised, would the Minister be able to grant a matriculation certificate to a student who had achieved success in seven subjects before this year? You have lowered it from eight to seven for this year, at the behest of certain people, evidently, and there are some students who were successful in getting seven subjects in the last two or three years. Is there any reason why they would have to go without their certificate because it was not this year?

**Hon. Mr. Davis:** Mr. Chairman, I think this would more appropriately be asked before the orders of the day.

**Mr. Nixon:** All right, I will ask it tomorrow.

**Hon. Mr. Davis:** I will have an answer for you.

Vote 2305 agreed to.

**Mr. Chairman:** This completes the estimates of The Department of University Affairs.

## ESTIMATES, THE DEPARTMENT OF LABOUR

(*continued*)

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Chairman, all of the votes with respect to the items of The Department of Labour have been carried, but I gave an undertaking that there would be an opportunity for some debate with respect to the workmen's compensation board, Ontario, and the legislation pertaining thereto.

In opening my observations with respect to this matter, I would like to reply to some of the statements made by hon. member for Etobicoke concerning the workmen's compensation board. I believe hon. members opposite have missed the entire concept of the board.

I should like to quote from the report of Mr. Justice W. D. Roach, following his appointment as a commissioner to inquire into the workmen's compensation board, and the legislation in 1949, and I quote:

> This Act should be considered for what it is and was originally intended to be, namely a scheme by which compensation is provided in respect of injuries to workers in industry. It is not a system for dispensing charity. It is not unemployment insurance. It is not social legislation for the purpose of elevating the standard of one group in society at the expense of another.

That is the end of the quotation pertaining to the remarks which His Lordship made at that time.

The hon. member for Etobicoke wanted to leave the impression with this committee that somehow or other the board misuses the moneys collected on assessment by having the use of the moneys annually without crediting an interest rate to the employers. It is, of course, a false premise. All funds received by the workmen's compensation board are invested and the yields are as high as six per cent on trustee investments.

In the casualty insurance business, assessment premiums are payable a full year in advance. In the workmen's compensation board, assessments are normally issued in April or May and possibly 60 days later.

Under the circumstances, the employer receives workmen's compensation protection for at least six months without a payment of a premium. Hon. members should understand that the workmen's compensation board holds employers' money in trust to distribute expeditiously. The six per cent interest, in effect, reduces the employers' assessment. The Opposition suggested a quarter-yearly assessment system. This would simply require an expensive addition to the administrative staff of the board. It would also mean that the board, which now invests in trustee investments, would be deprived of some $1,042,000 in interest earnings annually.

The Opposition also alleged that the board somehow or other has failed to divorce the administrative from the adjudicative. This is simply not true.

**Mr. K. Bryden** (Woodbine): When you say "opposition," specify.

**Hon. Mr. Rowntree:** I directed my remarks and qualified them properly as I considered, at the outset.

This is simply not true, Mr. Chairman. For example, both the review committee and the appeal tribunal are composed of conciliation experts—doctors and lawyers who do nothing but adjudication. The only exception in the separation of powers, is the workmen's compensation board itself, which must be, by statute, the finaly adjudicating level in the appeal system. It would be fatuous to suggest that the board cut, or dissociate, itself from the $100 million management.

I might add that the appeal system of the workmen's compensation board has been specifically commended by Sir Guy Powles, the ombudsman for New Zealand, and by Mr. Justice Tysoe in his inquiry into the compensation operations of the province of British Columbia, which he has recently completed and reported upon.

The hon. members opposite further alleged that the appeal tribunal's jurisdiction has been hedged with rules and regulations to the point that it is prevented from doing its task of adjudicating in difficult cases. Again, there is simply no substance to this charge.

Recently a new element to the administration of claims has been added. For the first

time, the appeal tribunal's jurisdiction is able to go to the district of the injured workman as a matter of right. It therefore brings the adjudication to the community, and is in no way legalistic. The tribunal inquires into the true merit and justice of the case.

Since the hon. member for Etobicoke appears to be such an expert in matters concerning my department, he should realize one very fundamental aspect of the appeal tribunal. It has no rules of practice whatever, and is completely a board of equity.

In 1965, the appeal tribunal heard 215 appeals. Of these, the previous decisions in 113 cases were reversed.

Finally, the Opposition inferred that the review committee can only deal with the merits of the case as they appear on the file. The whole purpose of the review committee is designed to facilitate the granting of compensation to an injured worker, when that worker cannot adequately prove his claim.

Mr. Chairman, the figures speak for themselves. From March 1 to December 31, 1965, there were 2,350 appeals to the committee. In 473 cases, the former decisions were revised. From this it can be seen that the review committee provides an expeditious service.

It is not true to say that the review committee deals only with the evidence as it appears on the files. The review committtee may order further medical examination, including specialists, inquiries in hospitals, and a local investigation of the facts.

From this it is apparent that while legally the onus may be on the injured workman to prove his case, in practice and in reality, he has only to allege an injury and the workmen's compensation board will pay any extensive medical examination and inquiries as to facts. The object of the workmen's compensation board is to reduce and not increase the legalism of the decision-making machinery.

Mr. Chairman, I could go on and on, to refute many more of the picayune matters brought to the attention of the committee by the hon. member for Etobicoke, in his lengthy dissertation. I would suggest that the views suggested by some Opposition members concerning the workmen's compensation board illustrates a sad, if not shocking misunderstanding of the whole concept of the purposes and functions of the board.

The hon. member for Etobicoke might better spend his time in a more thorough study of the workmen's compensation board, which is a model used throughout the world, so that in future he will be able to present intelligent criticism.

Mr. Chairman, I wish to make reference to certain matters which I regard as important, and highlights pertaining to the operation of the compensation board, and which I would want to bring to the attention of the hon. members of this House in some detail, but not at great length.

When I took this portfolio some three and a half or four years ago, one of the matters which intrigued me was the operation of the compensation board itself. In reviewing the circumstances surrounding the establishment of the board, it was obvious that the report of Chief Justice Meredith in 1914, laid the foundation for the establishment of compensation in this province as we know it, and it was against the report of Chief Justice Meredith that the compensation board itself was established some 51 years ago.

In 1931 there was a review by Mr. Justice Middleton in which he reviewed the various aspects of compensation, the concepts which existed, and commented on their then validity in 1931. Similarly in 1949, following the appointment of Mr. Justice Roach, a similar review was made—if I could use the phrase, a judicial review, in the sense that both of those inquiries were conducted by a one-man commission, both of them being members of the bench. The desirability of a third review at this particular time certainly was one of the first things that came to my attention.

I do not pretend to be an expert on all of these matters, but having been exposed, if I can put it that way, as many members of this Legislature have been, to the operations of the board itself, I would think that when I was appointed a Minister charged with reporting to this Legislature for the operation of the board—albeit the board itself is an independent body created by statute, operating pursuant to the statute—I would, firstly, be less than human, and secondly, less than diligent in the performance of my duties had I not reviewed certain matters which over the years had occurred to me, and made due inquiry into them.

That I did, and one of the matters that concerned me had to do with appeals. Of course, the question of appeals to the court is something which is from time to time expressed by those certain workmen—shall we say, people in the work force covered by compensation—or expressed by their representatives. Then it gets expressed by students of law, but, not necessarily to the extent that their views are right.

There is such a thing, and we will not get

into the technicalities of the natural right of appeal to the courts, which exists in any event in certain circumstances. But in the sense of the operation of the board, and in the sense that the average man understands this, there is no basic appeal to the court. That is specifically provided in the original legislation. This matter is of interest now not only to students of the law and those who practise law, I think it is of general interest to the public at large.

There was a reason, of course, for taking away the general right, or basic right in the laymen's sense, to which I make reference—this right of recourse to the court. Having taken away the right to sue, which was a common-law right to sue, in exchange for that sacrifice, an injured workman or someone entitled to compensation under the Act was given the right of continuing an indefinite, unlimited treatment; the right to adjustments in his pension; the right to the reopening of his case—all matters which, if the matter were under the common-law rule, as it was prior to 1914, then on any settlement or release, and the end of the lawsuit would terminate his claim for all time.

Therefore, not only the two essential and major factors that those entitled to compensation received when the legislation was first brought in, in 1914, had to do with the unlimited right to have their cases reviewed or reopened, or to have further medical treatment or such other treatment as was required, continue indefinitely. Similarly, there was no question as to his contribution, or any contributory aspect, if I might make reference to contributory negligence as I think most people understand it. This was then not applied.

Following the Middleton report came the Roach report. There recently has been one other report, and this I think is of some interest and importance. I want to draw it to the attention of the members of this House, because it had to do with a similar judicial review into the subject of workmen's compensation. It was directed by the government of British Columbia. That investigation was conducted by Mr. Justice Tysoe.

I am not sure whether he is of the trial division or the appellate division of the British Columbia supreme court, but in any event, prior to his elevation to the bench, he was widely known across this country as an expert in negligence and claims and matters pertaining to accidents, disabilities and things of that sort. Approximately at the end of last year, Mr. Justice Tysoe made his report to the government of British Columbia.

Mr. Chairman, if I might digress for a moment and state what the present situation is with respect to the procedure in the Ontario workmen's compensation board, I think it might be well. In any event, I would like to state it for the record.

During the past year-and-a-half or two years, certain changes have been made having to do with appeal. The present situation operates, and this is what is called the appeal structure. I hold up and demonstrate to the House, a short chart which has four levels involved. Actually, while it deals with four levels, I will read them to you so that the record may be clear and it may form the background and be helpful to further discussion in this debate.

Mr. Chairman, I am now referring to the present operation of the Ontario workmen's compensation board. The first level deals with administrative departments, and that is the heading. So the administrative departments are defined as the assessment branch, claims branch, medical branch and rehabilitation branch.

Those departments make initial inquiries and investigations; they also make decisions. Then, still at the same level, the first level, a letter is sent to the claimant, who has suffered an injury, advising him of the decision of the board at that level—in other words, at the claims level. The letter also includes a paragraph which states to that man or that workman, as the case may be, the appeal procedure which is available to him.

That, in very short and simple terms, is the present first level of operation.

Then we go to what would be an appeal from that decision. If this were an insurance company—but it is not, therefore maybe I should not make this comparison because I do not want to get into that area. In any event, an adjuster or a claims man on this operation, works through the basic structure of administration of the board, which is communicated to the workman and then, if he wants to appeal, it is set forth in writing what the procedure is for that appeal. That then takes us to the second level which is entitled a review committee.

The review committee does not hold hearings. I point this out to you and I underline it: It does not hold hearings. It may order inquiries and conduct investigations, and it also makes a decision. Once again, there is a letter advising of the review committee's decision, and the procedure involved if there is to be any further appeal.

I comment and underscore again the fact that at this review committee level, there is no hearing. It is a matter of review of the documents, and the right to order further inquiries and further investigation. Really, even though it is called the second level of the review and is called a review committee, it really is the first step in the appeal procedure.

The next step is called the third level which is the second appeal step in the procedure with respect to appeals and this third level is called an appeal tribunal. This appeal tribunal is a very important matter from a legal point of view because it may hold *viva voce* hearings or, in effect, may very well be compared and described as having the capacity and the authority to hold a *trial de novo.*

This is an important distinction between the first right of appeal where a hearing is not held, but this level being the second appeal level, it does involve the right of a *trial de novo* or the equivalent, where representations are permitted. Eventually a decision comes from that body. Similarly, the claimant is advised of the decision and with further advice in that communication, as I am informed, leading to the final appeal which is to the compensation board itself.

The board may order inquiries and investigations, refer the matter to a medical referee and hold hearings and, of course, in duty bound must make a decision which is a final and binding one.

I have taken the time to go through this structure because it has occurred to me and it has occurred to others that the so-called second and third levels really should be described as the first appeal and the second appeal, the final appeal being to the board.

I wanted to describe that in those words, in order that I could then look to the words and the description of this situation which comes from the mouth and from the pen of somebody who is not connected with the province of Ontario but who is familiar with compensation insofar as it applies in the whole of our country. I now turn to part of the report of Mr. Justice Tysoe, in which, on the first page or two, he summed up his terms of reference and general matters of that sort, and questions of appeal from decisions relating to claims by workmen or their dependants. He went on to make these remarks which, when I read them, occurred to me as being of a significant nature.

I quote from the report of Mr. Justice Tysoe of some two or three months ago reporting on his inquiry and commission with respect to workmen's compensation in British Columbia. After he outlined the problems that faced him and his reference in British Columbia, he said:

> The Ontario board has had to face many of the same problems as the British Columbia board. Realizing defects existed in it, the Ontario board recently reconstructed its review or appeal structure. Here is the new structure—

Then follows a chart in some detail outlining the four levels of administration in Ontario as they currently exist in the Ontario workmen's compensation board, to which I made reference a moment or so ago and which I summarized. I continue to quote Mr. Justice Tysoe's words:

> Under this setup the assessment, claims, medical and rehabilitation departments make the initial decisions on matters coming within their respective spheres. If the decision at claims department level is unfavourable to a workman, the department is required to notify him by letter with the reasons why his claim has been disallowed and with full information as to his rights of appeal to the review committee.
>
> The members of the review committee are appointed by the board of commissioners. The committee is provided with an appropriate secretarial staff. The review committee does not hold hearings in the accepted sense of that word—

I digress to remind you that I distinguished at first level between the first and second levels of appeal where, in the first instance, there was no hearing at which the workman was present. That was provided for in the second appeal provision. I continue:

> It is, in essence, an investigative body which considers all the evidence on which the claims department acted, and any new evidence that may be presented to it, together with the result of such further inquiries as it thinks may be required to produce "the truth, the whole truth, and nothing but the truth." The committee exists to ensure, as far as possible, that justice is done.
>
> As I understand it, it is not under any duty to give reasons for its decisions. Those decisions are communicated by the secretary of the committee to all parties concerned with full explanation of the right and procedure of appeal.
>
> The members of the appeal tribunal are likewise appointed by the board of commissioners.

He is still referring to the Ontario workmen's compensation board.

The personnel are first: 1. A chief of the tribunal; 2. A deputy chief who will act as secretary; 3. A legal member, and 4. A medical member.

A quorum of the tribunal is three. The chief of the tribunal designates the personnel for each hearing. Hearings are *viva voce* and if any oral evidence is given it is given under oath.

All parties have the right to present arguments. The tribunal has power to compel the attendance of witnesses and the production of books, papers, documents and other things. It may cause further investigations to be made. The board has laid it down that the purpose of a hearing by the appeal tribunal is "to arrive at the true facts with respect to the matter being adjudicated and the decisions of the tribunal shall be upon the real merits and justice of the case and the tribunal shall not be bound to follow strict legal precedence."

I think that a hearing before the appeal tribunal may be said to be a combination of review and appeal. It is not a retrial in the legal sense of a contest in which each of two sides presents witnesses to support its case and to answer the case of the other with all evidence subject to cross examination.

Nevertheless, I understood that the tribunal will when it feels that justice requires it, compel the attendance of a particular witness and require him to give his evidence under oath and to submit to cross examination.

Reasons for judgment must be completed by the tribunal with respect to each adjudication and, in the event of a dissenting vote, the dissenting member of the tribunal must state his reasons for the same in writing.

The parties to the matter dealt with by the tribunal are advised in writing of its decision and of the reasons for judgment. The parties are not advised that a further appeal may be taken to the commissioners of the board, although such an appeal is competent.

I have described the Ontario appeal structure and the procedures thereunder in only a general manner but in sufficient detail to enable the reader to have a fair appreciation of the scheme or plan.

I think I should point out two things of some importance. One is that no member of the review committee and no member of the appeal tribunal has any other duty than to act on and as a member of the committee or the tribunal, as the case may be. In other words, in each case it is a full-time job and the person's whole attention is given to it.

The other is that the administrative department concerned must make its own decisions without any help from any member of the review committee or the appeal tribunal. Thus the members of those bodies are left completely free and untrammelled and when they come to deal with a matter, they are able to approach it with an unbiased mind.

Then he continues and says, and I will simply commence to give you the spirit of his report:

> I recommend that the board of review [that is, in British Columbia] be reconstructed, and that if it is necessary to employ further staff to do what I recommend, such additional staff be employed. The membership and quorum should not be less than three and one member should be a well-qualified lawyer, one a well-qualified doctor.

This is where he starts to copy the present Ontario system. Rather than summarize this, I would like to go on with this other paragraph so that you may hear it in exactly the way that he wrote his report:

> I think that in the interest of impartiality the members should devote their whole time to the business of the board of review. Under no circumstances should any member of the board of review be available to consultation concerning a pending claim by any other member of the staff of the board.
>
> The powers and duties of the board of review should include the fullest power of investigation to get at "the truth, the whole truth and nothing but the truth" of the matter before it, and full discretion to determine the procedures in each individual matter.

He goes on and he talks about the dissenting member, and giving his reasons in writing, and so on. But the sum total, if you would permit me to shorten my further comments on this point, Mr. Chairman, is that he recommends what we regard as the first and second areas of appeal—called the second and third levels in my earlier description of the existing process in Ontario—be consolidated into one, and that the single effort be a combination of our second and third stage.

In effect then, his report on the appeal procedures was to reduce, by one step, his recommendations as to what should be done in British Columbia.

**Mr. V. M. Singer** (Downsview): Is that a good idea?

**Hon. Mr. Rowntree:** I am not sure, I think it is something that probably has some merit. On the other hand, I like to see the present situation continued, having in mind the volume of claims that exists in a province the size of ours and based industrially as it is. You will be aware that before a claim can be paid, it must be compensable in its nature. In other words, basically and without attempting to generalize, incidents have occurred in the course of his or her employment.

There are many incidents which might be the subject of a subsequent claim, or might not be, and those incidents run at the rate of about 1,000 a day. There were some 360,000, I believe. In 1965 there were 359,000 incidents alone that had to be reported pursuant to the terms of the Act, and notes made and files opened on them. This has advanced in 1966—I do not know if members in the official Opposition wanted these figures or not, but I know the New Democratic Party members are listening attentively—and I shall give the estimated figure for 1966, which appears to be some 390,000.

Against that number of claims, the subsequent number of compensable awards that are made and the number of inquiries alone, let alone appeals, I think justifies the present system that we have. I have had no report or suggestion that the stages in the process of awards and the right of appeal be narrowed from what they are at the moment.

Mr. Chairman, in completing these remarks at the opening of this debate—

**Mr. S. Lewis** (Scarborough West): Might I ask a question, Mr. Chairman?

**Hon. Mr. Rowntree:** I would like to complete my remarks, if the hon. member pleases.

**Mr. S. Lewis:** All right, I had just a very brief question.

**Hon. Mr. Rowntree:** I would like to complete my remarks. Thank you, Mr. Chairman.

Subsequent to this, there were a number of changes taking place at the board. Mr. Sparrow, the chairman, you will recall, retired in December, 1964, or January, 1965. He was succeeded by Mr. Bruce Legge. The present compensation board is made up of Mr. Bruce Legge, chairman; Mr. John Cauley, vice-chairman; Dr. Earl Steele, as medical commissioner.

Certain changes in procedures have been made following Mr. Legge's appointment. At the end of the first year—being at the end of 1965—of his tenure of office, it seemed to me that the time had come when it was desirable for us to have the third judicial review of this legislation. Accordingly, in February of this year I took the first steps to secure the consent of Mr. Justice McGillivray and I went through the required protocol. As you know, Mr. Justice McGillivray has been appointed as a commissioner to hear submissions and inquire into matters.

Might I read to you—and I think it is important that this be in the record—the terms of reference of the order-in-council appointing him. I am reading the words of an order-in-council approved by His Honour, the Lieutenant-Governor dated June 14, 1966, and I quote:

> Upon the recommendation of the hon. Minister of Labour, the committee of council advise that, pursuant to The Public Inquiries Act, RSO 1960, chapter 323, the Honourable George A. McGillivray, a justice of appeal of the supreme court of Ontario, be appointed a commissioner to inquire into, report upon and make recommendations concerning The Workmen's Compensation Act on subjects other than detailed administration.
>
> The committee further advises that pursuant to the said Act, that said commissioner shall have the power of summoning any person and requiring him to give evidence on oath and produce such documents and things as he deems requisite for the full investigation of the matter into which he is appointed to examine.
>
> Certified as a true copy of the order-in-council.
>
> *Signed,*
>
> J. J. YOUNG;
> Clerk of the executive council

I might comment about that, that the wording of this reference is in exactly the same form and content, word for word, as was the order-in-council appointing Mr. Justice Roach and similarly Mr. Justice Middleton.

That, I thought, Mr. Chairman, would be of some interest to the members of this House and at this point I would have no further comment.

**Mr. S. Lewis:** Mr. Chairman, might I ask my question before the hon. leader of the Opposition? I simply wanted to ask the Minister when it was precisely that Mr. Justice Tysoe was in Ontario, just out of curiosity.

**Hon. Mr. Rowntree:** I do not have those dates when he was here and I have no knowledge of the total extent of inquiry, but his report came in, and it was during the summer of 1965 that he spent some time in Ontario.

**Mr. S. Lewis:** The summer of 1965?

**Hon. Mr. Rowntree:** 1965, yes.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, one of the things that a House leader usually epitomizes is that he has an attitude of playing the game and I may say that, from other hon. Ministers who are on the front benches, we have always found that they will let us know ahead of time when something is coming up.

Tonight, for example, we turned to the hon. Minister of Public Welfare and we asked him, as we do informally, whether The Department of Public Welfare estimates would be coming after these estimates. It was the understanding that they would be coming at that time.

Now, some of the other hon. Ministers have been polite enough in the recognition of the role of an Opposition that they have always informed us ahead of time. From this hon. Minister, who has also the added responsibility—

**Hon. Mr. Rowntree:** Mr. Chairman, this is a personal attack.

**Mr. Thompson:** Also, I am replying to a personal attack. He also has the obligation of being the House leader. I may say that time and time again, we have been strained, but we do not get into the same kind of mood that he demonstrates—

**Mr. Chairman:** I would suggest to the leader of the Opposition that we are dealing with workmen's compensation.

**Mr. Thompson:** I would say, sir, we are dealing with workmen's compensation.

**Hon. Mr. Rowntree:** I would like to correct one thing.

**Mr. Thompson:** May I say that I have the floor and you can ask your questions after.

**Hon. Mr. Rowntree:** On a matter of personal privilege, Mr. Chairman.

**Mr. Thompson:** There is no such thing.

**Hon. Mr. Rowntree:** Oh, yes there is. I gave notice of this order on Friday and I also—

**Mr. Thompson:** Mr. Chairman, if he does not want to—

**Hon. Mr. Rowntree:** —and I also had the Chairman—

**Mr. Thompson:** —abide by the rules and shout and yell—so often we have to deplore the example that he sets. The House leader on other occasions has given us no warning, and on other occasions he just throws out in a coy and sly way, "I will bring in my workmen's compensation at some point," never saying specifically when at all. The hon. member for Etobicoke was in the House and because of a pressing commitment had to leave, after we had learned that the hon. Minister of Public Welfare understood he would be bringing up his estimates. Then, immediately that he has left—

**Mr. J. H. White** (London South): Mr. Chairman, is this in order?

**Mr. Thompson:** The same situation developed where the Minister of Labour gets up—

**Mr. White:** Mr. Chairman, on a point of order.

**Mr. Thompson:** —with a prepared statement, Mr. Chairman—let me emphasize a prepared statement, given to the press. In other words there had been a lot of forethought in developing what he would bring up this evening. He stands up with a prepared statement, having seen the hon. member for Etobicoke leave.

**Hon. Mr. Rowntree:** I learned that from you.

**Mr. Thompson:** As soon as the hon. member for Etobicoke leaves, then he reads this out.

**Mr. Chairman:** One moment please, the member for London South has stood in his place on a point of order. I would suggest to the hon. leader of the Opposition that what is before us now is the workmen's compensation and I would suggest to him that he deal with this, if he will, at this time.

**Mr. White:** Mr. Chairman, the House leader told us on Friday that workmen's compensation board would be used as a filler. This is Monday, so obviously that notice was given very close to the actual event.

May I point out also that as we get to the end of the session, and as the number of items on the order paper becomes fewer, it becomes essential to use small-balance items, to fill in time remaining such as this.

I think this attack on the hon. House leader is entirely unwarranted.

**Mr. S. Lewis:** On a point of order, Mr. Chairman, I was referred to by the hon. House leader, I take it in an amicable way because I am interested in the board, and we will get to that. But I did approach him at 6 o'clock, and I was left distinctly with the impression that workmen's compensation would not arise tonight. I so informed my colleagues, and I made a point of asking him, having seen the chairman, whether that would be the case.

So, although I am not terribly exercised about it, because I suppose that is part of the political game, I suggest to him that he is stretching the rules beyond those which apply for a House leader.

**Hon. Mr. Rowntree:** Mr. Chairman, just so the record will be clear, about a quarter to six the chairman of the board came up to the House and was here in the chamber.

**Mr. Singer:** What has that got to do with it?

**Hon. Mr. Rowntree:** I could not answer my hon. friend who has just spoken because we were trying to ascertain whether the members of the board itself and the staff could be secured to come, in the event that the University Affairs estimates wound up.

**Mr. Singer:** Mr. Chairman, on a point of order, may I say that at about 20 minutes past 8 tonight, I sent a note to the hon. Minister of Public Welfare and I said, "Are your estimates on next?" His reply was to shrug his shoulders and throw his hands out. He, himself, did not know. I say this, sir, the fact that the chairman of the workmen's compensation board was in the House at a quarter to six is of absolutely no significance. I would warrant a guess that he has been in the House a dozen times in the last month, and just because he happens to walk in and sometimes sit in this chamber, really has no bearing on whether his estimates are going to come here or not.

**Hon. Mr. Rowntree:** The hon. member for Scarborough West saw him.

**Mr. Chairman:** One moment, please. I would suggest that all members speaking to a point of order have actually been out of order. There is nothing before this House at this particular time, but the workmen's compensation debate. If you will discuss that please.

**Hon. Mr. Rowntree:** There is not even a vote.

**Mr. S. Lewis:** Mr. Chairman, on the workmen's compensation board, now that I am properly exercised, I would like to make some comments, which were going to be calm and might now be vigorous. I must say that one has to develop a certain temerity even to venture mild criticism of a board of such perfection as has been described by the hon. Minister, because I cannot imagine—

**Mr. Chairman:** Will you excuse me, I believe at the time you stood in your place on a point of order the leader of the Opposition was speaking, and I yielded the floor to you.

Have you finished?

**Mr. Thompson:** No, I have not. Thank you, Mr. Chairman.

I may say, sir, now that we have certainly tried to establish, in as reasonable a way as we can, our protest at the manner in which the workmen's compensation board was presented, I would now go on to speak, if I could, about some of the things that concern me with respect to the workmen's compensation board.

I want to bring it down, as the hon. Minister, I think, likes to bring these things down, not to statistics, but rather to the human element. I have studied, as others have, the origin of the workmen's compensation board, the background of this great social legislation, and I say without reservation that when the workmen's compensation board was developed in Canada, it stood out in my mind as a pillar of social legislation in its idea of giving protection to the working man, with the idea that there would not be long delays in courts and so on, with respect to compensation.

But I also agree that over a period of time there should be reviews taking place and I for one—even though I admired the origin of the workmen's compensation board, as I see it at a grassroots level, if I could use that term, and some of the significance of the workmen's compensation board on the working man—have found that there has been a need for reassessment of this board. The first thing, of course, that has concerned me is the fact that the rate of compensation seemed to me to have been a tough one, a harsh one, for a large number of people. I appreciate

that last year there was going to be an examination of this, but as we look at the cost of living, I still maintain that some of the cases that I have found most heart-rending are those of the men who have suffered, and may I say I believe through no fault of their own, some type of accident, and who have a keenness for work and have a dignity in work and provide for their families, but have an inability to work.

I ask what has really happened to them through the workmen's compensation board. They answer that, "We are told, 'Go out and get light work'." I am speaking mostly of newcomers who have come to Canada, from my own riding.

First of all, in a number of cases, they cannot get light work. It is not available for them.

Secondly, being unable to get work, they are trying to subsist, and I use that word purposely, on a very small margin of income. In a number of cases that come to my own office in my riding, they would explain that their wife is trying to work in desperation, that they are blighted because there is not light work for them.

I think of a man who was scarred by a flash fire, had his eyelashes and his eyelids burned, and suffered an inability to work where there was light. He was told "Get out and get light work," and was unable to get it even though at one time he hoped he could sweep the parks, or something. Because of being unable to get it, he still subsisted on what I thought was a shocking amount of money to be given to any citizen, particularly one who was injured.

That is my first point: On the amount of money that is given for compensation, I think we have got to have a constant review of this. I realize as well as what the hon. Minister says, that this is not on an insurance principle; it is for a man to come back again for the amount he is getting to be reviewed. There has been a humanitarian approach as well from the number of letters I have written myself, as other members have, so that in a reconsideration and a review of cases, there has been an upgrading for these people.

But there has always been this question in my mind: What about people who do not know me? And I say, as I am sure any member would with candour, that there are many people in my riding who do not know of my services to defend them or to take up their case with the workmen's compensation. I get a number of them, but there are many who, I am sure, do not know that they could come to me.

Again I am thinking of newcomers. To them this is a most bewildering maze. They have a great fear of officialdom, and they will take exactly whatever message is written to them or dictated, especially if it is given in the most humane manner. They do not understand completely that if they come back again to workmen's compensation, they can go through these four steps with a review of their situation and, therefore, they accept just the first judgment.

The next thing I would like to talk about which has concerned me in workmen's compensation, is that I feel we have an obligation to a man who has been injured, rather than just to say that he can go out and get light work, to retrain that man to make him again a resourceful and creative person in the community. Once again I want to say to this Minister—I think it was last year when he started to look hard at the rehabilitation services, and gave emphasis to this—that I think we have got to have far more emphasis than the rehabilitation services, and I speak from my own small experience of people who come to my riding.

There are situations where they would like to have the choice of retraining. In some cases I think there is a magnificent job done by the rehabilitation centre of the workmen's compensation; certainly as a layman looking at some of the medical treatment that is given to help people to get them back on their feet again, I know of a couple of cases where no expense worried the rehabilitation centre at all. The man had to get the very best treatment and it was a dedicated group that was working with him. He spoke most highly of this.

On the other hand, as far as getting training for this man, I feel there is a real gap there. There were a number of these men who have come to my office, who have been told to get light work, when I think they should have been told, "We will try to help you, to retrain you." A man with damaged eyesight, for example, we might make into a telephone operator or put into some other area such as this.

To me, sir, these are the two main criticisms that I had of the workmen's compensation. I notice in reading the debate of March 22, 1966, that there was emphasis on having a Royal commission to look at the whole setup of the workmen's compensation work. The Minister has said that this had been done in 1950 and had been done before. Periodically

it is a good thing to do. This was the basis of the plea of my party, that it is time to do it.

The hon. member for Etobicoke had taken certain angles with respect to workmen's compensation. I emphasized those two others which I think he underlined as well. I emphasized the points about the rate of compensation and the need of rehabilitation of a man so that he can still live a fruitful life. Therefore, sir, I am delighted that we are having a Royal commission to have another re-examination and a reassessment of the work of the workmen's compensation because I am convinced that such a reassessment is vitally needed.

**Mr. Chairman:** The member for Scarborough West.

**Mr. S. Lewis:** I have cooled off again, Mr. Chairman, so I shall be very temperate in my views. I do want to emphasize, or re-emphasize, that one does wonder about this board when it is paraded by a group of luminaries, all of them commending the board for its procedures and its protocol and, I suppose, in large measure, it must have been justified.

I would point out about Mr. Justice Tysoe, though, that if he was here in the summer of 1965, with the greatest of respect possible to the man, the new appeal procedure did not start until March 31, 1965, and there was very little evidence on which to base a judgment of its effect other than the effect in the written structure. We know a little more about the internal review procedure which began in March, 1965. We have some figures as to its effect and, most important of all, we have the report of the representatives of the injured workmen to the new procedures. It is that response and those figures that I want to put on the floor of the House tonight.

Might I say by way of preamble, Mr. Chairman, that I first became interested in some of the specifics of the board—apart from being a member of the House and referring cases and having them come to me—when it was conveyed to me this delightful fact about the telephone monitoring system which the board contemplated using. I have no idea whether subsequently it is in use, and I have no doubt that the primary motive—putting the best possible interpretation on it—was for training rather than thought control or voice control.

Nonetheless, Mr. Chairman, I would say that that in itself was an interesting kind of reflection on some the couples within the board in the new administrative procedure, that it became necessary to move to this extremity. No one can suggest to me that a telephone monitoring system in a government commission is not an unprecedented thought. Certainly it was the first time in the history of this government, that I am familiar with, that such a thing was undertaken, albeit Bell Telephone and some of the major business concerns do use it. I do not want to belabour the telephone monitoring system, I just point out that that is when it came to my attention.

Subsequently, in the process of making some inquiries I found that the once proud workmen's compensation board is seriously dropping in reputation among those it was designed to serve. I am going to put some very concrete evidence on the record before I am finished to show that that is true. I think that the basic philosophy of the board has shifted in the last 15 to 16 months, from March, 1965 to June, 1966—shifted from a compassionate flexibility, from what I think the present chairman described as "justice with humanity," to a much tougher rigidity in its appeal system and in its approach to the injured workmen, and this has caused much concern.

Part of this, Mr. Chairman, has taken place at the board, if I may say, with some merriment, even some disbelief. I cannot comment on the total morale of the workmen's compensation board. I know only certain isolated members. But they do feel, and they reflect within the board, a feeling that The Department of Veterans Affairs is what now guides the motive power and emphasis of the board—not the original principles of workmen's compensation—and that a new military spirit, as it were, has infused the board.

The board is popularly known among its employees, I wish to inform the Minister, as the officers' club. Whether the officers' club was a result of the 13 new appointments announced in July, 1965—many of the appointments having a very distinguished and yet reputable military background—or whether it was because the procedures seem to align themselves more with The Department of Veterans Affairs than what the board people had known to prevail before March, 1965, I am not in a position to say.

There are some tales, and I do not want to reveal all of them in the House. Some are rather amusing, about the shift in emphasis and certain military preoccupations, and the writing out of name tags for the

Queen's dinner, when she visited this province, and other things that members of the board were involved in.

These external appointments, Mr. Chairman—and it was an inordinate number of external appointments, and I think it was the hon. member for Bracondale—correct me if my memory fails me—that talked about the extraordinary jump in the number of personnel at head office.

**Mr. G. Ben** (Bracondale): Ten per cent.

**Mr. S. Lewis:** Ten per cent was the figure he revealed at the time.

**Mr. Ben:** And one per cent in hospital and rehabilitaion.

**Mr. S. Lewis:** And one per cent in hospital and rehabilitation, which is a significant change. This extraordinary jump in the numbers of outside personnel brought into the board, necessitated a very great internal shifting.

In the answers to the questions which I placed on the order paper, and which were subsequently given to me by the Minister, it was implied that these internal shifts were promotions. Mr. Chairman, they were not promotions in other than salary; they were lateral shifts in position, and I am prepared to take the names, except that it would be an abuse of the House's time, but if I am forced to, I will. I will take the names one by one, every single name on that list, and show that the people who were moved from within the board were moved in a lateral way and that the real promotions were the people who were brought in from outside and account for this extraordinary increase, and I think for some of the change in atmosphere.

Indeed, it was inevitable the atmosphere changed because a quite unusual turnover occurred at the board, and some very prominent people have gone. It was fortuitous, to say the least, that the two leading doctors of OMSIP now were formerly the two leading doctors of the workmen's compensation board. I suppose that is just fluidity within the civil service as it were. Nonetheless, it was an interesting shift, and there have been others. It was very fortuitous for OMSIP because Dr. Douglas and Dr. Alexander have no peer in the capacity to administer programmes of this kind.

**Hon. Mr. Rowntree:** I do not understand some of the names you are using. I did not hear you mention Dr. Johnston—I thought he was one of the doctors who went to OMSIP.

**Mr. S. Lewis:** I am sorry, did I say Douglas? I meant Johnston and Alexander. I think indeed there was a third who went to OMSIP; not that that is in itself significant, but as part of the changing internal staff pattern which has characterized the last 15 months and which leads to certain other things that I am about to put on the record, I think it has significance.

**Hon. Mr. Rowntree:** Mr. Chairman, might I ask the hon. member if he wishes to complete his statement before any comment on any of the points is made?

**Mr. S. Lewis:** I would appreciate the opportunity to do that.

**Hon. Mr. Rowntree:** Then that would be subject to any of your remarks being rebutted.

**Mr. S. Lewis:** I would assume that the hon. Minister would want to rebut my remarks.

**Hon. Mr. Rowntree:** You would not want to convey an inference that was wrong.

**Mr. S. Lewis:** No, I would not want to convey any incorrect inferences, Mr. Chairman.

I would suggest that the shifts—and I want to make clear that they are not only the specific shifts—in new personnel brought in, the inordinate increase in numbers, the lateral shifts of the old board staff, the moving out of some of the most prominent and worthy and reputable people of the board, all introduced a certain confusion and uncertainty. It was interesting that, coincident with all of this, the claimants and their representatives began to feel a certain frustration and all of that, again, was tied to the new review procedures, these appeal procedures that we have heard so much about tonight, the perfection of which has been applauded to the skies, and I think that is basically how one makes a judgment on the board.

Admittedly, the vast majority of cases are simple and direct. You have an injured workman, the injury is compensable, the claim is made and the claim is allowed. But the operation of the board, whether it is compassionate or rigid, is judged, I suggest, in the way in which it treats the contentious cases, and I want to say, Mr. Chairman, with great respect to the chairman of the board and to the Minister, that the new appeal procedures have introduced a new rigidity, at least in

the minds of all those who are equipped to use them, and that that in itself merits a Royal commission, or any other kind of inquiry that might be thought of.

Before March, 1965, Mr. Chairman—if I can take the time of the House, since the hon. Minister did—I remind the House that the appeal procedure was rather more simple. There was the claim which internally and informally was accepted or rejected and there was very great informality in the conveying of information. Then there was an appeal to the review board directly, from the review board directly to the compensation board, and the general consensus was that there was a good deal more flexibility in that arrangement than in the six pages it takes to explain the precise administrative procedures of the present appeal approach.

The answers to the questions I have put on the order paper, I think in some small measure demonstrate that. Let me put those implications to the House. The number of cases appealed to the review board in 1964 was 1,123. Between March, 1965 and January 31, 1966 there were 2,589 decisions appealed; 533 of them, or 20 per cent were changed; further inquiry was ordered in 985, making a total of some 3,574 cases for that period. If one can add a rough fifth for the last two months for which figures were not then available, you have roughly—and this is rough—in the vicinity of 4,300 cases which were appealed in a similar period one year later, which is four times the number of appeals after the new appeal system was introduced.

That ratio of four times the number of appeals also applies to the appeal tribunal and, I am told, applies in rather greater extent to the workmen's compensation board itself.

One of the standard arguments in replying to this kind of expression that I have just given, is that now people are informed of their right to appeal. But the fact is that it was not only a cardinal procedure of the workmen's compensation board before March 1965 that the claimant should have a right to appeal, but it was fully understood throughout the trade union movement by the innumerable seminars which were addressed by workmen's compensation people at the various union councils and conferences that were held at various places through the year. I suggest to you that it is the formality and the procedural attitude which now makes things more difficult rather than the formal indication of review.

The real reason for the increased number of appeals and the increased number of challenges lies in the dissatisfaction of the representatives, as I have said. I was surprised to hear the Minister say that nothing has come to his attention in the last while which would seem to express some concern, because I was of the understanding—and I will read some of it into the record—that a committee of the building trades was in to see the Minister and the board asking some questions about the appeal procedures, that there were teamsters in Windsor who sent a telegram, that there were the railway running trades, and I know that retail wholesale workers are concerned and I know that portions of CUPI are concerned, and that the steelworkers, who are, I think the Minister will have to agree, a very responsible union, were so concerned at what has happened to the workmen's compensation board that in February of this year they sent the following instructions to all affiliated local unions and, Mr. Chairman, this is absolutely unparalleled in the history of the board. Never has the trade union movement, which has supported this board thoroughly through the years and been very excited by the way it has developed compensation in Ontario, been reduced to this and I want to read what the steelworkers sent out:

> Since the administration of workmen's compensation has been changed and is now in the first stage of a legal adversary system—

Now the chairman will deny that and the Minister will deny it, but I say to you, Mr. Chairman, that that is what this part of the trade union movement genuinely feels.

> —of a legal adversary system, the following procedures must be carried out. This is necessary so the membership can be intelligently advised as to their rights and in order that the necessary information can be prepared for their appeal.
>
> 1. All rejected claims to be appealed directly to the chairman of the workmen's compensation board regardless of the basis for rejection.

Never had that been suggested within the trade union movement before.

> 2. The workman shall demand a complete report of all evidence presented in connection with his claim and this evidence must be complete in every respect and not a summary.
>
> 3. Upon receipt of the report, immediately take the medical portion direct to the doctor to ascertain the reasons for his

stated medical opinion and request further examination to be assured by the doctor that there is absolutely no casual relationship between the disability and the accident. Again, contact the board by letter and insist on complete evidence upon which the board's decision was made.

And then there is some descriptive material in the same letter which I want to put on the record:

The Ontario workmen's compensation system was designed to prevent any allowance of claims based on pressure or through fixing. The employer must agree that the accident did happen or the preponderance of evidence obtained by the board must show that the workman met with an accident as defined by the Act. The doctor's report must set out the medical opinion showing a casual relationship between the disability and the accident and the man must attest over his own signature the facts concerning the accident as set out.

The representatives could obtain information without seeing the file from board members or from senior staff in whom they have trust so they were in a position to properly advise the workman what was required for him to show entitlement to benefits. This access directly to the board by appropriate representatives built a mutual trust between the workmen, the employer and the board. Under the new system, calls and inquiries are directed to a staff member who is generally unable to supply the information to properly advise the workmen, leaving the representative no other choice but to advise the workman to process his appeal.

Appeals were always speedy and informal. We can see very litle difference between the new system and court procedure.

I emphasize that—"and court procedure." The man almost requires a lawyer to interpret the appeal tribunal decision and he needs more than a lawyer, he needs an informed medical practitioner.

The letter goes on to make the request that all the things be appealed so that justice could be done and it ends up:

The new system appears to us to be a complete transportation of The Department of Veterans Affairs procedures to the workmen's compensation board.

That was from the steelworkers, Mr. Chairman.

Then in March, 1966, the provincial legislative board of the Ontario brotherhood of locomotive engineers sent out a letter to its provincial representatives around the province—again, an unprecedented act; the trade union movement does not behave this way. It has trust and confidence—or has had—in the board. The union officers say this:

On March 1, 1965, the Ontario workmen's compensation board introduced a new system of appeal from decisions of the claims department involving claims for workmen's compensation. This new system provides three levels of appeal for workers who have had a claim rejected. The three levels are: review committee, appeal tribunal, workmen's compensation board.

And then they give a chart. The key paragraph is this one:

Because there is a general feeling that the new system is needlessly complicated and time-consuming, most trade unions have opposed it. On February 28 last, national and provincial legislative officers of the international railway brotherhood met with the workmen's compensation board in an effort to bring about a change in the procedure.

And they mention the people who attended.

Notwithstanding our protests, the new system is to remain in effect. In view of this, I would advise all members to deal with rejected claims on the following basis.

And "the following basis" is roughly the basis that was alluded to in the letter from the steelworkers.

Mr. Chairman, this is a pretty serious matter. It is not serious simply because if the trade union as a whole starts challenging every rejected claim, the board will not be able to function adequately—that is obvious—so it is not merely serious in those terms. I think fundamentally it is rather more serious because certain important parts of the trade union movement and other representatives of injured workmen have lost confidence in the new procedures of the board, and had a very great confidence in the old. I cannot emphasize that overly. This is not a running battle, this is a complete shift in attitude.

There was a suggestion in the answers to the questions given me that there were no delays to speak of in appeals or that they were processed as quickly as possible, though I have before me from area representatives around the province of the steelworkers union, the number of weeks or months that individual claims have been waiting for processing as the backlog piles up. I will not read them all, but out in Port Colborne there are claims that are four months, five weeks,

four weeks, five weeks, five weeks; in Peterborough, nine weeks, 5½ weeks, ten weeks, twelve weeks, sixteen weeks; in Haileybury, fifteen weeks; in Timiskaming, nine weeks; in Saltfleet, seven weeks; and in Hamilton, nine weeks, six weeks, twenty weeks, nine weeks, eight weeks.

**Hon. Mr. Rowntree:** How many are there on the hon. member's list?

**Mr. S. Lewis:** All I have collected so far on these sheets are now coming in, from, I would say, about ten or a dozen locals.

**Hon. Mr. Rowntree:** How many do they total?

**Mr. S. Lewis:** I would say about 25 in total. I will send names and claim numbers, and so on, with pleasure. These were in the first very few days after the letter requesting information went out and I do not believe they are in any sense a complete compilation. And because the notice for this vote was rather brief, I simply did not get back to the individuals involved.

**Hon. Mr. Rowntree:** The member has been working on this debate for months.

**Mr. S. Lewis:** No, I have not been working on this debate. Mr. Chairman, I had this material ready the night before Easter—

**Hon. Mr. Rowntree:** Now the member says I did not bring it on, and when we did bring it on he objects about it. What a deal.

**Mr. S. Lewis:** We are quite happy to debate this material, but unfortunately it was to come up immediately after Easter, I recall, and a considerable period of time has obviously elapsed.

**Hon. Mr. Rowntree:** Now the member is complaining it is too soon.

**Mr. S. Lewis:** I am not complaining, I am quite happy to get it before the floor of the House, Mr. Chairman.

The complaints are not only increased in number, Mr. Chairman, they are also rather more refined, if I can put it that way. This business of requiring the worker to appeal in writing and giving him at the appeal tribunal level seven days in which to convey his request in writing and then sending him back a summary of the evidence—as far as I am concerned, Mr. Chairman, that is an infamous approach and procedure.

This may tickle the Minister's historical fancy but I was interested to learn that the original term "summary of evidence" was used in the instructions given by Torquemada to the Spanish Inquisition; that is where "summary of evidence" derives from historically.

The use of the summary of evidence in workmen's compensation cases I think is a pernicious one. My leader pointed out at the standing committee that summaries of evidence—this is when an injured workman wants to go before the appeal tribunal and try to fight his case—are highly selective at the best and that they frequently or they can—I will put it that way, I will not say frequently; as long as they can, the system is not valid —they can omit important information which works to the advantage of the workman.

I do not know who draws the line and I do not know what motives inspire it. But a letter came to our office—and it has already been referred to at the standing committee so I think it is fair to read it here—from Mr. Lane as the general counsel of the board, and it says:

> But I say that you do not understand our present system if you feel that information in the possession of the board which materially affects an appellant's case is not included in the summary of evidence prepared for the appellant.

We demonstrated without a doubt that there was evidence in the summary we had which was not given and which was in the appellant's favour.

> Such a summary of evidence is complete and without bias or favour.

How can a summary be without bias or favour?

**Mr. Bryden:** How can it be complete?

**Mr. S. Lewis:** Whose intelligence is the board insulting? What kind of absurdity is that "complete and without bias"—when, in fact, it is a summary and it is a selective process?

Frankly, Mr. Chairman, it is very serious because as it happens this particular case was won on behalf of the workman injured on June 15, this month. In large measure one of the important medical statements, one of the pieces of evidence which was introduced at the standing committee by the leader of my party on behalf of the workman, which may ultimately have affected the decision, was precisely that piece of evidence which was not included in the summary.

But it is worse than that, Mr. Chairman. The summaries are not only selective and therefore prejudicial, they are so complicated in medical terms that it is impossible for a

layman to know where he stands. I just want to read some of it into the record, I am sure the Minister will be able to explain it for me. I have a case summary of evidence of January, 1966, sent to the injured workman.

**Hon. Mr. Rowntree:** What case is this now?

**Mr. S. Lewis:** Well, the case number is claim 4413157.

**Hon. Mr. Rowntree:** 4413—

**Mr. S. Lewis:** 157. And I just want to read from the summary sent to the workman:

> Examination of left lower extremities reveals that he has good quads. There is evidence of slight weakness of the peroneal muscles as well as dorsal flexors of his foot and posterior tibial as well. He has definite decrease sensation particularly over the medial aspect of the joint line and distally where he had had previous skin grafts. He has decreased sensation along the L5 distribution and also along the S1 area. He feels that this decrease in sensation particularly over the lateral part of this leg has increased since the examination by Dr.—

and the doctor's name is left out.

> This is particularly true to light touch, pin prick and deep pressure. Vibration senses are all active and equal.
>
> I feel that there is considerable element of pain and weakness in his left leg likely due to the original trauma. This may be in the nature of muscle weakness or causalgia which is difficult to pinpoint or explain objectively. There is an element of low back strain with evidence of pain along the sacroiliac joint which could be possibly accounted for due to previous injury.
>
> Having not seen this man previously I do not know the extent of increased numbness and peripheral nerve root symptoms he is now having as compared to his past physical findings. He does have a definite decrease sensation along the L5 distribution and somewhat in the S1 area. Decreased sensation in the skin graft area and distally is quite obvious.

Interjections by hon. members.

**Mr. S. Lewis:** A summary of evidence no less, Mr. Chairman. Here is another one, claim 6444703—

**Hon. Mr. Rowntree:** Pretty thorough, it sounded to me.

**Mr. S. Lewis:** This is a fellow in my riding. I must say people who write these letters have a magnificent sense of humour. What an impishness must characterize the board.

> Enclosed you will find the summary of evidence requested by you in our telephone conversation of a few days ago.
>
> If, after reading this evidence you decide to appeal to the appeal tribunal, your appeal should be in writing and should contain any further evidence to support your case.

This very medically skilled chap—I think he is a carpenter, as I recall—received the summary of evidence and the key paragraph in the summary of evidence reads:

> X-rays showed a large amount of spurring of the lumbar vertebra. The L5/S1 disc was thinned and the IV foramina at this level were congested. There were also changes at L4/5. The spurring occupied most of the lumbar spine. Schmorl's nodes present in the upper lumbar spine. A diagnosis of lumbo sacral strain was made on the basis of old degenerative disc disease and osteoarthritis of the spine.

I think I say, frankly, Mr. Chairman, that is the key paragraph in this very short summary of evidence sent to the injured workman, on which he is to base his appeal.

I will read another, because I do not want anyone to think that I am picking exceptional cases. These flow into our office all the time, and I am sure that any other member of the Opposition, of whatever party, can demonstrate it.

But to demonstrate very easily one of the simple mistakes that can be made, or one of the difficulties, here is another case, claim 6483985, at present before the courts, or the board, as it were. The significant fact about the case which involved the possibility of lead poisoning, was that lead was present in 24-hour urine specimens in a concentration of 0.18 milligramme per litre. Then it says that 0.2 milligrammes per litre or more is said to be significant. In other words it is conveyed to the injured workman in a summary of evidence sent to him, that the level of lead in the sample was below what is considered to be significant, and on that basis he is to judge his appeal.

In our office we did a little investigation on the relationship of lead poisoning to urinary samples and found that you can have traces—and I will not read the learned document into the record—at a level of .1, which can be significant after certain circumstances. They relate to height, weight, to conditions, to all the other external factors and the physical factors of the man. But the injured

workman receiving this kind of summary with the clear implication, would have no idea what to do, would probably not appeal, would be thoroughly intimidated by the medical jargon, and again the system breaks down. After all, what we are supposed to be doing is providing fair and adequate compensation for the injured workman, not sending him summaries of evidence that are incomprehensible, and that tend to dissuade him from following his true and proper right, which is the avenue of appeal.

Again I say, Mr. Chairman, I shall not read more of them into the record, but the summary of evidence is there for a very serious misprocedure in two ways: first, because of the summary factor itself; second, because of the incomprehensibility to the injured workman.

I must say, Mr. Chairman, that again I disagree with the hon. Minister on his suggestion that files must remain absolutely secret, and more important than that, that all medical evidence must remain confidential.

**Hon. Mr. Rowntree:** When did I say that?

**Mr. S. Lewis:** Well, the chairman of the board—

**Hon. Mr. Rowntree:** Mr. Chairman, in all fairness, I tried to present background tonight without involving my own personal opinion, and that is why I quoted Mr. Justice Tysoe's report.

**Mr. S. Lewis:** You had better check it in tonight's *Hansard*.

**Hon. Mr. Rowntree:** We will, but the point of it is that you are putting words in my mouth that I never said, and I think you should withdraw, in all fairness—

**Mr. S. Lewis:** I will withdraw.

**Hon. Mr. Rowntree:**—in all fairness, because the relationship of the board to the Legislature through the Minister is one of the most unusual relationships to this Legislature of any board.

**Mr. S. Lewis:** You are quite right, Mr. Minister.

**Hon. Mr. Rowntree:** And this is why I said to representatives of the NDP, some many weeks ago, why do you not take this matter to the committee where you can examine the officials directly, and you turned it down.

**Mr. S. Lewis:** No, we went up.

**Hon. Mr. Rowntree:** No, it was subsequent to that, but you would not take that opportunity. You said, "No, we want to make you answer for the board."

**Mr. S. Lewis:** Mr. Chairman, we said two things. We were happy to take it to the committee and we did, and we asked for a subsequent hearing at the committee. The hon. member for Riverdale asked for another committee hearing, which was not held, and we also said that we would like to maintain the practice of bringing the board before the Legislature.

**Mr. D. C. MacDonald** (York South): For reasons that are rather obvious.

**Hon. Mr. Rowntree:** It is becoming obvious tonight.

**Mr. S. Lewis:** And the reason we wanted to maintain that practice, Mr. Chairman, is in the hon. Minister's mouth, because I am going to agree with him. I think the relationship of the board to the Legislature is tenuous in the extreme and warrants a complete reappraisal. I think that the hon. Minister should have a much closer control of the workmen's compensation board. I might say that in personal terms, Mr. Chairman, I would feel very much more at ease if the Minister of government responsible really had his thumb on that board.

I think that the relationship of the board to the Minister should be much the same as the Ontario hospital services commission to the Minister of Health, that in the final analysis the hon. Minister is responsible and it comes through in the normal course, and that we should not be in this ambivalent and ambiguous position of an Act which sets up a board, which operates, as it were, on its own, with its own procedures and its own autonomy and its own arbitrary Act of its wishes, and then can come into this Legislature and remove itself from areas of public criticism by the argument that the relationship is uncertain.

I say, make the relationship concrete. Make the Minister responsible. Nothing would make us happier on this side of the House than if that were true, and that is why we insisted it come before the Legislature, partly to make that very important argument about which we feel very strongly.

Now I will withdraw the attribution to the hon. Minister that he said medical files are confidential.

**Hon. Mr. Rowntree:** I think it is only fair that you do.

**Mr. S. Lewis:** Right, fair enough, and I do. I think it is fair to say—people can again correct me—that at the standing committee hearing, the chairman of the board made it quite clear that medical files were confidential. They were to protect the confidentiality for the patient, and so on. I had always assumed that was the reason for medical confidence, that it was the patient who was affected, and that therefore the patient, or the claimant in this context, if he wished to know the confidential material on himself, had every right to know it and that the board should not simply consult its own doctors, or other doctors, and then give summary of evidence quoting only one side of medical opinion. It is the claimant's prerogative and right to know the substance of the medical opinions which have been made of his particular disability.

Again, Mr. Chairman, the appeal procedure within the board itself, I question also on the grounds of independence. I am unable to see, as Mr. Justice Tysoe was able to see, that a board which is wholly self-contained, where someone higher on the echelon is always judging someone lower, is in fact an independent and impartial system of appeal. I think there should be some outside body. I do not think it should be totally contained within the board. I think that we should try to remove, at this stage in the board's development, the element of the adversary system which has crept in, and is in the minds of the trade union movement, and is doing incalculable damage to the proceedings and repute of the board. I suggest very strongly that the Royal commission which has been set up, be urged to consider not merely the Act as it operates in its broad terms, but the actual administrative procedures of the board, because that is what governs things, Mr. Chairman, and that is where the present impasse lies.

This is a good board fundamentally, and it is an excellent compensation theory and philosophy, and it would be very sad indeed if all that has been accomplished in the last 40 or 50 years were severely embarrassed by what his occurred in the last 15 or 16 months.

**Mr. L. A. Braithwaite** (Etobicoke): Mr. Chairman, I have a few comments that I would like to make in connection with the board.

I was at the same committee meeting that the hon. member for Scarborough West just mentioned and it was my understanding, after that meeting, that the board, and the officials of same, the chairman and other members, would once more appear before the committee and that we would have an opportunity to go further into the operations of the board and to question the chairman.

This evening, I was here about an hour and a half ago, and I was told by my leader and by others in the front row that so far as they knew the workmen's compensation board would not be discussed this evening, and that in all fairness they felt that as a courtesy, if it were going to be discussed, the hon. Minister would have replied to their notes to that effect, or some comment would have been made. So I must say, Mr. Chairman, some very pressing business kept me out of the House for about an hour and a half and when I returned I found that the Minister, without notice—

**Hon. Mr. Rowntree:** Mr. Chairman, I cannot stand and hear—

**Mr. Chairman:** I might remind the member that the chairman ruled out of order any discussion on the order of business in the House. What is before us now is the workmen's compensation board.

**Mr. Braithwaite:** If I may, Mr. Chairman, the Minister has made certain comments in connection with comments that I made during the estimates of The Department of Labour and I think it is only fair that I have a moment or two to comment—

**Hon. Mr. Rowntree:** I was just replying to your comments.

**Mr. Braithwaite:** Mr. Chairman, I would just like to refute some of the comments the Minister has made this evening. This is what I have to do and I am going to be very brief about it.

In any event, all that I am saying, Mr. Chairman, is that it may have been ruled out of order but to my way of thinking this is a most unprecedented way of running the affairs of this House. I do not think that it was courteous at all for this debate to be brought up without the Opposition being informed of it.

**Hon. Mr. Rowntree:** The Opposition was informed on Friday and I do not know whether the leader of the Opposition was here or not.

**Mr. Braithwaite:** I was here, Mr. Chairman.

As I was saying, I am pained to see some of the comments which the hon. Minister has seen fit to make with reference to my arguments made during the estimates. I have always felt that it is my duty as the spokesman for this party in connection with The

Department of Labour and the performance of its Minister, to bring into the open any matters which I feel, and which my party feels, are germane to the operation of the board or to the department.

I might say, after reading the statement of the hon. Minister, that if he feels that criticism of his department will be stilled or diminished in any way by what I consider to be an ungentlemanly attack, he is sadly mistaken.

I do not feel that it behooves me to make any personal comments about the Minister and the operations of his department at this time. But I can say this, that if the hon. Minister still feels that I am in the same position that I was in when I was a student at law—articled and indentured to him and unable and prevented from making any comments on his operations or on what he has to do—well, he is sadly mistaken. Times change and as far as I am concerned—

**Hon. Mr. Rowntree:** You were always a good student and I have said so in the House, and I have no other comment.

**Mr. Braithwaite:** I have always spoken well of the hon. Minister, as well.

**Hon. A. Grossman** (Minister of Reform Institutions): Very charitable.

**Mr. Braithwaite:** It is very charitable of the hon. Minister.

As I was saying, Mr. Chairman, I and all hon. members of my party will continue to criticize the government and to put forth what we consider to be concrete proposals for the improvement of all sections of the government. If the hon. Minister feels that he has to make comments such as he has made in his statements tonight, then as far as I am concerned, Mr. Chairman, he may continue to do so.

My leader has commented in great detail on the areas of compensation and retraining. During the estimates of this department, I commented at length on the workings of the board. Four years ago, and in the intervening years, my leader and other hon. members of this House have asked for a Royal commission.

In my comments during the estimates I asked for a Royal commission. No matter what the hon. Minister may have said in his statement, I feel that the comments which I made must have had some effect because one wonders why proper notice was not given to the Opposition and also why a Royal commission was appointed if the department is operating as well as the Minister seems to think it is.

I want to answer one or two statements which the Minister has made tonight. First of all, he commented that the hon. member for Scarborough West was putting words in his mouth. To my recollection, Mr. Chairman, I cannot remember ever making any comment or ever attempting to leave the impression that the moneys of the board were misused. Therefore I am surprised that the Minister, who, after having stopped, interrupted me in my dissertation at the time of the estimates, and should bring the subject up again tonight in an attempt to leave the impression that I am suggesting such a thing. As far as I am concerned, Mr. Chairman, any comments which are made in connection with the moneys of the board or the operation of the board were made to bring to the attention of this House what we felt would be best as far as improving the board's operations is concerned.

The Minister goes on to say that as far as quarterly or periodic billings are concerned, that would be impossible. The only comment I can make here, Mr. Chairman, is: Was this board set up to serve industry and labour, or was it set up to make money? As far as I am concerned, and I know I speak for my party as well, the average working man and the average man in industry is more interested in the proper operations of this board than he is in the fact that it makes $1,042,000 in interest.

If the government of Canada, if the corporations tax branch and if other departments can go about billing in a regular and periodic manner, I cannot accept the statement of the hon. Minister that the board would lose money by doing so. This is something that I cannot agree with at all. As far as this board is concerned, one wonders: Does it exist for the proper treatment of a person who is injured and/or for the looking after of his dependants if he is killed—or is it here to make money for the government?

I do not know why $1,042,000 should be that important. If periodic billing would be of assistance to the operations of the board and to industry and to people who are there to be helped by the board, I cannot see why money is that important. I think that the government should be more humanitarian and worry more about the operations of the board.

One thing, Mr. Chairman, that I think I should mention before concluding, is that during the committee and during the estimates of this House when The Department of Labour and this board were being discussed,

several times members of the government in the back row got up and said, "I have had so and so cases, and I have won them all." The hon. member for Scarborough West and others have commented on the reason for the existence of the board. I am wondering if this is the attitude that one has to have—you have to go there and have to draw a sword and fight for something for an injured workman or his dependants. If that is so, then I feel that something is drastically wrong with this board.

In closing, Mr. Chairman, no matter what the hon. Minister has to say, I have no intention of trying to debate my qualifications with him and I have no comments to make on his qualifications. I have only this to say: A Royal commission has been appointed and I do hope that it delves into all operations of the board and that it bears in mind the original reason for the board's creation.

I feel that we in this party have obtained some of our objectives in the setting up of the commission and I do say that we are eagerly looking forward to the return of the report of the chairman.

**Mr. Bryden:** Mr. Chairman, I would like to make a few comments on the numerous matters that have risen. It is a little difficult to maintain any sequence here because so many things can arise in relation to the workmen's compensation board.

First of all, I would like to add a few words about the appeal procedure as it now exists and I will try to avoid repeating what has been stated so eloquently by the hon. member for Scarborough West and others. I will say, for myself, that I have appeared only once before the appeal tribunal as it is now constituted. It did not appear to me that it was greatly different from—I think it used to be called—the review board, before which I appeared on a good many occasions. Its procedures were much the same and the personnel were to a certain extent the same.

I want to say that I always found them fair-minded people. I always had the feeling that they were trying to get at the facts, were trying to see the workman's point of view, and would find in his favour if the law permitted them to do so.

I want to make that clear. I certainly have no complaint against the appeal tribunal or the review board that preceded it. Certainly my experiences before them were friendly. Sometimes I won, sometimes I lost, if that is the terminology one should use, and there were some times when I left glad I did not have to make the decision myself. I felt in some cases before them it would take more than the wisdom of Solomon to find the absolutely just solution.

However, there are still some points I would like to put before the hon. Minister. Since he is Minister, he may never have appeared before these boards but I would like to ask him what would run through his mind if he was faced with this situation:

Let us say he was there with a workman whom he was trying to represent informally and to the best of his ability. He is a lawyer so he would be more experienced in such matter than I am. Let us say that in the course of that hearing he saw the members of the tribunal looking at a file to which he had no access, he had no idea what they were looking at, no idea how what they were looking at might be influencing them, notwithstanding anything he might be trying to say. He would have no idea what he had to answer if there was something there that he had to answer. He would not even know if there was anything there that might be detrimental to the person he was representing. He would just be in a complete fog about it.

This has happened to me, and it has happened to others. I say, Mr. Chairman, that one has difficulty believing that he is getting a fair hearing when he is faced with that situation, nothwithstanding the attitudes of the members of the appeal tribunal, who certainly appear to be very fair-minded men and who are very gentlemanly and very reasonable and certainly do not stick on technicalities. This business of not having access to information that the tribunal has access to, in my opinion, puts the advocate—if we may call him that—or workman himself, at a serious disadvantage. And it is bound to create in his mind from time to time the feeling that there is something weighing with the tribunal which he does not know about, and which he therefore cannot meet. This is the difficulty.

**Hon. Mr. Rowntree:** As I recall it, what would run through my mind in those circumstances? Well, quite frankly, when I had something to do with matters before the compensation board, it was something over ten years ago, and at that time you never got a summary of evidence. When I once became Minister of the department my desire was to try to improve that situation, and the summary of evidence is something that is being given out today. It may not be perfect, I do not say it is, but it is a big improvement over what it was before.

**Mr. Bryden:** Mr. Chairman, that may be partly true and partly not true. I would like to emphasize the point made by my friend from Scarborough West, though, that a summary of evidence is a summary. Two different people, both fair-minded and reasonable and acting in good faith, could take the same file and summarize it in different ways. Different things will strike different people as important. It seems to me that the person who is most likely to find in the file whatever there may be that is beneficial to the workman is the person who is representing him. The hon. Minister says that the summary of evidence is a relatively new development. That is true, but I do not really see that it makes that much difference, Mr. Chairman.

We used to get letters when we would write in, or over the telephone we would get information as to what were the main points that figured in the decisions up to then. The summary of evidence is a sort of a formalization.

**Hon. Mr. Rowntree:** But it is in writing. It is far better than what you got over the telephone.

**Mr. Bryden:** It is not, Mr. Chairman. This is the problem. As a matter of fact, informally in the past we used to pretty well, I think, get the gist of all that was on those files, favourable and unfavourable. Now we get this relatively brief, very formal and stereotyped summary of evidence and on this we have to try to make a case. As I say, we do not even know what we have to answer.

Indeed, we can't even get access to what the workman himself may have said or written if he did not have the foresight to keep copies. We cannot even find out what he may have said a year ago, or six months ago when the matter was investigated. So again we are in the dark. He may have made a damaging admission, but we cannot necessarily find that out. It may be that further digging around would find there was an explanation of that apparently damaging admission. But when you do not know that it is even there, how are you going to dig around and see if there is an explanation?

**Hon. Mr. Rowntree:** We are not accusing each other of one thing or the other, but it has always been my understanding right up to this date that the right to telephone, discuss by telephone, or call on officials of the board has been available, and has been available up till now. If you are suggesting that that has been cut off, that would be news to me.

**Mr. Bryden:** Mr. Chairman, I am not suggesting that has been cut off and I do not want to criticize. I do not want it to appear for one moment that I am criticizing any of the members of the board staff who handle such inquiries. I have always found them highly co-operative. They certainly try to be of assistance, and I have often sought their advice as to the best procedure for me to follow and have usually got it. The mere fact that I have sought it, indicates that I thought they would be fair-minded about it.

I will, nevertheless, say, Mr. Chairman, that it has been my impression that in the last year they appear to me to be acting under a sense of restraint that I did not feel was there before. I may be quite wrong on that, but I certainly would not want to criticize because I think they are good men and do good work. But I feel now that they are much more inhibited than they used to be in discussions we have had.

I do not know if it has any connection with an item that we saw in the paper some time ago about telephone conversations being monitored. In my mind, the two are associated and I could be quite wrong but this is my feeling.

**Hon. Mr. Rowntree:** On the telephone monitoring, there was a question before the orders of the day about that, and I answered it according to the information that was given to me. This matter was not initiated by the workmen's compensation board, or by any of its staff. It was initiated by the Bell Telephone Company as part of a training programme and the employees concerned were, as I understand it, consulted on the matter in connection with this training proposal from the Bell, and those involved agreed with the proposal. But it was never carried out following the question and the inferences—I have to be frank—the inferences that went with it.

If that is where it originated and I imagine that if this is the policy of the Bell Telephone, to advance training of people using the telephone, well, I suppose that advice is being given to all kinds of business people.

It certainly did not arise within the board.

**Mr. Bryden:** I do not know what the Bell Telephone Company is doing intervening in what is going on in the workmen's compensation board, and I would suggest that it move out again.

However, Mr. Chairman, I am reporting my impressions, but whether my impressions are well founded or not, I still submit that the basic point I am making is well-founded. It is impossible for an advocate to make the best possible case when he does not know what he has to meet. He may or may not know it. He has to rely on a summary that some other person made. He does not even know who the person was who made it.

I do not see how anybody can claim that you have a satisfactory appeal procedure as long as you labour under that disability, and this I may say is nothing new. We have always laboured under that disability, although in the past I used to be able to find out—at least I always had the impression I found out more about what I had to meet in the old days than I have been able to do now.

Mr. Chairman, one other thing I would like to say is that I have the greatest respect in the world for Sir Guy Powle and Mr. Justice Tysoe. The fact still remains that they were not reporting on this system of appeal from actual experience with it and I think their comments should be evaluated in that light.

There are a couple of other matters that I would like to mention—first of all, the judicial review, as the Minister called it, that is now anticipated. I am in favour of periodic reviews of The Workmen's Compensation Act, both as to the legislation and as to the administration of it. I think it is advantageous from time to time to have some outside party sit back and take a look at the whole system and see how it is working.

I do not quite understand why the Minister should call it a judicial review; it is not a judicial proceeding in any sense of the word. It could be more aptly described as a policy review. It is a review of the policy incorporated both in legislation and in administrative practice. It has nothing to do with a judicial finding.

Use of the term judicial seems to lead to the conclusion that the review must always be conducted by a judge. I do not see that that follows at all; I am not saying that some judges may not be qualified to undertake these reviews but I do not think there is anything in the training or experience of a judge that qualifies him to do this type of work. He may have an aptitude for it in any case. But as a matter of fact, the training and qualifications of a judge in my opinion might be a bit of an inhibition to him in conducting the type of review that is desirable. I do not really see why we necessarily have to have a judge conduct the review. One thing I would say with certainty is that the mere fact that the commissioner conducting the review is a judge is by no means evidence that he is qualified to do it. I think we should—

**Hon. Mr. Rowntree:** You have to look at his background.

**Mr. Bryden:** You have to look at it and frankly I would like to know what the qualifications of Mr. Justice McGillivray are for this task. I am not in any sense casting any reflections on his qualifications as a judge, but he is not now acting as a judge and I do not know of anything in his background that would qualify him to carry out the type of review that we want carried out. Failing some information from the Minister as to why he is better qualified than anyone else one might think of to do this job, I do not really think he is.

**Hon. Mr. Rowntree:** You have to pick somebody.

**Mr. Bryden:** You have to pick somebody but there are over six million people in Ontario and many of them have long experience in this field and a great deal of knowledge and study in the field. I will not mention any names but I could think of some who I think are far better qualified for the job than Mr. Justice McGillivray.

The fact that the review is taking place will not, I hope, prevent any further action in improving The Workmen's Compensation Act. We do not have to have recommendations of the review commissioner in order to legislate. I know that Mr. Justice Roach's report formed a sort of a backlog of material that the government was acting upon over a period of about 15 years. In fact, last year the government was still bringing in legislation carrying out some of Roach's recommendations.

I do not think it is necessary for it to have a sort of budget to act upon for a great many years in the future. It can go ahead on its own, correcting defects in the Act where they appear. One defect to which I would like particularly to call attention—and this is traditional, going back to the beginning—is the failure of the Act to take any cognizance at all of the long-term decline in the value of money.

British Columbia has moved on this; British Columbia has now provided for the incorporation of a cost-of-living formula in permanent disability awards. It is not necessary, of course, in temporary awards. But I suppose

back in 1914 when Meredith reported and in 1915 when the Act was first passed, people did not think as much in terms of cost-of-living bonuses as we do now—although I suppose I am wrong on that, that was an inflationary period too. At any rate, the basic principles were being established then and some of the refinements probably were not considered as immediately urgent.

But it is a fact that a person on a permanent disability award under The Workmen's Compensation Act suffers increasingly as the years go by. He suffers not only because the cost of living regularly goes up—there has been a long-term secular trend ever since about 1940 towards an increase in the cost of living—but he also suffers because wage rates have been going up. Thus, a man disabled ten years ago has his award made on the basis of wage rates that were applicable ten years ago, but if he had not suffered that disability he would now be receiving much higher rates. The disability may have prevented him from carrying on his trade. And his wages in effect were frozen forever.

No allowance is made either for changes in the cost of living or for the general increase in the level of productivity and of incomes in the community.

**Hon. Mr. Rowntree:** Or of his own personal advancement in the scale of advancement.

**Mr. Bryden:** They lose the opportunity for personal advancement but I think this is quite a serious problem that we should really be considering. No doubt Mr. Justice McGillivray will consider it, but I think the government itself could independently consider it. In fact, I have often wondered if the whole basis of rating disability on a clinical basis is a sound one. I know this has been the procedure from the beginning, but you know, one man can get a clinical rating of 30 per cent, go out and earn more money than he ever earned before and still get his pension based on 30 per cent of 75 per cent.

Another man can do practically nothing and he to try to live on 30 per cent of 75 per cent of his earnings of some period in the past and he cannot do it. I know, as I say, I am questioning one of the eternal verities of workmen's compensation legislation in Canada, when I question the establishment of partial disability ratings on clinical bases.

But I have seen so much injustice or apparent injustice and hardship — certainly clear hardship if not apparent hardship — arise out of it that I am wondering if we should not reconsider the whole thing, and in reconsidering that we would not be violating the basic principle that the Minister enunciated at the beginning of his remarks when he said that this is legislation to compensate workmen because of disabilities arising out of industrial accident or disease. I think we may be getting closer to the true intent of the Act if we considered rating disability on the basis of a man's actual loss of income rather than on a clinical rating of his disability.

**Hon. Mr. Rowntree:** This is a fairly difficult area. We had some discussion on it before. It is not one of the easiest areas in our economy and in our society to resolve. I would simply say to the hon. member for Woodbine that I recognize and understand quite clearly the points he raises and who knows but—there have been no restrictions placed on the commissioner, none whatever—and who knows—

**Mr. Bryden:** Mr. Chairman, I will not push the matter any further. I will agree with the Minister that it is an extremely difficult area in which to get involved. In fact, it is the type of thing to which consideration has been given only in fairly recent years, at least consideration in a really concerted way.

However, I do not think that we could proceed—not in this session, but very soon—with at least making some sort of provision in adjusting pensions in accordance with the cost of living, even if we cannot get into some of these more subtle problems of the man's loss of earning potential and that sort of thing. At least we could give some recognition to the fact that the cost of living goes up and hardly ever goes down; in fact, I cannot remember when it last went down. Sometimes it stays stationary and we think that is a great achievement, but never does it go down.

The final matter I wish to refer to, Mr. Chairman, relates to staff relations in the workmen's compensation board. There seems to have been no ventilation in this House all day and I know that every member is very anxious to get home. I would not raise the matter at all if I did not consider it important, but in view of the humidity and heat in here at the present time, I will make my comments very brief.

I will say this much, however, that as far as I can see, staff relations in the workmen's compensation board are about appropriate for the Ark. There is no real provision for independent representation of the employees. As we know, they are not considered to be covered by the grievance and arbitration and

negotiating procedures applicable to civil servants, even though almost all other boards and commissions are—all boards and commissions except the three exceptions, are.

On the other hand, they cannot get a certification of a trade union under The Labour Relations Act. The government neatly fixed that back in 1959 with The Crown Agency Act which was brought in ostensibly for a totally different purpose but the sole effect of it to date, as far as I can see, has been to prevent employees of the workmen's compensation board from exercising any rights under The Labour Relations Act of the province. So these people are excluded on the one hand, from the civil service machinery and on the other hand, from the machinery of The Labour Relations Act. They are in a special category as a result. Other boards and commissions are now being brought under the civil service procedure, or alternatively, in the case of the ONR and the Hydro, they have long ago established collective bargaining relationships.

But the employees of the workmen's compensation board have nowhere to go. They are the lowest of the low, as far as rights of employees in this province are concerned; they have no rights at all, except what the powers that be may deign to give to them. I believe they have what they call an "employee representation" plan at the workmen's compensation board and it is about as useless as all such plans ever are. It is one of these bastardized joint council setups; it is supposed to deal with grievances. There is no provision for final arbitration and from what I can make out, most employees have long ago decided that it is inadvisable to try to file any grievances with the employee representation council, because that is simply a way of getting oneself marked in the board.

Also, there is no regular procedure for appointments or promotions. People are brought in and put over the heads of the people who are now there and this is a matter that has become a real cause of discontent, according to my observations in the last year or so. People brought in from the outside with no apparent qualifications are put over people who have given faithful service to the board for many years, or are put in a position where they appear to be breathing down the neck of the established employee, apparently there to replace him the first time he makes a false move.

Now, you cannot possibly have good employee morale when this sort of situation exists. My information is that it definitely does exist and it has become quite serious in the last year or so and morale is at a very low level among employees of the workmen's compensation board. This may have something to do—and I am speculating now—with some of the difficulties that we have been complaining about in our feeling that there is no longer the frankness and rapport that used to exist when we consulted intermediate officials of the board.

There seems to be a very low morale, a feeling of insecurity, running through the staff of the board and this is bound to happen when procedures are arbitrary. There is nothing written down; there is no place where one can appeal and one can only keep one's nose to the desk and hope that nobody is looking over one's shoulder. This is the sort of atmosphere that now seems to exist in substantial parts of the workmen's compensation board and I think that the hon. Minister ought to take a look at the situation. I would say that he ought to—what I am saying is whether it is well-founded or not, and I am only going on second-hand information I have from various sources, surely these people are entitled to independent representation through an organization of their own choice. And surely, therefore, they should have available to them these procedures available under The Labour Relations Act, if they want to avail themselves of those procedures.

The Crown Agency Act should either be repealed or else it should be amended to make it clear that it does not affect any rights of employees of any agencies of the government in terms of labour relations. Right now, of course, it deprives them of all their rights and I submit it should be changed to make it clear that it does not do so. If that were done, and if I am right in saying that the people do not feel that they have adequate representation, then they would have a way of rectifying the situation. If they did not choose to avail themselves of the opportunity, then all right, that is their business, it is not mine. The point is, that right now we cannot tell whether they want independent representation because they are deprived of the opportunity to get it.

A few years ago they did apply to the labour relations board for certification of an organization but The Crown Agency Act was trotted out and, as a result, their application was thrown out. As I say, I have a lot more to say on this line, Mr. Chairman, but it is getting rather late on a hot night and I think I have at least put my basic point across. I would suggest to the Minister that if the information I have is even half correct, there is a serious problem of staff morale in the workmen's compensation board at the present time and I think that the Minister or some

outside party ought to take a good, hard look at it.

**Mr. Chairman:** The member for Bracondale.

**Mr. Ben:** Mr. Chairman, when I rise, I am rather tempted to salute. Especially after having read the report which was given to the members of the standing committee prior to the members of the committee having a short opportunity to raise a few points before the hearing was adjourned with, as I believed, a promise of a further opportunity to delve into this matter.

If my memory serves me correctly, I was cut short by the chairman, with the suggestion that perhaps other members are to have an opportunity, and as it turned out, only two members got to speak.

**Mr. W. D. McKeough** (Kent West): How did they do it?

**Mr. Ben:** They relied on the good-natured courtesy of the member for Bracondale.

Reading this report, Mr. Chairman, the first thing that struck me was the use of the word professionalism. I know what a pro is. I always ascribed a particular definition to the word—to the use of the word professionalism. That was somebody that sells himself. If this is what this board now has become, then we surely have reason to question it. Because a professional sells himself to the person who pays him, and he serves the person who pays him. And he permits himself to be used by the person who pays him. That is a professional.

At least in this regard perhaps, the chairman—who admitted to be the author of this report—was overly frank, that he does not serve the workmen of this province, but the workmen's compensation board. I could not get over the use of this word, professionalism. Team structure promotes team spirit. Team becomes personally involved in meeting objective. And I ask myself, what objectives?

Are the objectives to give the workmen more money? Are their objectives to give the workmen less money? Are their objectives to qualify more claims? Are their objectives to reject more claims? Nowhere here does it state what the objectives of these teams are. Oh, they say they are going to give them quick, prompt service, but I am afraid the hon. member for Scarborough West kind of put a needle into that balloon, and in rather a hurry.

I cannot get over the real army echelon here. The board, like a corporate president, would only deal with this team at the top. The old army spirit, you know.

**Hon. Mr. Rowntree:** May I ask the hon. member from what he is reading?

**Mr. Ben:** What I am reading from. I am reading from the "Workmen's Compensation Board Operational Review", dated May 16, 1966.

**Hon. Mr. Rowntree:** Okay, thank you.

**Mr. Ben:** It reminds me of the way the army did operate. The corporals consult with the sergeants, the sergeants consulted the sergeant-major, the sergeant-major went to the lieutenant, then it went to the captain and the major and finally went to the general. The general consulted the ouija board and he made a decision.

And this beautiful schematic drawing they have on page 6. All you need at the top, where it says chairman, is one of those eyes; then we could call that the all-seeing eye.

Going through this report, I cannot believe the inconsistency between the fact, the run-around that the average working man gets, and the beautiful picture that is painted here. Even Wagner, writing about Valhalla, did not match this.

Again you meet the word, professionalism, and then I get to page 9, "The objective is to have a job available when the workman is ready to return to gainful employment."

I must make a few comments about that, and I made some of these comments at the committee meeting. The hon. Minister was not there at the time. I believe the Minister had to excuse himself.

The most disturbing aspect of the workmen's compensation procedure is in regard to the common labourer, the one who works with his arms, legs and back, and we still have those, notwithstanding mechanization, computerization and automation. We still somehow need a human being in there to do some of the work.

When this labourer breaks an arm, or a leg, or injures his back, and he can no longer use a leg or an arm or his back, in the opinion of the workmen's compensation board, and perhaps I can utilize the example given by the hon. member for Woodbine, he is partially disabled, critically disabled. Partially disabled to the extent of 30 per cent, to use the member's example, but what can he do with the balance of the 70 per cent that he allegedly has left to him? He cannot do a blessed thing.

In all probability he has an education of

grade 10 or less, probably grade 8 or less. If he had any training at all he would not be working with a pick and shovel. It is the only thing he knows how to do, it is the only thing he is able to do. It is the only job he can get, and now he cannot do it. So what does that magnanimous workmen's compensation board tell him? "We will give you partial compensation of 5, 10 or 15 or 20 per cent, and get a light job." What kind of a light job, Mr. Chairman, is this individual supposed to get?

He can only do one job, and now he cannot do that. Where is he supposed to get this light job? Does the workmen's compensation board supply him with it? Reading this further on here, you would think that they would.

But I have not known them to get anyone a light job. They come to me almost every day. "Mr. Ben," they tell me, "I have to get a light job, and I ask the city, and they have not got a light job for me. What am I supposed to do?"

When a person in this position is disabled, he is totally disabled and he remains totally disabled until the government changes his status. They can only do that by completely retraining him to do the so-called light job. But the workmen's compensation board continually tell him to seek, and he has not been able to find, regardless of what the scriptures say, and they just will not take this into consideration.

The member for Scarborough West was speaking of doctors. I asked to see the reports that he mentioned and I asked to look at the other reports, the so-called summary, because one thing I always found lacking in these so-called summaries was the opinion of the doctor, the conclusion arrived at by the doctor and his reasons for these conclusions.

I should, perhaps, be ashamed as a solicitor to admit this, but when the hon. member for Scarborough West was reading those summaries, I, who should know what those reports mean if I am going to advise other people, could not understand all that technical language. And that little working man we are talking about, what is he supposed to do with this report?

If I may use the example of the Italians, because most of the problems I have are with the Italians because they are the largest group in my ward—he goes to somebody, another Italian who, he thinks, understands English and he shows this report to that other person. And perhaps the fellow, after looking at those words, he twists the paper this way, he twists the paper that way, and he says, "You had better take this to an avocato." So they take it to me.

And I twist the paper this way, and I twist the paper that way. I am most annoyed that the man has sent it to me. I have to tell him, "This is in technical language, it would take me hours searching medical encyclopedias. I would probably have to call a doctor in to translate all this to me. Who is your family doctor, why do you not go to him and have him put this in layman's language?"

"I have not got the money, senor. You have to help me, I have not got the money." So you do consult the medical dictionaries and try to do something.

That is, if you read this peculiar paragraph at the end of this report, talking about centralized services and their new legal department, which is another laugh, if I may say so.

A reorganized law department. "The law department was reorganized in July to consolidate the extensive legal services of the board. The law department is now headed by a general counsel, assisted by three solicitors and three adjustors, and provides a complete internal legal service to all board departments."

But here is a humorous paragraph—"For a more uniform service to the injured workman" —now there is the beginning of a sentence which gladdens your heart; they are going to give service to the injured workman, "and to the board, the law department also acts in cases in which the board is subrogated to the rights of the injured workman."

At least I know, and I presume the other solicitors in this assembly know, that if the workman has already subrogated his rights in the board, then the board is not looking after the little workman. They are looking after themselves. They are trying to recover from the person whom they considered to be at fault for the accident suffered by this workman, the amount they have to pay out. Whether they recover something or recover nothing is not going to help that little workman because he already subrogated his rights to the workmen's compensation board. So by what stretch of the imagination are they supplying more uniform service to the injured workman? Either he was entitled to his compensation in the issue and got it or he was not entitled to any compensation and he had nothing to subrogate to the board.

**Hon. Mr. Rowntree:** There is a situation where the general damage aspect comes into a subrogation claim against the third party and in those circumstances, which is not infrequent, the excess recovered in that action

over and above the workmen's compensation board's recovery of its portion, goes to the workman.

**Mr. Ben:** I thank the Minister very much for that enlightening information and perhaps tomorrow he might table the number of times that these little workmen did receive excess.

But if this law department is there ostensibly to serve the workman or to provide a more uniform service to the injured workman, why does not this law department translate these summaries into layman's terms so that the little worker can understand what the doctor said his injuries ostensibly are, and give also the conclusions that the doctor arrived at and the reasons for those conclusions, so that when this workman takes this report to his own doctor or the lawyer, they will know something about what they have to face before the board? Is it asking that much?

**Hon. Mr. Rowntree:** It is my understanding, Mr. Chairman, that as this new appeal system was developed it was a matter of time passing, and in spite of what has been said by several members tonight, reasons for decisions are now given.

**Mr. Ben:** That may be, Mr. Chairman, but as I say, I asked the hon. member for Scarborough West to check all those summaries he had to see if they appeared anywhere thereon.

**Hon. Mr. Rowntree:** They did not at first, but I am told they do now.

**Mr. Ben:** I gladly accept the information which the Minister has given this House. It is a remarkable seven-league-boot step forward and I welcome it.

While we are on the topic of doctors, we have a saying that not only should justice be done but it should appear to be done. I am afraid as far as appearing to do justice, the workmen's compensation board would come some place at the bottom of any order of priorities. One of the factors that puts it so low is the fact that the so-called board doctors give the impression that they are not there to give an unbiased opinion but are the servants of the board, whose sworn duty one must suspect is to deprive the workman of his rights.

**Hon. Mr. Rowntree:** I would just like to say this. We are having what I regard as a good debate on this, but to express my own personal views on that point at once, I would say that if I had any say about the retention of a doctor's services who took the position the hon. member has given him, I would have him discharged. If the member can give me any cases that I can put my hands on and identify I will see that some steps are taken to correct that type of attitude, because it is not right and it is not good enough.

**Mr. Ben:** Mr. Chairman, I would suggest that the hon. Minister perhaps wait until I finish because I was not casting aspersions on these doctors, I was indicating that that is the attitude that is conveyed to these people. I have read some of these reports since I came to this House. I might say that before that I never had the stature to be able to go into the files. Somehow it seems to make a little difference, whether you are outside or inside.

**Mr. MacDonald:** This is an exclusive club.

**Mr. Ben:** Oh, so it appears. To too many people, the doctors, because they are not their own doctors, and because they are specialists, appear to be a little too polished and too peremptory, and it creates a suspicion in these people that they are serving the man who is paying them, the board. I say "suspicion", and I want it made clear to the hon. Minister that I am not casting aspersions on these doctors. But I have to agree that I could readily see the attitude of the ordinary working man. Even with professional men, sometimes these doctors are peremptory.

They are very busy; they have not time to listen to little stories about how it hurts more on Tuesdays than it does on Wednesdays and so on; they want to get the examination over with. Too often the difficulty that these workmen have with the workmen's compensation board is that the doctor does not explain in language understandable to the workman what his injuries are, or that his ailment is not as a result of a compensable injury and I can give at least one example.

This chap insisted to me that the board doctor said that his injury to his finger—he had to have an operation—was as a result of an injury on the job. I went down and finally saw the reports and the doctor had never made such a statement, and yet this workman went continually to the doctor and came back to me and said the doctor insisted he had been injured on the job. If the workmen's compensation board had done its job in that instance, this is what it would have told the workman:

"When you hurt your finger by hitting it with a staple hammer, you went to the Toronto Western hospital, we X-rayed your finger there and found there was nothing

wrong with the finger so far as any injury resulting from your having struck it is concerned; the X-rays, however, showed that you had a chronic disease of the bone and that eventually you would have to have an operation. So when you came to us a year or two later and said that you could not use your finger because of that accident, it was not as a result of that accident but that disease which you had in your bone which showed up on that X-ray plate."

But nobody took the trouble to tell him that. For four years, he kept on going back to the doctor at the workmen's compensation board, to his doctors, to MPs and MPPs and anyone he could get to listen to him, but nobody got to see those reports or took the trouble to look at those reports and nobody explained anything to him.

**Hon. Mr. Rowntree:** I will answer that. I would like to comment on that aspect of this debate because it is a cardinal principle with respect to compensation and the operation of the board, that the patient or the workman's freedom of choice to choose his own doctor in the first instance is never questioned.

I tell you that, and I tell this House that. I can understand the circumstances of the man whose story was being related a few moments ago and who had the staple in his finger and went to the hospital—I presume to the emergency. I though he was in a sort of a situation where he did not go to his own doctor so he did not have the benefit of his own choice. But then later on, towards the end of the story, the hon. member referred to "his own doctor" and how the patient, the workman—whichever we want to call him—had been back and forth between the board and his MP and his MPP and his own doctor.

So there was his own doctor in the case, I take it from the story you have given, and surely the man's own doctor would be able to analyze that summary of evidence or whatever it is and get the explanation from the facts. That is one of the reasons it is important for the board to have the policy it has with respect to the selection of one's own doctor in the first instance.

**Mr. Ben:** Perhaps, Mr. Chairman, I could enlighten the Minister by explaining a little more of this incident. First, the workman did not know that the X-ray he had taken in the first instance would reveal a chronic disease of the bone. He did not find that out regardless of the number of doctors he consulted until after I went down to the board and asked to read all the documents in the file myself.

**Hon. Mr. Rowntree:** Did they let you?

**Mr. Ben:** They would let me, but they would not let me leave the office. The man sat there and he turned it around and I was able to take notes. And I found it, they were keeping it as their ace in the hole. Now this chap could have gone to his family doctor but the family doctor did not know about the existence of the X-ray plate taken years ago. The workman, not knowing what that X-ray showed, considered it showed a negative result and could not say to the doctor, his own doctor: "Well, three or four years ago when I injured it I had an X-ray taken down at Western hospital," because he supposed it to be negative and nobody told him it was on record. He would not know they do keep these plates on record in a medical history file, so he could have had every doctor in the city probably as a family doctor and if he could not explain that this X-ray plate was available, the doctor would not be able to go and examine it and find out the answer.

I have already pointed out that the workman is not given a copy of the doctor's report, but he is given a summary. This summary does not contain the conclusion of the board's doctor—at least I have not seen one to date—nor the reasons for the conclusions, which are most important. They are the most important because, given a series of symptoms such as described in those reports, it is not inconceivable that three doctors would come to three different conclusions from reading them. That is why doctors consult each other, that is why they have consultants. And it is quite conceivable that the board doctor did not have available to him some aspect of the history of the patient which would be available to the family doctor, which would have caused the board doctor to arrive at another decision.

But without the complete report of the doctor to guide the family doctor, or the workman's doctor, how is the workman's doctor to know? And as far as I can gather in a medical profession it is like merchandising. Eatons does not tell Simpsons.

What I would suggest, Mr. Chairman, is that perhaps the solution would be to have an independent board of doctors set up by the Ontario medical association. If a workman was injured, he would draw from a panel of the medical doctors and specialists, as he is going to be able to do for legal aid. These doctors would give an unbiased examination, and they would not bill the workmen's compensation board, but the Ontario medical association. And at the end of a six- or

twelve-month period, or at the end of each quarter, the OMA would draw off its accounts and submit this to the board. So that in essence, there would be no direct dealing between the board and the pool of doctors. And if the original doctor felt that specialists assistance was needed, the OMA would appoint a specialist or a panel of specialists, and they could give an unbiased opinion after due consultation, and report to the board.

I suggest under such circumstances, there would be little need for appeal of medical evidence. Furthermore, I do not think you would be out of reason to suggest that the workman would not have to pay the doctor; he could still treat him as his own doctor, but would not have to pay him. It would all be paid by the workmen's compensation board.

There is another aspect about workmen's compensation that bothers me and it is that some of my clients are as sturdy as they come. In too many respects it is unfortunate. They come to Canada after a very hard life in Europe, where they are used to hard labour all the time and if they did not feel too well or their back bothered them or their muscles ached, they did not get 18 days sick leave or anything else, they had to go in the fields and work. So, what would perhaps cause us to stay home and nurse ourselves is a mere inconvenience to them. They go to work anyway. And these are the type of workmen who, when they feel a sharp pain in their back while they are lifting a heavy load, say a few choice words and continue with their work hoping that it will soon be better or a good night's sleep and they will be fine.

So they do not report it as an accident that may leave a slipped disc, because they do not know what a slipped disc is. They go on with their work; they go home; next morning they think it is a little better but it is still not well. They go back to work again hoping that perhaps the work will take out the stiffness. Three or four days they do not feel well at all, or a week or two weeks later, so they complain to the boss. What can the boss tell them? They cannot prove that they injured their back on the job because (a) they never made a complaint at the time the accident happened and (b) because, not having made a complaint, they do not have a single witness to substantiate the fact that they had an accident, even though there may have been 30 or 40 workmen with them in the vicinity.

They go down to the workmen's compensation board. They make their claims to the board. And what is the attitude down there? Well, you have no witnesses, you never reported the accident. How do we know you had it on the job? Or you were probably helping your wife put up storm windows and you hurt your back and now you are trying to get compensation.

I can only recall the words of the government Whip when he was speaking on the Throne debate, pointing out that this was one of the complaints that he met. He also pointed out that although there are attempts to defraud the workmen's compensation board that these attempts are so few that perhaps by streamlining the procedure, even were the workmen's compensation board in some instances to be defrauded, the streamlining of the administration could offset those losses.

For instance, in a court of law, if there is the uncontradicted, sworn testimony of a witness, the court accepts that as being the fact. Why cannot the workmen's compensation board accept a statutory declaration as to what happened, in the absence of contradictory evidence? Just think how much faster these claims could be processed and how much money it would save. We would not need all this headquarters staff which is mentioned in this beautiful example of public relations.

In 1963 there were 847 people on the head office staff; in 1964, there were 883, but in 1965 there was a jump to 967. There were, in 1963, 337 people on the hospital and rehabilitation centre staff; in 1964 it increased by 3, and it increased by another 4 in 1965, an increase, Mr. Chairman, of 1 per cent whereas the head office staff increased by 10 per cent.

In the district offices, in 1963 there were 46 employees; in 1964 it dropped to 39 and remained at 39 in 1965.

In the chest examining stations, there were 19 in 1963, but only 18 in 1964 and 1965.

It is obvious where this particular board places the emphasis—in the head office, the general staff. What perhaps we need here is another Hellyer!

Mr. Chairman, I think that the whole problem we are discussing here also points out another real failure in the social services that we supply to the people. A painter, if he is unemployed and has no ladder to go up, will get unemployment insurance. A workman, if he goes up a ladder in the course of his employment and falls down and disables himself will get compensation. But that same workman, if at home climbs a ladder to take a ball out of his eavestrough or paints

his eavestroughs and falls down—well, he is just out of luck.

Every cent that he has may go in supporting himself and his family while he is lying on his back in the last example, but he does not get a cent from anybody. At least, if he is injured on a job he has some money coming in; if he is totally disabled, he can more or less exist. But what we need in this province, Mr. Chairman, so we will not be having these discussions, is comprehensive disability insurance for every workman in this province, then we would not have to stay here until a quarter to 12, and perhaps not even finish tonight, discussing these things. I would suggest to the government that it give serious consideration to bringing in comprehensive disability insurance.

Hon Mr. Rowntree moves that the committee rise and report certain resolutions and ask for leave to sit again.

Interjections by hon. members.

**Mr. Chairman:** We passed a vote on this some time ago as you recall. This was in respect of workmen's compensation. There is no vote on this.

**Mr. S. Lewis:** May I ask the hon. Minister through you, Mr. Chairman, on a point of order, does he intend to come on with this again?

**Hon. Mr. Rowntree:** I understood that you were finished with the debate. Other than that, I would withdraw my resident motion and will continue.

**Mr. Thompson:** Mr. Chairman, there are a number of questions which have been asked and it is to be hoped that the hon. Minister would at least be polite enough to answer them.

We noticed that both he and his staff took notes and we assume that they were not taking them just to put them away on some shelf in the back but would provide an answer to this House. As I understand it, the strength of a Parliament is that there is dialogue between both sides. We raised questions with the Minister and we hope that he will do us the courtesy of replying to them.

**Hon. Mr. Rowntree:** I have taken a number of notes tonight and I take it that you would like my reply to wind up the debate.

**Mr. Thompson:** Yes. I have one other thing which I wish to add. Briefly and to the point, the concern that I have in workmen's compensation is where someone has had a disfigurement and it has had a psychological effect on him. Now refers to some time ago and I am thinking of two cases, but where it obviously affected him insofar as his confidence in getting out and meeting people and trying to get a job. I was informed that that was just too bad. This guy had to face up to the harsh realities of life. I understand that there was no psychiatric help for him to help build up the confidence of this man and I think that this is something that should be given consideration.

**Hon. Mr. Rowntree:** I would have to say this with respect to psychiatric care: I think that is a proper thing and it should be made available where the circumstances require it. I can only express my own views and I take it that those are what you are interested in at this time.

I have taken notes of the remarks and, of course, we will also have them in *Hansard* and I would like to study them in some detail but I have noted the areas of the observations.

The remarks of the hon. member for Woodbine about the computation of pensions and awards, and the changing value of money and the base of the award with respect to the time of life or the time in his career when the incident took place, I think I have answered this evening and we had some discussions on that point.

Somehow, someplace and somewhere, this type of adjustment—it applies to many other areas in our society and I do not know that it can be settled in one fell swoop—is something that gives some of us concern. I think we can only leave that item with the House by that statement of my own views on it as I have expressed them.

There are questions of the matter of light work and I think there is more to this subject than has been debated here tonight in respect to what goes on about light work. Some examples were given, but I have a whole file on this subject and I hope that some improvement in this definition, as between company doctors and board doctors, can be arrived at which will relieve this situation. On that point I am not satisfied that the best job possible is being done. There is some greater rapport required between company officials and employees and the injured man on the one hand, and of course, with the board itself.

There are some types of employment where there is no light work available. I do not think that that should be the end of the matter. I think there should be some facility

that would allow the man to do light work until he gets back in sufficient condition to resume the heavy work which is the sole type of work that that company, his primary employer, has to offer.

There is an area in here that interests me in a very personal way and this is something that I would like to press along. Certainly there is no excuse in this time of manpower shortage, why something cannot be done about it, and I will undertake personally to have a look at that situation, because surely the manpower shortage involves requirements of light work types, as well as heavy work.

**Mr. Bryden:** The trouble is the light work jobs are highly skilled.

**Hon. Mr. Rowntree:** Oh, often yes. But what we are talking about is the principle and the problem of trying to find a solution. I will give you my assurance that this type of thing interests me and I think that something can be done. I am glad to hear it described in the way it has been described tonight.

There were a number of points that were made, all of which I will take note of. As well, the board itself is here and certain of the senior officials, and I could save time by telling the House through you, Mr. Chairman, and I hope they get the message, that I hope each one of the representatives of the board who are here tonight will study carefully and analyze the various arguments and points that have been raised in this debate.

I do not follow these references to military operations. I find that there are many people in life who have had war service and have done very well and there are many people in life who have done well without war service, but I do not think any reference, as far as I am concerned, will bear any weight about any military operations at the compensation board whatsoever. Anything I ever saw come out of the army services was largely good, so far as training and discipline were concerned, and I find these observations—if you want my honest remarks — about military approaches rather on thin ice.

As far as changes in the board and the staff are concerned, I would think that any change, even social change, or automation, or whatever kind of change you want to talk about will involve changes affecting people. Changes in organization affect people. Changes in a political party affect people. Some are here today and some are gone tomorrow. So it is in any other organzation, and so it probably is with the workmen's compensation board. If change did not take place and we were static, we would not have progress.

I do not suggest, and I would not suggest in any degree, that the workmen's compensation board is letter perfect. I want that made very clear. I do have a very high regard for its operation, as do many other people on this continent. I think it has done a good job. There are certain statistics, which we did not go into tonight, which would reflect the nature and the extent of the operation of the board. It is a large operation and it was this factor, the number of people in our working force in the province whose lives are touched by the operation of the board, which was one of the factors that led me to a determination to recommend to the hon. Prime Minister and the Cabinet that the review be undertaken this year.

I think that it goes beyond the area of politics. I tell you that, accept my word, or do not accept it. It matters little to me. I know what I felt, and what feelings I have about the operation of this board and its rehabilitation centre. I think this board has a very important place and function to supply in the life of our society, and at this stage of our history.

I think that at this stage of our development the time is ripe and due for us to look at the board in the same way that we assess many other things. I am sure that each one of the two parties on the opposite side would probably do a reassessment of concepts, ideas, bring the concepts up to date, our policies up to date, our procedures up to date, things of this sort, so that the board itself, in this case, the question may then be asked, is it performing in the light of modern times of 1966, the function for which it was originally intended. It is against that broad and total proposition that we are proceeding with this inquiry.

There are no conditions with the commissioner. I hope he makes as broad an inquiry as possible. I will see that he gets a copy of the *Hansard* of this evening, together with any *Hansards* that have any reference to the board during the current session. I might also tell you that it is my conclusion from having talked to the commissioner about the arrangements he proposes to make—I understand he is already underway and that there is a notice in the press about briefs and submissions—but I would hope that his report would be in approximately within a year, and in time for us to complete this debate. I think that this is the way it should be put to you, and maybe the way it should be—that the commission sit, and we hope that without undue haste we will have the report so that we can then finalize this debate that is underway tonight,

against the report at that time which would be the next step forward.

I think many of the suggestions that have been made tonight are very helpful. I think some of them are excellent and will bear very careful consideration and that I will undertake to give them, in any event, regardless of any commission.

Hon. Mr. Rowntree moves that the committee rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the Chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, tomorrow we will proceed with the estimates of The Department of Public Welfare, and there is a very real possibility of us dealing with bills on the order paper. I underscore that, in case I in the past have not made the point clear. And I will repeat again, but for the last time, that there remains an outstanding vote in The Department of Health, and the Opposition should be prepared at any time to have it called.

**Mr. K. Bryden** (Woodbine): Even in the middle of the welfare estimates?

**Hon. Mr. Rowntree:** If somebody fell down and we had five minutes, we might even do that.

But the point I am making, I do not want to be in the position where there is any misunderstanding about what I have said about the health estimates. We will fit it into the agenda of the proceedings.

Hon. Mr. Rowntree moves the adjournment of the House.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, just on this point, I would assume that the hon. Minister, if it is possible, would give us forewarning about the Ontario hospital services commission. If it is at all possible.

**Hon. Mr. Rowntree:** Is that the vote which is concerned? Hospital services commission?

**Mr. Thompson:** If it is under the health, you said that there is another—

**Hon. Mr. Rowntree:** There is one vote under health.

**Mr. Thompson:** All I am asking is that you give every consideration, if it is convenient, to letting us know ahead of time.

**Hon. Mr. Rowntree:** Yes, I understand your suggestion.

Motion agreed to.

The House adjourned at 12.00 o'clock, midnight.

No. 148

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Tuesday, June 21, 1966

Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JUNE 21, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today: In the Speaker's gallery a group of high school students from four secondary schools in London and Middlesex county; and students from the following schools: In the east gallery E. A. Lovell public school, Oshawa; West Wawanosh No. 2 separate school, Auburn; in the west gallery Leesboro and Plover Mills central schools, township of Nissouri West, Middlesex county, and the V. K. Greer Memorial public school, Utterson, in the district of Muskoka.

Petitions.

Presenting reports by committees.

Mr. D. Bales (York Mills), from the standing committee on legal bills and labour, presented the committee's ninth report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill 131, An Act to modify the rule against perpetuities.

Your committee begs to report the following bills with certain amendments:

Bill 130, An Act respecting legal aid;

Bill 142, An Act to amend The Expropriation Procedures Act, 1962-1963.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE DRAINAGE ACT, 1962-1963

Hon. J. W. Spooner moves first reading of bill intituled, An Act to amend The Drainage Act, 1962-1963.

Motion agreed to; first reading of the bill.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, the important amendment in this bill provides for authority respecting the abandonment of a part of the drainage works and authorizes the council of the local municipality to send notices with respect to the abandonment without any written request.

## THE ASSESSMENT ACT

Hon. Mr. Spooner moves first reading of bill intituled, An Act to amend The Assessment Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Spooner:** This bill contains a large number of amendments to The Assessment Act dealing with a great number of different matters and in due course the bill will appear before the standing committee and will be dealt with in detail. I do not think I need to give any more explanation of these particular amendments, because there are so many of them and they are not related one to the other.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, could the hon. Minister tell us if there are any new principles involved or is it just a tidying up?

**Hon. Mr. Spooner:** More or less a tidying up and certain adjustments in the phraseology of the Act in the sections dealing particularly with the use of data processing and mechanical accounting equipment in handling assessment rolls and so on.

**Mr. Singer:** Something less than revolutionary.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I move, seconded by Mr. Oliver, that this House now adjourn to discuss a matter of urgent public importance—

**Mr. Speaker:** Order!

**Mr. Thompson:** —in relation to the problem of farm prices and the government's apparent reluctance to deal effectively with this issue.

**Mr. Speaker:** Order! I called the member to order and when I call a member to order, I am hopeful that he will sit down. This particular motion the member has referred to arrived at my office some time after one

o'clock and I had very little time to deal with it. However, being unable to reach the leader of the Opposition, I had an opportunity to discuss the matter with the member for Grey South.

I took the position that as this matter has been discussed several times in recent days; as at least one very full statement has been made by the Minister of Agriculture on the subject; and there is a question before the House today on substantially the same subject by the member for Huron-Bruce, I am unable to find that it is a specific incident of recent occurrence, such as would justify this procedure.

Moreover, as the estimates of The Department of Agriculture will be coming before the House within a very few days, which will give ample opportunity to discuss this motion in quite full detail, I am not in a position to grant this extraordinary procedure on this occasion.

**Mr. Thompson:** Mr. Speaker, speaking to your ruling—

**Mr. Speaker:** I must inform the member that the Speaker's ruling is not debatable.

**Mr. Thompson:** I regret very much that I have to challenge the ruling in view of the fact that this is a matter of urgent public importance. We feel this should not be a question, but rather there should be a discussion.

**Mr. Speaker:** Order!

**Mr. Thompson:** I regret I must challenge your ruling.

**Mr. Speaker:** The member may challenge the ruling but I must say to him that the ruling was really given before the House convened today. Therefore, it really should not have been allowed to come before the House.

**Mr. Singer:** How can you say that before a matter is raised? It is only a courtesy that you are informed of these things.

**Mr. Speaker:** It is a courtesy—

**Mr. Singer:** You cannot move before the matter is before the House.

**Mr. Speaker:** Yes, it is a courtesy that the matter be given to the Speaker by 12 o'clock.

**Mr. Singer:** Yes, but you cannot rule until you hear it.

**Mr. Speaker:** The matter is always ruled upon at that time to the member wishing to place the motion before the House.

**Mr. Singer:** We do not hold a little meeting out in your office; we hold it in here.

**Mr. Speaker:** In my office!

**Mr. Singer:** No, we hold it here.

**Mr. Speaker:** And if the Speaker turns down the motion at that time, it is not supposed to be raised during the day. However, the matter has been raised and I have given my ruling. If the member challenges it I shall have to ask that the Speaker's ruling be upheld.

**Mr. Thompson:** Sir, I just want to restate to you that I do challenge the ruling.

**Mr. Speaker:** All in favour of the ruling, please say "aye." Those opposed, please say "nay."

In my opinion, the "ayes" have it.

Call in the members.

All those in favour of the Speaker's ruling being upheld will please rise.

All those opposed, please rise.

| Ayes | Nays |
|---|---|
| Allan | Farquhar |
| Apps | Gaunt |
| Bales | Gordon |
| Beckett | Nixon |
| Boyer | Oliver |
| Brown | Paterson |
| Brunelle | Racine |
| Bryden | Reaume |
| Carruthers | Singer |
| Cecile | Smith |
| Cowling | Spence |
| Davis | Taylor |
| Davison | Thompson |
| Edwards | Trotter—14. |
| Freeman | |
| Gomme | |
| Guindon | |
| Harris | |
| Haskett | |
| Henderson | |
| Hodgson (Victoria) | |
| Lawrence (Russell) | |
| MacDonald | |
| Morningstar | |
| McKeough | |
| Noden | |
| Olde | |
| Peck | |
| Renwick | |
| Reuter | |
| Robarts | |
| Rollins | |

AYES

Rowe
Simonett
Spooner
Stewart
Stewart
Thrasher
Villeneuve
Walker
Welch
Wells
White
Wishart
Yakabuski
Yaremko—45.

**Clerk of the House:** Mr. Speaker, the ayes are "45" and the "nays" 14.

**Mr. Speaker:** I declare the Speaker's ruling upheld.

We shall proceed with the questions before the orders of the day.

**Mr. Thompson:** Mr. Speaker, I have a question of the hon. Minister of Highways. Would the Minister justify the procedures followed in the expropriation of property at the intersection of Highways 10 and 7 owned by Robert Gavard?

**Mr. Speaker:** The Minister is not here today, so I will see that he takes it as notice.

**Mr. Singer:** Mr. Speaker, I have a question for the hon. Attorney General. Could the Attorney General explain what was accomplished when Magistrate Dneiper yesterday ordered the issue of a bench warrant for a man who was already in custody?

**Hon. A. A. Wishart** (Attorney General): I shall be very pleased to explain to the hon. member the simple procedure in the matter about which he inquired.

The accused in this case was arrested on Friday, June 17, and appeared in magistrate's court in Toronto on June 18, 1966. As he was unable to raise bail in the amount ordered by the court he was remanded in custody until June 20. While being transported in custody to the Don jail he fell ill and was taken to the Toronto general hospital. As the court had ordered him detained in custody it was permissible for a police guard to be stationed at the hospital.

When the case came before Magistrate Dnieper on Monday, June 20, the accused was still a patient in the Toronto general hospital and not able, therefore, to be in court. In order for the magistrate to retain jurisdiction in this matter and maintain the accused in custody, it was necessary to issue a bench warrant pursuant to section 507 of the criminal code of Canada.

If this procedure had not been adopted it would not be lawful to maintain the police guard at his bedside in the hospital.

**Mr. M. Gaunt** (Huron-Bruce): I have a question for the Minister of Agriculture, notice of which has been given. Could the Minister give the House a fair report on the meeting between representatives of the Ontario farmers union and his department this morning? Were any agreements reached and, if so, what were they?

**Hon. W. A. Stewart** (Minister of Agriculture): In reply to the member's question, I would say that I felt it was a very useful meeting with the Ontario farmers union executive this morning. I would like to say at the outset that I am in complete sympathy with the position in which many manufacturing milk producers find themselves in today's economy. We discussed the position of the milk producers. We discussed the responsibilities of the respective governments with regard to subsidization of milk.

In this connection I would like to refer to the statement which I made in the House a week or so ago in which I read to the House the statement made by the federal Minister of Agriculture, the Hon. J. J. Greene, on March 23, 1966, in the House of Commons, when he outlined the new dairy policy of the federal government for the next year. He read as follows:

> The outlook for the new dairy year is for continued deterioration in the economic position of the dairy farmer unless government action such as I am now announcing is taken.

And this to me is quite significant, because here—and I am in complete agreement with this—the government of Canada, expressed through the federal Minister of Agriculture, is assuming the responsibility for manufacturing milk prices across Canada, and this in my opinion is the only way that any satisfactory solution can ever be found to this problem.

I think we have to recognize that in the province of Ontario we produce between 36 and 37 per cent of all the milk that is produced in Canada. The province of Quebec produces roughly 33 per cent. In these two provinces most of the manufactured milk is produced in Canada. In effect, all of the manufactured milk in Canada is in these two provinces. So there must be, in my opinion, a common base for the price to be established

at the producer level so all processors start off on an even basis and then can sell the finished product competitively.

We find ourselves in the position today that the province of Quebec does not have a minimum price for manufacturing milk of any kind, and thus processors there by milk at whatever price they can from the farmer.

When the federal policy was announced on March 23 the federal Minister intimated the federal government would pay an 85 cent subsidy to the producer. Ten cents of that subsidy was to be deducted and retained by the federal Department of Agriculture to hold in a fund to be used for the export of any surplus dairy products that were produced in Canada. The remaining 75 cents was to be paid to the producers directly, basis 3.5 per cent fat milk.

I made the suggestion at the time negotiations were continuing with Mr. Greene that it would have been wise, in my opinion, if he could have issued instructions to any plant in Canada that, providing they paid the minimum price of $3.25 for milk then they would qualify for the 75 cents per hundred subsidy on 3.5 per cent milk. This would have had the effect of putting all processors in the country on the same basis and really the farmer would have gotten the 75 cents plus that minimum price that would be set by that type of policy.

I suggested further to Hon. Mr. Greene that it would be wise, in my opinion, if he would include on the farmer's milk receipt for his manufacturing milk "federal government subsidy 75 cents a hundred, basis 3.5 milk," and just put that on and he would get it every month as the time went by.

Mr. Greene, in his wisdom, saw fit not to accept either of those suggestions, and the result is that there is no subsidy in the province of Quebec nor is there any floor price in the province of Quebec for manufacturing milk. There is in this province a minimum price established of $3.25 a hundred by our milk marketing board.

The unfortunate part of it is that the farmer has not as yet received the 75 cents per hundredweight on the milk that he was supposed to have shipped after April 1 when the policy was announced. Now we are told by Mr. Greene, and I have every reason to believe this, that the calculations are going on at Ottawa and that the subsidy will be paid.

In fact, I am told that some of these cheques are already in the mail. But the farmer has not got it in his hand today. This is different to the subsidy that was paid by the federal government in previous years when it was added to the cheque at the time the farmer was paid. This is a change in policy.

I think it is important to say, as was said this morning, that in all of the deliberations and led up to the establishment of the $4 price by the federal government, there was never any mention at any time to my knowledge of anything above $4, that is, $4 at the plant. There was no discussion of milk being priced at the farm, because never in the history of dairy marketing in Canada has milk been bought at the farm. It has always been delivered to the plant.

With the fluid distributor, the cheese factory, the processing plant for powder, butter, cream, or what have you, it is always a delivered price. This has been always the case and we carried on the discussions in that context and the federal government, and I give every credit for it, agreed that the manufacturing price of milk should be for the dairy year of 1966, $4 a hundred at the plant, basis 3.5 milk.

**Mr. K. Bryden** (Woodbine): Is the hon. Minister going to get around to the answer?

**Hon. Mr. Stewart:** Yes, I am. He is asking for a full report of the meeting and I am giving him a full report. Is there anything wrong with that?

**Mr. D. C. MacDonald** (York South): The hon. Minister is rehashing the material he gave last Thursday.

**An hon. member:** The hon. member does not want answers; he just wants to ask questions.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Hon. Mr. Stewart:** I am trying to give an answer to the question. There was a full report asked for and I am trying to do just that.

We discussed these various things and I advised the farm union group that I have never given up the hope. And I say this most sincerely, Mr. Speaker: I have never given up the hope that we will be able to establish, jointly with the province of Quebec, a minimum price for manufacturing milk in both provinces.

That, in my opinion, is the only way to resolve this issue, because as soon as that is done then all plants pay the same price and all farmers will receive the same price

to start with and we will not have, as is happening now, the manufactured product flowing into the province of Ontario underneath the price that our producers are being paid in this province and which our processors are forced to pay.

This is the real problem as we see it here. We have a milk marketing board which is doing an excellent job. Certainly they have not moved as fast as they themselves would like to move and, as the farmers union pointed out to us this morning, as fast as they would like to see them move. We are all agreed on this. But there are just so many hours in the day and the human constitution can stand just so much. These are men who are all operators of farms, on that milk marketing board, and quite frankly I do not know how they stand the pressure they are under to do the job they are doing.

They have made, to my mind, fantastic progress since they were appointed last fall. They have not even been in office for a year yet and look at the accomplishments they have made. We feel that given time they will reach the objectives in the orderly way that they have set out. They should reach the objectives that the dairy farmers of the province are anxious for them to reach. I am sure that this is the wish of the Ontario farmers union as it was expressed to us this morning.

When we get into this matter of subsidization of commodities, this is a principle that I have stated before. We believe that if there is to be a subsidy provided on any particular agricultural food commodity it should be paid by the federal government, because all of the people of Canada benefit and all of the people of Canada should pay for it if this is necessary.

**Some hon. members:** Hear, hear!

**Hon. Mr. Stewart:** I recognize, as I said earlier, that the farmers of Ontario and the farmers of Canada may feel, quite rightly, that the manufacturing price of milk is not set high enough at $4. But I recall so very well, as do the other hon. members of this House, that when the price of butter and powder was fixed a few years ago we had surpluses piled up in this country that we did not know what to do with.

It was far less than $4 a hundred for manufactured milk. Is this to be repeated, and if it is are we to stand in this House and say that this is the thing for us to do? I think we have to recognize that the price of $4 was established by the federal government in order that they could find out whether or not $4 would provide the necessary incentive to assure the consumers of Canada a high quality product and continuity of supply.

I would say, as I said this morning to the Ontario farmers union, that the only dairy product in short supply or in the prospect of being in short supply this year is butter. That is the only one; we have a surplus of everything else and I would feel, as was suggested this morning, that we should carry on in the policy in which we find ourselves in agreement with the federal government, of $4 for 3.5 milk for this year. Any interference by a provincial government would upset the calculations and the philosophy on which this policy has been founded by the federal government. We have been a party to the founding of that policy, believing full well that we were fulfilling the desires and the wishes of the farm people of the province of Ontario as had been expressed to us on innumerable occasions.

Indeed, the dairy farmers of Canada asked that there be a $4 price established for manufacturing milk and we went along with this, and the federal government went along with this. The price has been set at $4, and this is where we feel that as far as our province is concerned it should stay, unless the federal government sees that with the production taking place they are not reaching their objective, and then they might review the policy.

But as far as our province price-setting is concerned, negotiations are continuing. I have been in immediate touch, as I told the farmers union this morning, with the new Minister of Agriculture in Quebec, to try to determine if we can get the mutual agreement of the Quebec farmers and the Quebec government in establishing a minimum price of at least $3.50 for manufacturing milk in both provinces.

If this can be done, I would urge that it should be done. In discussing it with the Quebec Minister he expressed great interest in it and seemed to indicate to me that it was quite a logical decision to make. But here again, he must be advised by the farmers of Quebec and recognize the implications of price fixing in the province of Quebec, and I do not pretend to speak for the Minister in Quebec. But let me say that our discussions are continuing.

There was no agreement reached on a provincial subsidy this morning because we believe that the farm people of the province of Ontario, and the people of the province

of Ontario generally, have gone along with this policy as announced by the federal government, who have accepted the responsibility for subsidization of commodities this way. We believe that responsibility should remain there, so that the policy is not interfered with at any level. We also believe, the time has come for us to say this government does not intend to be stampeded into making decisions that will upset programmes that have been laid out very carefully at all levels.

**Some hon. members:** Hear, hear.

**Mr. Gaunt:** Mr. Speaker, may I ask the Minister a supplementary question?

Until the support for manufactured milk is reached between Quebec and Ontario and in view of the fact that Quebec does support the dairy industry to the extent of some $8.5 million, would the Minister consider giving the farmers who ship manufactured milk $4 at the farm, as an interim measure?

**Hon. Mr. Stewart:** I gave my answer to that question.

**Mr. D. A. Paterson** (Essex South): Mr. Speaker, I have a question for the hon. Minister of Transport, notice of which was given. Is the Minister aware that according to statistics published this week, there was an increase of 143.5 per cent in the number of motorcycles involved in accidents and an increase of 151.9 per cent in the number of motorcyclists injured in the first three months of this year, over the corresponding three months of 1965, primarily as a result of a 197.8 per cent increase in the number of motorcycles registered in Ontario over the same period?

Would the Minister reconsider his decision not to check into the loopholes in his regulations by which motorcycle drivers can drive for recurring periods of 90 days on the public highways without having passed a road test?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, I am well aware of the great increase in the number of motorcycle registrations and the resultant increase in motorcycle accidents. The implication in the question that I decided not to take any action with respect to inadequacies in the licensing, is quite erroneous, because in the Legislature a few weeks ago I said that we felt the present legislation gave us ample scope to make such changes in the regulations as were deemed necessary.

We have consulted with out corresponding people in other Canadian provinces, and I can assure the member that consideration is being given to the revision of the licensing requirements for motorcycle operators.

**Mr. Paterson:** Could the hon. Minister inform the House as to how many motorcycles are registered in the province at the present time?

**Hon. Mr. Haskett:** I think the member will find that figure in the same statistical report he was using. The number of registered motorcycles at the end of March 31 would be in the nature of 14,000.

**Mr. Thompson:** Mr. Speaker, I have a question of the hon. Minister of Transport, notice of which had to be given.

In light of the report from the conference on automobile safety held in Ottawa, which was attended by both federal and provincial authorities and included A. G. MacNab, Deputy Minister of Transport, would the hon. Minister inform the House if he is now considering changing his earlier position to require compulsory safety inspection for all automobiles every six months, as recommended by this committee?

**Hon. Mr. Haskett:** The Dominion-provincial conference on automobile safety is continuing in Ottawa today. From this conference, a proposed voluntary highway safety code may result, but it is unlikely it will be available for some months. Until my Deputy Minister returns and reports, I deem it would be premature for me to comment on the newspaper stories.

**Mr. Thompson:** Could I ask a supplementary question to the Minister? In view of the fact he is always considering reports, whether they are legislative committee reports, and so on, could we have any time, any date, at which he might come to a decision in connection with some of the slaughter on the highways?

**Hon. Mr. Haskett:** Mr. Speaker, that would await the report that I get. What we have so far is an unconfirmed newspaper story, from what I think was a closed session. In the meantime, Ontario is going ahead with its very expansive programme of compulsory vehicle testing, that is now being carried out in a far greater measure than in any other province in Canada.

**Mr. Singer:** Compulsory, but not necessarily.

**Mr. Thompson:** Could I ask a supplementary question? Is it the motto of the Minister, to also stand and wait—

**Mr. Speaker:** Order, order. I think the member has exhausted this particular question.

**Mr. MacDonald:** Mr. Speaker, I have two questions, the first to the hon. Minister of Public Works. In his absence, perhaps I can put it on the record and he can reply to it tomorrow?

How can the Minister justify an offer of $10 an acre accompanied by the threat of expropriation for 200 acres of land owned by Mr. Elwod Shales, R.R. 1, Perth road, for the completion of a provincial park in the townships of Loughborough and Bedford, north of Kingston?

My other question, Mr. Speaker, is to the hon. Attorney General.

Has the Attorney General received the report of the fire marshal regarding an A-12 explosion that occurred in the house in Sault Ste. Marie? And second, does the Attorney General intend to order a public inquiry under The Fire Marshals Act?

**Hon. Mr. Wishart:** Mr. Speaker, I received a report from the fire marshal with respect to that fire and explosion. I have asked him to make further investigations, to the very fullest extent. That has not yet been completed.

The inquiry is called for under The Fire Marshals Act which expressly says, order a public inquiry. The inquiry which is carried on by the fire marshal under the Act, and which is referred to here, is a public inquiry and it carries with it all the powers, all the features of a public inquiry, in fact The Public Inquiries Act is referred to.

That is the inquiry which actually he is doing. It is not really complete, although I received a report and have asked for further study and investigation.

**Mr. MacDonald:** Could I have the report when the hon. Minister has it?

**Hon. Mr. Wishart:** Yes, he may, Mr. Speaker.

**Mr. Paterson:** Mr. Speaker, I have a question of the hon. Minister of Agriculture.

What action is the Ontario food council taking to encourage food chains and produce wholesalers to restrict heavy placing of orders for United States early potatoes that would arrive on Ontario markets at the same time as our own early potatoes are ready for market?

**Hon. Mr. Stewart:** In reply I would say that the Ontario food council is aware of the situation and has already initiated the programme designed to encourage the use of Ontario early potatoes when they are available at the domestic counters.

We understand that the acreage is up on the crop to approximately five-and-a-half thousand acres, now in full bloom, and showing every indication of good yields and good quality. I am sure the hon. member is pleased to know that, so are we all.

The food council is taking the following action. First: Determining the accurate estimates of the availability of early potatoes from Essex county. It now appears that light volume should be available by July 4, with heavy volume by the week of July 8.

Second point: This information is being passed on to the wholesale trade and for the retail distributors, not only in this province but also in interprovincial markets. As the crop develops, a further newsletter will be sent out to these people closer to the time of harvest.

Third: The chairman of the food council will be personally contacting key personnel in the retail chains to explain the situation and to request their co-operation. The retail distributors must be sure of supplies for their customers, and I am sure the hon. member recognizes this.

In the past, the chains and the food suppliers have been willing to work with the food council in cutting back on imports to make way for domestic supplies, providing the information on the availibility and the quality of domestic supplies is accurate. A feeling of mutual confidence is building up in this regard, and I am very pleased to note this.

The fourth point: The food council's information service will be issuing news releases, radio tapes, and special material, for food editors on the availibility and use of Ontario new potatoes.

Fifth: The Ontario inspection service will be working closely with the growers and shippers in Essex county to insure that the new potatoes are showing sufficient maturity before they can provide a good quality product to the consumers.

Mr. Speaker, if I may, I would like to say this. The real use of Essex county, and indeed Ontario-produced, potatoes depends on the consumers of this province and of Canada and I would like to urge all consumers to ask for Ontario-grown potatoes whenever available.

**Mr. R. F. Nixon** (Brant): Mr. Chairman, I have a question for the hon. Minister of Education.

Now, that the grade 13 certificate requirements have been reduced from eight to seven subjects, will students who already have standing in seven subjects be granted certificate recognition?

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker to qualify for secondary school honour graduation diploma in 1966, it is necessary that at least one credit be attained at the 1966 grade 13 departmental examinations. Therefore a student holding seven grade 13 credits previous to 1966, must have written successfully at least one additional paper in grade 13 in 1966, to qualify for the award.

Looking back into the history of the changes, when the requirements for this diploma were reduced from nine credits to eight, for 1943-44, no concession was made for students who had completed their required school attendance in the previous year. These students were required to complete nine credits, the minimum number allowed by the regulations in force during their year of attendance.

I think it seems logical, Mr. Speaker, that in this instance we would issue a secondary school honour graduation diploma in 1966, to anyone who meets the specified requirements and who has written at least one paper successfully in this current year.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 18th order; House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF PUBLIC WELFARE

**Hon. L. P. Cecile** (Minister of Public Welfare): The funds for the current year, required by this department, will again reach an all time high. We estimate, on the basis of existing legislation, an expenditure of $120,850,000.

You will be aware that the Canada assistance plan has been promised by the Ottawa government and when this legislation is enacted, it will have a major effect on provincial programmes.

We have been apprehensive over the delay in implementing the Canada assistance plan and we are happy, indeed, that the plan is now moving ahead in the form of legislation. We welcome this progress and the opportunities it will afford us in formulating new provincial programmes.

In the meantime, studies are underway within the department to determine how we can best take advantage of the features of the proposed Act. We understand that a major principle of the federal plan will be the changing over of joint programmes, from a means test basis to the more rational needs test basis.

When the federal Act officially comes into force, we expect to make agreements with Ottawa so that additional flexibility can be introduced into public welfare and wider benefits and more comprehensive rehabilitation measures can be extended. To take one example; in order to qualify for old age assistance or disabled or blind persons allowances, the applicant must have resided ten years in Canada. We hope to see that restriction eliminated.

In anticipation of the Canada assistance plan, we are presenting to the Legislature this session, enabling Acts that will grant the authority to make such new agreements with Ottawa. Until the federal statutes are changed, we are, of course, still bound by the prior agreements. Until there is detailed legislation in Ottawa—an Act with regulations —there will be some uncertainty as to what the Canada assistance plan entails. We feel, however, that we are preparing the way, with enabling legislation and amendments, so that we shall be in a position to implement features of the proposed federal Act.

We can therefore look forward to important and beneficial changes in the welfare programmes directly administered by my department. Agreements under the Canada assistance plan should also have favourable effects on the welfare services administered by municipalities. Municipal costs are now subsidized to various levels in different programmes. We propose to stabilize their share of maintenance and service costs at approximately the 20 per cent level.

In other words, the senior governments will reimburse about 80 per cent of the expenditures across the board to the financial advantage of the municipalities. For example, under the homes for the aged programme, the municipalities carry 30 per cent of the cost; under the new system, their share would be 20 per cent. This would mean a reduction of one-third in the total outlay of municipal funds. Their payments for child welfare ser-

vices—which for some municipalities is a large item—would, we estimate, also drop by 33 per cent of the total.

With more funds available, municipal welfare can raise their standards and introduce additional services, particularly in counselling, rehabilitation and various other helpful attentions to persons in difficulty.

The same principle will apply for the nonprofit organizations who operate charitable institutions. That is to say, the senior governments would subsidize up to the 80 per cent level. It is expected that in some types of private welfare service—such as halfway houses for released prisoners—the province will provide the full 80 per cent from our own resources because these expenses will not likely be shared by the Ottawa government.

Capital expenditures will continue to be paid on the basis of existing legislation, although in the rehabilitation field we anticipate that the Ottawa government will make funds available to share in the cost of sheltered workshops.

In this general reconsideration of all welfare statutes and responsibilities, our approach is that the long term cases—those who may require aid over lengthy periods—can be best handled by the province through our own regional and administrative offices. These types of cases include persons who now qualify for old age assistance, blind and disabled persons' allowances, widows' allowances and mothers' allowances. The municipalities will largely be concerned with emergency and short term cases.

We are anxious to strengthen the service aspect of municipal programmes as well as the actual maintenance payments. Greater interest should be directed to the rehabilitation of persons and the results that can be obtained through counselling and other specialized facilities. We feel, in reducing municipal financial responsibilities, they will be encouraged to extend their efforts into additional areas of service.

Much progress lies in the immediate future, I trust, and now I want to say a few words about recent developments.

I am pleased to report that the consolidation of municipal welfare services on the county and district basis is proceeding favourably. There are presently ten counties and districts—and I understand there was another one that came in just this week—operating or planning to operate their welfare services under a single administration. Other counties and districts are giving consideration to the extension of their welfare programme on this basis.

The advantages of having municipalities unite their welfare responsibilities under one administration are manifold. With this combination of resources they can hire staff with both the time and the training to man the welfare services; they have a broader tax base; they can equalize allowances and services across the whole area; they have the ability to negotiate agreements with private agencies who supply auxiliary services; local standards can be raised and they gain the general efficiency that arises from a larger, centralized administration. The resulting benefits both to the municipalities and to the people seeking aid are evident.

The consolidated units that have been established are developing well and to the general satisfaction of the participating municipalities and the local population. Although this method of administration is new, it shows a definite trend towards higher standards and additional services that are proving to be an advantage to all concerned.

The new Child Welfare Act has also been accepted very well by the municipalities and the children's aid societies. The transitions in the societies' operations, to meet the terms of the new Act, were accomplished with minimum difficulty.

We have indeed a novel arrangement in the administration of children's services where public moneys are fully supporting the children's aid societies in maintenance of services. Their capital costs are also provided on the basis of $5,000 a bed for residence buildings and 25 per cent of cost for administration buildings. The burden of helping to support the societies has been almost entirely lifted from the shoulders of the private contributor such as red-feather or community chest funds. A larger part has been assumed by the province and the societies are now assured of a stable income. The greater emphasis on the part of the societies in extending protection services is a forward step towards coping with those households where parental care is inadequate.

We are well pleased with the adoption programme established in Ontario. Last year, a number of children were placed in suitable homes through the adoption activities of the societies, and the department. In particular, the Toronto *Telegram* and their "Today's Child" department has been most effective in promoting adoptions.

I should add that television station CFTO

has supplemented this newspaper programme most usefully and, on behalf of the public and the societies, I wish to give due credit. I would say in passing that the cost of these public services are borne by the newspaper and the TV station.

The problem of serving and treating emotionally disturbed children is of great concern. We feel that as in the case of children's aid socities with their voluntary boards of directors, excellent services will continue to be available through private organizations such as Warrendale, boys' village, the Sunnyside children's centre at Kingston, and other institutions.

The capital grants now established at $5,000 per bed should prove to be a real incentive for the construction of additional facilities. The provincial maintenance contribution of 75 per cent for children who are not wards of the societies also provides a good financial base for day to day operations. I should mention that the wards of children's aid societies, when they are placed in a children's institution, are totally supported by public funds.

Turning our attention now from children's services to the equally important subject of facilities for elderly persons, I can assure you that these are also a subject of constant attention. Our homes for the aged and our charitable institutions for men and women who need personal daily care are always a source of pride. They surprise us by the continued, unslackening expansion, with new homes and new additions to homes appearing year by year.

In 1950, there were 35 municipal homes for the aged. All but one or two of those old buildings have been replaced and 28 more have been added, so that there are now 63 municipal centres of care and in a year or two there will be 70, a 100 per cent increase in 16 years. The increase in accommodation, that is in the number of beds, is actually nearer 400 per cent.

The charitable institutions operated by voluntary organizations have grown in much the same proportions. There were 36 of them in 1950; today there are 65 institutions and the number of beds has increased by 200 per cent. A large number of these privately operated homes will benefit from the amendment to The Charitable Institutions Act passed this session which doubles the construction grant from $2,500 to $5,000 per bed.

This method of care will be augmented by a new type of accommodation, the rest homes, which may be authorized under The Homes for the Aged Act. They will cover an indeterminate area, which we call a "grey area," if you like, between the treatment given in hospitals and the type of care suitable for a home for the aged. The rest home will be administered by counties, cities or separated towns and the legislation will encourage local initiative to build in much the same manner as is done for municipal homes for the aged.

What I have mentioned are, of course, only a few of the more notable points in the ever-expanding field of welfare and in the day to day work of a department that deals with thousands of persons through a hard-working and dedicated staff. And speaking of staff, I am pleased to tell you that opportunities of obtaining qualified, trained, persons to add to our present complement have grown greater during the past year. The future is certainly brightening in that regard. I welcomed, with pleasure, the recent statement by the Minister of Education as to the concrete help and encouragement his department will give to the further development of social work and welfare service courses.

A new school of social work, the first in many years, has been established at Waterloo Lutheran University, and will begin enrolling students this September. There are, in Canada, only eight schools that provide degree courses in social work. Two of these are, as you know, in Ontario; the Toronto school of social work and the St. Patrick's school of social welfare. These institutions have recently increased their enrolments and are now filled to their normal capacities.

It is all the more gratifying, then, to note that the University of Windsor is commencing an undergraduate programme in social work and that they intend to establish the fourth graduate school in the province, in the near future.

Another source of supply is the welfare services certificate course at the Ryerson polytechnical institute in Toronto. That came into being two years ago and is proving very successful. We are assured that the community colleges, of which you have heard a great deal lately, will be in a position to follow the Ryerson example and offer training programmes for present and prospective employees of the public and private welfare organizations. At our request, Ryerson institute is expanding its programme to include a course in the management of welfare institutions. If we compare the present achievements and projects with the situation a few

years ago, and with the problems of other provinces and states, we consider that much progress has been made in Ontario in the staff training aspect of welfare.

Because of the importance of this subject and to emphasize what I have said, may I read, in part, a statement recently made by Dr. John Morgan, professor at the Toronto school of social work, who also serves as a consultant to my department. Professor Morgan comments as follows and I quote:

> It is my considered opinion that solid progress has been made in the past year in beginning the fundamental task of providing more adequate resources in manpower for the welfare services.
>
> In collaboration with the Minister of University Affairs, a comprehensive policy has been developed, after close consultation with all the various parties concerned, which will insure public support for an orderly programme of development of educational facilities in the public universities of the province. The announcement of the Minister on May 19 has made it clear that another graduate school of social work is to be developed at the University of Windsor and that any of the publicly supported universities in the province that wish to develop appropriate undergraduate programmes will be encouraged to do so. The preparation and circulation of an authoritative statement on undergraduate curriculum in this field by the Minister's advisory council should be of great assistance to those institutions that are interested in this aspect of their educational programme.
>
> The course already started and projected at Ryerson institute of technology will, it is hoped, be the forerunner of other courses in the colleges of applied arts and technology as they develop throughout the province. The province's expanding programme of bursary aid for students at all levels is a powerful support to increased recruitment. Reclassification and upgrading of welfare positions in the public services are essential if a rewarding career in welfare services is to be made a reality for graduates of each type of education and training. Provincially, this task is now proceeding with the civil service commission.

Those are Professor Morgan's words, and I should add we are making arrangements to hire a director of training for my department. The director of training will be responsible for the continuation and development of a variety of in-service training courses and other educational features.

Another project for this year is the establishment of a new branch within the department to be known as the office on aging. This office will serve in the planning and co-ordination of programmes and insure that the functions of welfare that touch the lives of older people are fully integrated. It will also carry on with a long term study on aging, which, as you may recall, has been underway for some time and is now in its eighth year. This is a survey of the economic, social and health conditions of some two thousand men who agreed to give personal information annually on their changing circumstances as they grow older. We have about 1,735 men left out of the original 2,000. The decrease is due to predictable factors, chiefly death and departure from the province, and there has been an eager and continuing participation in this random sampling of the male population of Ontario in the middle-age group. The study will continue until the men reach 65 years of age and, both during its course and at its termination, it offers a source of valuable, authentic data for governmental and community action.

In addition to this study and to its other functions, the office of aging will administer The Elderly Persons Social and Recreational Centres Act. This legislation offers financial aid and other encouragement to communities to establish recreational and social activities for their elderly residents.

I believe that through the efforts of the office on aging there will be an expansion of existing measures and a variety of new ones all directed to the increased well-being of citizens past their middle years. We expect to appoint, as director of the proposed office on aging, a sociologist specializing in gerontology who will be a person highly respected in that field. As you know, the select committee on aging has carried out useful hearings on this subject. I might add that the Ontario delegates at the recent national conference on aging endorsed our plan to set up this branch and further support has come from the section on aging of the Ontario welfare council. The geriatric advisory committee of the department, which has produced some excellent results in the medical field, will also work in close co-operation with the new office on aging in carrying out joint projects of research and service.

I expect that an inter-departmental committee will be formed to consider those matters that are handled by a number of departments and which concern our aged citizens. We can also look forward to community participation, both on the professional

and lay level, in the discussions and activities that will have beneficial results for the elderly population.

Another sector of the population, besides the aged, will benefit from recent arrangements. I am referring to the Indian people of Ontario. A major step forward has been made in the signing of two important agreements between the government of this province and the government of Canada. One agreement provides for an Indian community development programme and the other specifically for welfare programmes.

The purpose behind these agreements may be stated in this way. They are to offer welfare services to Indians at a level comparable to that which is available to other citizens of the province and secondly, to establish, outside the purview of welfare, a general programme for the development of certain communities, particularly in northern Ontario. The community efforts will be designed to develop the social and cultural capacities of Indians, to raise their standards of living and to bring them, sir, into the mainstream of the economy so that they may enjoy, so far as they choose, the benefits of modern life.

In some communities, the Indians are relatively prosperous and self-sufficient; in others, their needs are very great. We look forward to some new thinking in the treatment of Indians and to action which we hope will be more effective than has been attempted heretofore.

Under both these agreements, the province has made satisfactory financial arrangements, recognizing the fact that the well-being of Indians with reserve residence, has been, in the past, by law and by tradition, the responsibility of the federal government.

Under the community development programme, where only Indians with reserve residence live in the chosen community, the federal subsidy can go as high as 100 per cent. Where off-reserve Indians or non-Indians form part part of the community, the federal contribution will be scaled down accordingly and Ontario will pay the balance. You will understand that most, if not all, the actual development work will be carried out by provincial staff. Staff costs will be divided half and half between the two governments. There are provisions for construction expenditures and all the capital and equipment costs and the multitude of items that go into the complex task of developing a community up to a higher standard in all aspects of its life.

The second agreement—that is, the welfare services agreement—is, in effect, an extension of the programme which my department began about seven years ago. At that time, we offered to share with the councils of Indian bands, the cost of local welfare services in the same manner as we share with municipalities. A substantial number of bands took advantage of this offer where they could meet the balance of 20 per cent of the cost out of band funds. The new agreement will make financial provisions such that all Indian bands will be able to adopt this system and will insure that, wherever an Indian resides, he will be eligible for welfare assistance on the same basis as any other provincial resident.

I shall be making a more detailed statement, Mr. Chairman, on services to Indians during the course of the discussion on estimates, a statement which will further explain these proposals.

I want to emphasize that consultation with band councils and authentic representatives of the Indian people is the basic and overriding principle of these agreements. We impose nothing on them, but we do open to them new paths of opportunity upon which they can advance as fast and as far as they choose to go. I think all members will share with me the hope we have for this programme.

Before I close these remarks, I want to express a word of gratitude to the staff of The Department of Public Welfare and to welcome back to this House, Mr. Band who, as you know, at this time last year was a very sick man and now is back with us in full health. The staff in the field and the senior officials will, many of them, be personally known to members of the Legislature. There are more than 700 persons employed in the department at the present time. Generally speaking, they work hard and effectively with a personal devotion to their job.

I am pleased to see that a number of younger staff members are accepting responsible position within the department. There are good opportunities for capable young men and women to make satisfactory careers in the welfare field.

Welfare work is a great deal more than the doling out of money. It involves close personal relationships between recipient and staff members. This is all the more true as the rehabilitative and counselling aspect of welfare increases and we try to help troubled people with all the variety of problems that human nature can develop. So our staff member has to be a special kind of person, that

kind who enters into his task with an out-of-the-ordinary devotion. These persons have an interest that often goes beyond the normal concern of an employee, beyond the normal working hours, beyond the normal call of duty.

By way of a concluding comment, let me reiterate that we welcome the recent appearance of the proposed Canada Assistance Act. As I mentioned, we have been formulating our plans so that we can take advantage of the provisions it will offer. We are introducing, this session, the legislation that will enable us to make the necessary agreements with Ottawa. We shall be glad to see the disappearance of restrictions that we have often asked to be removed, we shall look forward to the new opportunities—when they are actually available to us—to provide better and wider public welfare services for the people of Ontario.

**Mr. Chairman:** We will have the member for Ottawa East.

**Mr. H. S. Racine** (Ottawa East): Mr. Chairman, I would have liked to have made a few comments on the statements of the hon. Minister, but I am somewhat disappointed, in reading these remarks, not to find all the new things we expected from him. Anyway, I shall comment on these remarks as I go along.

One of the things I think I would underline is the fact that in some areas there will be considerable reduction in the amount the municipalities will have to pay for certain services. I think this is good and I think that eventually we should hope the provincial and the federal governments should assume a much larger share of welfare costs.

There are two great needs in the welfare field in this province. First, there has to be a much greater emphasis on rehabilitation, and self-help programmes. Second, there has to be greater co-operation and co-ordination with other government departments. I do not think the Minister has mentioned anything along those lines in his remarks.

I have heard strong argument that The Department of Public Welfare, as it is set at the present, should not exist at all. There is no doubt that many of its procedures and techniques are holdovers from a past century. It is interesting that Dr. Joseph Laycock of the University of Toronto school of social works, says this in a review of a book by Richard Splane entitled "Social welfare in Ontario, 1791 to 1983, a study of public welfare administration":

> The author, in examining with meticulous care the range of public social services in Ontario originating in the 19th century, conveys clearly the continuity of fundamental attitudes towards the care of the poor, the mentally ill, the offenders, and the dependent child. These attitudes extend back to colonial experience in adopting English traditions of law, government, religion and social order to the Upper Canada environment.
>
> The student of current welfare services will—

and this is a continuation of that quote,

> —however, have little difficulty in identifying the residual components of the same concepts in present-day services and structures and in relations between provincial and local government and volunteer agencies.

In other words, Mr. Chairman, the department is living in a world for the most part, of the 18th century. You can see many examples of the department's outdated thinking. But one is very apparent and very striking. It is the department's own report. It is filled with a lot of cold statistics. Little is done to tell the department's story in human terms.

I believe a report of this kind should tell us about the people being served; it should give specific examples without naming names, of people who have been rehabilitated. The department is far too concerned with making sure that someone on welfare does not get an extra dollar or two a month. Adequate welfare allowances are certainly important. But it is equally important to push self-help programmes and programmes of rehabilitation. It is not enough for this department to say to the disadvantaged people of this province: "here is a little money, now keep quiet and do not cause too much trouble."

The department at present has a far too negative outlook. The very name—Department of Public Welfare—has a ring of the past. It should have a much more positive name and much more positive programme to go with that name. I think it would be more appropriate to call it the department of social services, or the department of humane resources. This would emphasize the fact that the department's real function is to help people realize their full capacity; to free people to develop themselves as fully as is possible.

It would also emphasize the fact that the department is working with The Department of Labour, The Department of Health, The

Department of Education, and The Department of Economics and Development on wide-ranging, well-thought-out schemes to develop the people and opportunities in disadvantaged areas of the province. I would hope that Mr. Splane's book would have been read by the Minister of Public Welfare, by the officials of his department and by all people in the public welfare field in the province, and possibly also by all members of the provincial Cabinet.

I might suggest also to the members of this Legislature that it might be quite to their advantage to read this wonderful book. It might bring a change in attitude long demanded by welfare organizations for many years.

As I said in my remarks last year, the Minister of Public Welfare is not entirely at fault if welfare is not properly handled in this province. It is rather the philosophy of welfare services of this government that has to be revamped. This philosophy is outdated. It is an answer to the problem which was valid once but is no longer valid. It is a band-aid approach to welfare. The government waits until an emergency develops or until the estimates are about to come up, and then rushes in with band-aids, sticking plasters and props. There is no direction, system or priority or integration in the Ontario welfare services.

I would also like to call to the attention of this Legislature another important report which was prepared by the Boucher commission appointed by the government of the province of Quebec in 1961 to study certain problems arising particularly from the application of The Quebec Public Charities Act.

The committee was instructed to carry out its studies on the following matters: (a) the scale of allowance rates according to economic regions; (b) the fixed rates method and the one based on the family budget; (c) the various means of collaboration between private and public welfare services; (d) the overall problem of financial assistance at home with financial and social implications, prevention and rehabilitation. The chairman of the committee, Mr. J. Emile Boucher, an old friend of mine, unfortunately passed away a few weeks ago, but his report will, I am sure, remain *vade mecum* of the Ministers of Public Welfare of Quebec for many years as it has been for the Hon. Rene Levesque who saw to the implementation of many of its recommendations and more particularly during the past two or three years.

If I may be permitted I shall read into the record some of the recommendations of the Boucher report. I am sure we could substitute Ontario for Quebec in many instances:

> Recommendation 1: The government should within the limits of its powers intensify the application of an overall economic and social policy directed towards the solution of the problem the consequence of which The Department of Family and Social Welfare had to bear in great measure without however being in a position to act upon all their causes.
>
> Recommendation 2: It is important that the overall economic and social policy of the government be co-ordinated in its parts and coherent in its orientation.
>
> Recommendation 3: In the conception and the application of social welfare measures and others pertaining thereto, constant relations should be established between The Department of Family and Social Welfare and other departments.
>
> Recommendation 4: In order to institute these relations solidly and to make them efficient a permanent interdepartmental committee should be constituted at the level of the Deputy Ministers.
>
> Recommendation 5: In order to insure efficiency, continuity and cohesion of the interdepartmental proceedings a liaison officer should be nominated in The Department of Family and Social Welfare as well as in other departments concerned.

I would agree, Mr. Chairman, that it may not be wise for The Ontario Department of Public Welfare to adopt all those recommendations, although many of the changes made in Quebec could also be made in this province.

For instance, if we look at recommendations 3 and 4 it can be seen that there should exist better co-ordination between the various government departments. For instance, if we think of the low-income person living in rural areas there might be need for consultation with the representatives of The Department of Agriculture, The Department of Education and with The Department of Public Welfare, and possibly with The Department of Health. In some cases a small subsidy may keep a farmer on a marginal farm during the period of retraining. Many of these farmers would prefer staying on their farms rather than swell the ranks of the unemployed in the cities. It is one of the things that a permanent interdepartmental committee may accomplish.

I could go on quoting much of the Boucher report but I feel the recommendations I have mentioned are sufficient to prove its value

in the revamping of our own Department of Public Welfare.

I would suggest to the government that it consider the appointment of a special committee to examine thoroughly the administration of the department. In view of the well-staffed and very knowledgeable research team of the Canadian welfare council, I would suggest that they be asked to do this study for the government. They have done work along those lines for the federal and other provincial governments and their report would be made available much more quickly than any other committee. Their recommendations could also be implemented during the course of their study, thus avoiding the usual delays encountered by Royal commissions or commissions of that kind.

I cannot emphasize enough the need for changes both in the philosophy and the administration of the department, bringing the emphasis on prevention and rehabilitation rather than, as has been done in the past, on an increase here and an increase there of welfare allowances. And I note with pleasure the remarks along those lines of the Minister and I hope that he will see to it that a lot more time is spent, a lot more effort is given, on rehabilitation during this next year.

The department should not be judged only by the amount of money spent or the money saved, but in making it possible for a large number of people to become useful citizens rather than welfare recipients. I think it is fair to say, Mr. Chairman, that this government is reluctant to try to formulate new answers for the many new problems that are concerning many of our citizens. This is particularly true in the welfare department.

I note in the most recent report of the department there is this comment on adoptions:

> Although fewer children were removed from their homes a much higher proportion of those who were so removed exhibit increasingly difficult problems and contribute to what has become known as the ever-hardening core of children with critical problems.

As the report suggests, part of the answer to this problem is provincially-supported small group homes staffed by competent persons.

But, Mr. Chairman, I would like to suggest a further programme in the adoption field for those not so severely handicapped. I notice also that the Minister has mentioned the co-operation that he has received from one newspaper and one TV station, but I do not feel, Mr. Chairman, that this is enough. I think that the government itself should launch an adoption programme to celebrate Canada's 100th birthday in 1967. The purpose of the programme would be to give a home to every child who can possibly benefit from an adopted home. I think this is the kind of centennial project that is worthy of Canadians.

We have so far concentrated on building things—bridges, monuments, sewage plants and fire halls. These are all very good in their way. But, could we not have a massive crash programme to do something for our less fortunate children? I know a good many people who feel that they had done something worthwhile for their country and for themselves and for the child involved if they could take part in an adoption programme. Let us cut some of the red tape involved in adoptions and make a real effort in 1967 and I would suggest that perhaps this effort should be started this year to clear our foster homes and children's aid societies of all the children who need a real home.

This kind of a programme would require real leadership from the Minister of Public Welfare.

He would have to spend many days explaining the benefits of such a programme to the people of the province, but I think our people are ready and willing to accept the challenge. Many of them would welcome the opportunity to do something tangible to show their appreciation for the good life they have in this country and there is no doubt that such a programme would strengthen this province and this country for years to come. I think a good many of our troubled youth are troubled because they have not had the benefit of a good home. What better way to celebrate a centennial than to give an unfortunate child a real chance to better himself?

In the question of adoptions, Mr. Chairman, I would like to quote just a few words from an article that appeared in the *Globe and Mail* regarding adoption. This article said that the "wealthy are not adoption-minded," and this was said at a meeting of the Catholic women's league convention last year by Ward Markle, executive director of the Catholic children's aid society.

He also said:

> We still have not broken into the better homes of this community. If the people who have the resources would have only a little more charity, a lot of children would be happier. There is a terrific shortage of foster homes.

I would now like to deal with a number of specific problems in the welfare field. I am going to deal with a fair number of them but I will try to make my remarks as short as possible. First, there is a shortage of trained staff. My friend, the hon. member for Scarborough West, has spoken at length on this problem and I know that his remarks have been read and studied by many people in the welfare field.

The Canadian welfare council some time ago held a workshop on training for social welfare. A report on the workshop says:

> This workshop on welfare staff training was born because of a crisis in social welfare. The crisis is this: in the face of swift and accelerating change throughout the world today, there is a dangerous shortage of staff for a growing number of welfare services and with this there is a need for much better use of our manpower resources than we have managed heretofore.

I have several suggestions to make. There is need for many more undergraduate courses for social workers. On-the-job training by private and public agencies should be fully supported by provincial funds with federal help, if it can be obtained. Summer help in agencies should be helped by the provincial government. At present, the agencies do not have the money to pay decent salaries to students during the summer months and many students are lost to other professions.

As an experiment in the use of students in social agencies, the government of Manitoba and its school of social work used first-year students to clean up an accumulation of adoption cases. I would think that any young person involved in such an interesting and worthwhile project would be encouraged to think of social work as a career.

We have to make better use of the workers we have and this means that the government will have to keep the red tape involved in programmes to a minimum. I think the government will have to encourage more persons, at present in other kinds of work, to enter social work and it will have to give those people special, on-the-job training.

Too often government uses the shortage of social workers as an excuse to delay programmes. There is a shortage but the government must do something to meet it. It is not good enough for the Minister of Public Welfare, the Minister of Health, the Minister of Reform Institutions and the Attorney General, to wring their hands and argue that the shortage has tied their hands and much-needed programmes cannot go ahead. We have had this shortage for years and too little is being done to correct it.

Second, there is the question of The Canada Assistance Act. There is real need for the government to clarify its position and I notice with pleasure that the Minister has commented on that.

The federal government will supply the provinces with an estimated $100 million annually by 1970, of which a large percentage will come to this province. By this amount the provinces are now spending out of their own revenues. What will Ontario do with the extra money? It should, in my estimation, be used to cover other gaps in the social welfare field. The Canada Assistance Act is admirable legislation but, as they say in baseball, it does not cover all the bases. I would like to suggest that the province should:

1. Establish, maintain and provide cash benefits at levels which will actually meet need and make provision for their upward revision as the wage index increases.

2. Make provisions for adequate health services in accordance with the health charter for Canadians outlined in the report of the Royal commission on health services and establish, or otherwise provide services such as family counselling, visiting homemakers, day-care centres for children and old people, homemakers' training and services to identify and motivate those recipients who could be restored to independence through utilization of manpower development services.

3. Insure that assistance available under the plan may not be withheld from those who qualify and that effective appeal procedures are set up.

4. Insure that provincial and municipal residence or settlement is not a barrier to eligibility for welfare benefits and services.

5. For the effective administration of the plan, establish regional or local units of sufficient size and scope to warrant the use of adequate numbers of staff to provide the welfare services required, authorize, provide for and recruit sufficient staff and develop and maintain staff training and development programmes.

Further there has to be greater co-ordination between the various government departments. We are supposed to have a war on poverty in this province. The Ontario federation of labour estimates 35 per cent of the population of Canada is living in deprivation,

poverty and destitution. It is obvious that if anything is going to be done for this group that we will need a concentrated co-ordinated attack by many government departments. We cannot have the troops wandering off in different directions.

Education will have to sponsor special retraining classes and opportunity classes. The Department of Labour will have to intensify its operations in apprenticeship. The Department of Health will have to make sure of the health of our people. The Department of Economics and Development will have to make an attempt to bring industry to our underdeveloped areas and The Department of Agriculture will have to work closely with ARDA.

I would like to cite an example of what happens when there is little co-ordination. Apparently the family service association of Metropolitan Toronto recently passed this resolution:

> Where a responsible survey indicates that neighbourhood social services are required in a residential area, housing for these facilities must be provided in an appropriate location. The federal, provincial and municipal governments should insure that provision is made for the proper housing of social services in any area in which it is assisting the development of housing.
>
> Social services should be located with a view to the integration of the total community and should avoid contributing to the isolation of the residents of public housing projects from the community as a whole.

It is obvious that the social workers' job is made more difficult when there are not the appropriate social services in a neighbourhood. I am thinking of such things as parks, community centres, office space, social service agencies and day care centres. But in Ontario, not one of the Ontario housing corporation's housing developments has provided for any of these things. I realize that Ottawa does not contribute towards community centres in redevelopment areas but the government of this province should be pressing for some kind of contribution. We are only making the job of rehabilitation tougher when we ignore those facilities.

But I would like to go further and quote from the family service association's recent bulletin. It says:

> Family counselling is neither an effective nor an appropriate remedy for bad housing. The family service association is asked to help many families where housing is so defective or limited that it constitutes an insuperable obstacle to any permanent solution of their difficulties. Poor housing can and does determine family life. It leads to frustration, not only for the families involved but also for any agency trying to help them. The plight of the inadequately housed families has been forcibly drawn to the attention of the public by various news media. The stories are often graphically illustrated as they leave us shaken and sharply aware of the devastating effect of family life. What they do not record is the frustration and concern of the case workers in the various social agencies who find themselves literally hamstrung in their efforts to help clients whose first and foremost need is a decent and acceptable place in which to live.

And the last paragraph reads this way:

> How can the counsellors faced with such conditions help a family to achieve a healthier relationship? Aside from the obvious recourse to the Ontario housing corporation and the housing authority of Toronto, which will try to help as much as possible but frequently can do nothing because suitable space is just not available, what hope can he offer to the Bond family and many others in similar or worse situations? How does he feel going home to a warm, attractive apartment or house after spending his day with families who have no privacy because of crowded conditions, whose children quarrel constantly, who lack adequate plumbing, and who sleep three or four in a bed?

And finally there is the association comments on a study made of housing in the Metro Toronto area. I am sure similar studies in other built-up areas would show the same results. I call the study to the Minister's attention. And here is the quotation from the Toronto *Daily Star*:

> Metro's poor are paying big money for little housing, according to a study made by the family service association.

And at the end of the article it say of the 6,000 families helped last year, a large proportion of families with several children and marginal incomes cannot secure living accommodation when public housing is not available, the report says.

This all goes to show, Mr. Chairman, what burdens are thrown on workers when there is insufficient co-ordination of effort by various government departments.

My fourth point of criticism is this: The government must make greater efforts to see that welfare on the local level is organized on

the county or some other regional level. To put it bluntly, Ontario has too many welfare officers who are part-time dogcatchers. A regional organization leads to an efficiency and it makes it possible to hire better qualified people. All welfare department programmes have to be eventually administered at the local level. If the administration here is poor, the programme suffers and people suffer.

Fifth, there has to be a much greater provincial effort in the field of day nurseries. It has been estimated that there are 96,000 women in this province who are the sole support of their families, yet what has the province done to help these women? The answer, unfortunately, is very little. We have 372 nurseries under the supervision of the day nurseries branch. It is interesting that according to the department's own report, four per cent of these nurseries are not even licensed. But, an even more important problem is this: There are only 84, Mr. Chairman, I repeat, 84 nurseries in this province offering all-day care; they have a capacity of only 2,945 children. Only 16 of these all-day nurseries are municipally operated or sponsored and in the past these municipalities have received 50 per cent of the net cost of the nursery from the provincial government. This is tragedy.

As the government's own report says, we need more day nurseries in underprivileged areas, in industrial plants, schools and hospitals. Ontario in this respect is, conservatively speaking, about 100 years behind the United States and some European countries. The government's efforts in this field have been wholly inadequate. I want to tell the government that working women are here to stay and we had better start making better provisions for them.

Sixth, there is the child welfare branch. There was a great shake-up in this branch last fall and the government lost some very competent people, among them Bill Bury, who has gone to Winnipeg. I wish him every success in his new job and I have the best wishes as well to his successor. It is too early to say what kind of support the government will be giving the new director. I hope it is more than the government has given this branch in the past.

At this time last year, a new Child Welfare Act was introduced in this Legislature. Its operation started at the beginning of this year. It is probably too soon to evaluate the work done for the underprivileged children of this province, in such a short space of time. The children' aid societies have adopted a much larger programme of prevention and rehabilitation since that time, with larger sums available for that purpose. These societies have tried to obtain more qualified staff.

We shall be watching with interest the results of this new programme.

I am convinced that with the co-operation of the director of child welfare, this situation will improve in the province, but I think it must be said that leadership will have to be supplied by the hon. Minister and his staff. Otherwise, this large increase in expenditure in that area may not produce the expected results.

Mr. Chairman, I would like at this time to make a few comments on dental care supplied by The Department of Public Welfare. Regulations allow normal care of teeth by dentists, including emergency extractions. The cost is divided on an 80-20 basis by province and municipality. This is as far as the department goes. No funds are available for dentures, not even repairs.

I would like to mention for the record a specific case that occurred in my area:

Mr. X, a young man of Ottawa, was a patient at the Ontario Hospital in Brockville. After being under observation for several weeks, and after a thorough medical examination, it was discovered that most of his trouble came from decayed teeth.

After total extraction, he was allowed to go home and was told that he was able to go back to work, or to try and find some work.

Unfortunately, the family was receiving welfare benefits and there was no money available for dentures. Many telephone calls were made to presidents of service clubs and to other organizations, but their answer was that they had other projects and had no funds available for dentures. Finally authorization was given and provided for him, and he was able to resume his normal activities. But he had lost earnings for several months, which was a hardship to himself and to the family and possibly considerably retarded his complete recovery.

I have had much correspondence from many people from the Ottawa area on the problems of dentures. The Ottawa welfare council was also in correspondence with myself and with the hon. Minister and some other members of his department, requesting that dentures be supplied by The Department of Public Welfare. In many areas, service clubs and other organizations simply do not have the funds available for that type of service. Furthermore, the members of these clubs feel that this is not their responsibility. Some of the municipalities have now accepted that responsibility, and it is to be

hoped The Department of Public Welfare will pay in the future for dentures for people receiving welfare assistance.

I think it should be useful at this time to read into the record the letter from Magistrate Sherwood, president of the Ottawa welfare council, to the hon. Minister of Public Welfare, and I quote:

> Thank you very much for your letter of December 14 in which you state that you readily agree with us it would be desirable to share in the cost of dentures. We are pleased to hear that this is a matter under most active consideration. We would like to comment on two points mentioned in the letter. One: under the mothers' allowance and dependent fathers' allowance programme, the cost of dental treatment has been provided to both the adults and children who are receiving benefits. Sir, there is a serious deficiency. The supply or repair of dentures is excluded. We can think of nothing more basic to a dental treatment programme than dentures. And, two, the question might arise as to the responsibility of municipalities in providing dentures for their residents, in this case, the four persons to whom we refer. We would like to answer the question by referring to our own local experience.
>
> First, municipalities in this area have steadfastly refused their own public welfare recipients because dentures have not been an item for provincial subsidy. We are slowly but surely convincing them of the need to help their own kind without waiting for provincial subsidy. The city of Ottawa has accepted most of the recent cases who were referred and Eastview is considering one, but it feels no obligation to provide such a basic item to provincial clients.
>
> Second, dividing responsibility by the kind of dentistry required is one of the major causes of the present bewildering situation. In practice it means that the provincial welfare department recognizes its clients' needs for dental surgery but denies its clients' needs for dental restoration. The four persons referred to in our letter of November 26, represented only those provincial clients unserved as of that date. We have a large backlog of non-welfare low-income referrals for whom we must solicit funds. Nevertheless, we will try to help these four and any other provincial cases referred to us. However, we have an obligation to our private charity resources to report what official progress we are making on behalf of public welfare recipients.
>
> May we advise that a "complementary Act" will "be presented to the Legislature within the next session"? Your letter of December 14 advises me that perhaps the provision of dentures could be recognized. Your early reply would be most helpful.

This is the end of the letter from Magistrate Sherwood, and I have, not heard in the remarks of the hon. Minister any change in policy regarding dentures. I hope the Minister will probably have some remarks to make along those lines later.

Now, number seven. The department must make more use of intensive counselling with respect to long term assistance families. In Toronto recently, two social workers were freed to give 100 long term assistance families special attention. These are families that have been receiving welfare for a year or more. At the end of the study, 42 per cent had left municipal assistance rolls. The Department of Public Welfare called this a demonstration study.

I think what it demonstrates, Mr. Chairman, is that this long established technique should have been brought into play years ago.

My eighth point deals with the simplification of welfare services. There is a great deal of confusion on the part of many persons on welfare as to just what help the government offers them. This has been expressed many times in many reports. It was expressed in the preliminary study of rural poverty in four selected areas, done for ARDA by the Canadian welfare council.

For example, on education, a key part of any rehabilitation programme, the report has this to say and I quote:

> All four regional reports noted the interest in education expressed by the family's interview.

The Inverness study, for instance, reports the interest and pride taken in the school system and the general expression of the high level of aspirations for their children. In the Lanark report, Dr. Touzel suggests that this concern for the future of children may be an avenue to motivate programmes of improvement.

Certain difficulties were also noted which are, perhaps best summarized in the following paragraphs from the Inverness report. There was much confusion about the various vocational and trade training programmes

offered by various departments of government. Courses in woodlot management, engine repair for fishermen, retraining the unemployed, rehabilitating programmes, vocational schools, trade training schools, all presented a mass of confusion to the families surveyed. They felt frustrated time and again, when they inquired about a programme, to be talking or writing to the wrong place.

In discussion with the inspector of schools on this point, he agreed completely, stating that it was little wonder that the families were confused, as he and his department had been attempting to get a co-ordinated approach in this area for several years without success to date.

Trade and industry, lands and forests, labour, education—to name only a few of the groups, at various times, have been put on courses in the country.

But the problem, Mr. Chairman, goes deeper than this. In many areas people in trouble do not know where to turn. In Toronto they may wind up in the waiting room of one of the municipal welfare offices which handles as many as 500 people in a day. They may be told, I am sorry you are in such bad straits but we cannot look after you. You will have to go somewhere else. This province needs one office in each community where people in trouble can go. They can be trained there and sent to the appropriate agency, volunteer or government.

There is one office like this in Burlington. We need many more. The Ontario welfare council had this to say about the Burlington experiment:

> The centre is an office in downtown Burlington. It began with a staff of three—a supervisor, a councillor and a receptionist-secretary. The primary purpose is to provide basic information to any person who calls or comes in, no matter what his trouble may be. Short-term counselling may be given on the spot, or the person or family referred to one of the co-operating agencies.
>
> For this centre they include The Department of Public Welfare regional office, including special services for rehabilitation; the Burlington welfare department; the children's aid society of Halton county in Hamilton; the Hamilton family service agency; Halton county family and juvenile court; the Hamilton branches of the rehabilitation foundations for the disabled and the CNIB. Referrals are also made to health agencies.

Another interesting approach to the problem has been tried in Toronto. The Ontario welfare council had this report on the subject:

> Rising out of the unusual, almost emergency situation, is a Toronto project that may have a great deal to offer as a future pattern for services to people. It is called the neighbouring service unit and it exists to serve an area that has become known as St. James Town, bordered by Wellesley, Sherbourne, Howard and Parliament. It is slated for redevelopment and by 1967 all the houses will have been demolished and replaced by high-rise, middle-rent, apartment complex.

Now, the report says this:

> The setting has been deliberately kept informal, and so has the approach of the staff. There is no sign on the building, and the news of its function is largely passed on by word of mouth. A number drop in every day. Youngsters come in the evening and a small day nursery has been opened for preschool children. It is hoped, eventually, to reach families who have never approached any agency, sometimes because they did not know help was available. The unit's operations are temporary, since its neighbourhood will disappear but its lessons will linger. Mrs. Cook, who left for England last month, was succeeded as director by Norman Gulko.

Much more has to be done in this field, Mr. Chairman. It is not enough to print a few pamphlets or booklets. The people who need the advice probably will not read them anyway. We need offices in the field where people who need help can go and we need more workers located in the field offices, going out to see people.

My ninth point has to do with nursing homes. The government has brought in legislature to control nursing homes, which is very commendable. But, the way in which this legislation has been handled has caused great concern in the nursing home field. To put it simply, the operators are not sure where they stand. Unless the government makes its position clear to responsible officers, there will be delays in the construction of the kind of nursing homes that Ontario so badly needs.

It is unfortunate that the government could not have worked more closely with the Ontario welfare council in this field because the council has built up a good deal of knowledge about the operation of nursing homes in the province.

As a tenth point, I would like to talk briefly about the province's rehabilitation services. The department annual report shows that this province, this so-called province of opportunity, only helped finance treatment, and appliances, for 302 people last year. Mr. Chairman, I think this is ridiculous. The department can do all the counselling it can, but it would not help a man who has not got an artificial arm and cannot afford to buy one. This is a serious problem. As far as I know, very few medical plans call for the provision of special braces and appliances needed by many of our handicapped.

The government's own report points out this danger, and I quote:

> Many persons with lesser disabilities have been able to become rehabilitated without the help of organized programmes. This leaves a greater number of referrals consisting of more seriously handicapped persons suffering from mental illness or mental retardation and long-term recipients of public assistance. While successful rehabilitation of such persons is more rewarding than that of less seriously disabled, success is less assured and greater demands are made on the time and skill of the rehabilitation counsellor.

In short, the service is dealing with more difficult cases and it does not have the staff and facilities to do the job, and the report says, at another point, the rehabilitation counsellor is a key agent in any vocational rehabilitation programme. Their success or failure to restore handicapped persons to useful employment is, in large measure, dependent on the numbers and quality of rehabilitation counsellors. Without sufficient numbers of counsellors, services and financial assistance, authorized by legislation, cannot be made available to persons entitled to this assistance.

Poorly qualified staff results in inadequate assessment, waste of public funds, poorly selected training programmes and frustration and failure to the handicapped person.

It is obvious that the department's civil servants are asking as vigorously as they can for more funds and for more skilled help. I would like to call the Minister's attention to some of the programmes included in the United States war on poverty. Not all those programmes have been a success; but many of them have been. And we have nothing like them in Canada, and in Ontario. I am thinking of the job corps, VISTA, the work experience programme, operation headstart, community action programme, rural development schemes, student aid programmes and many others. The question arises as to whether this government is seriously interested in doing a good job in the social welfare field or whether it will do just enough to get by. I would remind the government of an old adage that is particularly pertinent in the welfare field. A job is worth doing well or it is not worth doing at all. In some cases, past social welfare programmes are worse than no programmes at all. The half programme just raises hopes which are soon dashed and the job of social workers is set back.

I think there has to be a word said as well about the great problem of child abuse and in this connection I would like to read a recent letter, sir, from a well-known law professor. I will read just part of it in which he is referring to the Armstrong and the Laguerre cases which have been referred to by some of the hon. members of this House.

Professor Graham Parker of the Osgoode Hall law school finishes his letter thus:

> The new amendment to The Child Welfare Act, which requires any person having knowledge of child abuse to report to a competent authority is an excellent provision. Unfortunately, these reports are often too late. The child has already been killed or is seriously injured. Therefore, we need an early warning system. Past experience has shown that child abusers can often provide plausible explanations for what are in fact intentionally-caused injuries. Research has also shown that child abusers will shop around various hospitals to avoid detection or questioning by hospital staffs. There is a drastic need for education of hospital personnel in the identification of potential child abuse and child abusers. The doctor, nurse and hospital social worker must have a high index of suspicion. One of the ways of achieving this is by the establishment of a central index conducted by an appropriate agency where all suspected cases of child abuse or potential child abuse could be registered. Under this system, any further visits by a child to a hospital will call for an examination in the central index file to show whether the child comes from a dangerous home environment or if the possible abuser's story is to be believed.

I would like to see such a central registry set up. I know government officials have discussed such registry, but so far we have had little action. I know the province's supervising

coroner, Dr. H. B. Cotnam, has done the best he can to set up a central filing system but I have my doubts as to how thorough his records are. Even the supervising coroner admits that the law requiring persons to report cases of child-beating lacks teeth because no penalty is spelled out for failure to report child abuse.

I also want to comment on the problem the government has had with this new Child Welfare Act. The press in the past months has been full of the department's difficulties. I will just quote the heading of some of the articles that have appeared in the newspapers in the last few months.

One appeared in February, which says that "The Child Welfare Act angered Metro chairman Allan," because he felt that it would entail too large an expenditure for the municipality of Toronto. And then another article appeared in the *Star* of February 23, and the heading was "War starts on children's aid societies' aid budgets." And an editorial appearing in the *Globe and Mail* on March 4, 1966, starts, "The Act that failed."

I shall not read into the record those articles, I think the members of this Legislature have read them. But I think the entire Child Welfare Act will have to be re-examined and I think we shall have some more comments to make on that.

There is the question of the Indians which was referred to by the Minister, and I think that perhaps there might be several questions by some of our members, some of the Opposition members, when the appropriate vote comes along.

I have a few remarks to make regarding the weaknesses of services supplied by The Department of Public Welfare and I would particularly refer to the lack of programme—and I have mentioned that in my remarks a little while ago—lack of programme for braces, orthopedic shoes, and many other services which the department seems to completely ignore, leaving the responsibility to private charity, service clubs and many other independent organizations.

Service clubs particularly have seen the funds made available to them for such projects almost completely disappear in the past few years. When they have available funds, they feel that supplying the services is the government's responsibility and that the role of service clubs and any other service organizations is to initiate new projects.

I believe, however, that there should be greater co-operation between government and private agencies. I believe that in the field of welfare services—and I would like to quote at this time some of the comments, or some of the excerpts, from the brief presented by the board of directors of the Saskatoon welfare council to the Royal commission on government administration of the Saskatchewan government—and I quote:

> I believe that there should be greater co-operation between government and private agencies. I believe in the field of welfare services, private initiative is as important as public responsibility. New projects dealing in areas not presently covered and requiring experimentation and citizen participation should be handled by private agencies and service clubs.
>
> Others past the experimental stage and requiring general financial responsibility should be public or government-sponsored. In other words, services regarded as basic should almost always be public. It might be useful to mention that 90 per cent of the money spent on public welfare services is raised through taxation. Because of the size of the programme and its stable character, the government has to carry major responsibility for the success of the relationship with voluntary agencies. Consequently, co-ordination and planning, including full recognition of the voluntary sector, must be a major concern of government.
>
> Government must try to prevent duplication, confusion, lack of co-ordination in private services even if public funds or public programmes are not directly affected. The government can have economy and efficiency in providing and financing services; voluntary organizations can ask citizens concerning education and involvement. It has been found that government may purchase services from voluntary agencies. This is being done today with homemaker services and perhaps with many others, but often these services are as good, and perhaps better than, services supplied by public agencies or by government itself. Thus, it is possible to take full advantage of the services of volunteers.

I believe that the government should try and channel the energies of many men and women in this province and train them to render useful services to the benefit of the people. Voluntary agencies have to improve their organization and learn some of the government's methods to achieve better services.

The government should also try to learn

more about voluntary organizations and make better use of volunteers. It may be useful, Mr. Chairman, for the Minister to appoint someone in his department to co-ordinate private welfare services in this province. I have shown, I believe, that there is duplication in many areas and a lack of services in others. The appointment of this official would make it possible to give the public more adequate welfare services.

I would like to make a few remarks on the problems of aging. It has been my privilege to be a member of the committee on aging of this Legislature. Together with my colleagues, I have visited all parts of the province. I have seen the many facilities offered in this province by government and private agencies and municipalities to persons over 60 in need of assistance of some kind.

Many areas offer very adequate facilities in the form of homes for the aged, low-rental housing projects and many other facilities, but it is safe to say that much more can be done, particularly in the area of low-rental housing. Many municipalities have not been able to find the funds to initiate projects and there are still many persons in the over-60 group who still have to pay high rent for very inadequate accommodation.

I read in an Ottawa paper last week that such a project had almost failed because of the high cost of construction. I believe, however, that some help is forthcoming from the city authorities and that the service club would be able to complete this much-needed accommodation.

We must recognize that the government has organized an office on aging. It is my sincere hope that this programme be strongly encouraged by the Minister. It is also my wish and that of my party that much time and effort be given in the research programme regarding the problems of our aged population. In that area, as in many others in the welfare field, money and time well spent now will prevent many hardships in the future.

Mr. Chairman, I could go on and make many more remarks on welfare in this province, but I think I have made my point in showing that there is much more to be done than has been done in the past. I have tried to be as constructive as possible and I think this is the role of the Opposition, to offer constructive criticism. I think that if many of the suggestions I have offered in my remarks should be implemented by the department, they should help to improve the welfare services in this province and I am sure, Mr. Chairman, that in the course of the debate on the estimates that I shall have more to say about it.

**Some hon. members:** Hear, hear!

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, it is a pleasure to again participate in this annual June excursion into the Department of Public Welfare, and to exchange views with the hon. Minister opposite. He will be intrigued to know, I am sure, and perhaps surprised, that I intend to be relatively brief. Indeed, I should be finished before the time for private member's resolution because I want to deal simply with one straightforward theme.

I might say that with the Minister and the hon. member for Ottawa East, I should like to join in welcoming back to the working body of the welfare department, the Deputy Minister, Mr. Band, and affirm what has been said by the Minister about the appointment of many new and younger people. It is a salutary development.

Indeed, the one thing in the Minister's lead-off which struck me as curious—not to say invidious—was his tribute to the staff which ended with this intriguing final sentence:

> Generally speaking, they work hard and effectively with a personal devotion to their job.

The implications of "generally speaking" are interesting. Perhaps one might be permitted to substitute, "without exception." The Minister, I am sure, would accept that amendment.

I have one central theme that I want to develop. I will leave the branches for later in the itemized discussion of the estimates where they may be more appropriate.

I want to turn my thoughts and observations to a brief analysis of the most significant piece of social policy that this country has undertaken in many years and that is the Canada Assistance Act. I want to discuss the implications of that Act for this province within this department and to begin with, Mr. Chairman, I want to commend the government and particularly the Minister and his department, for bringing in all the legislation which is presently on the books prior to The Canada Assistance Act becoming a fact. Recognizing of course that the operations of the federal House of Commons are from time to time mysterious indeed, and that we cannot always count on an early and felicitous passage of that Act, it is good

that the enabling legislation is here. I take it for granted that as soon as the Act is passed in Ottawa, the equivalent Acts will go into operation in the province of Ontario.

However, enabling legislation of itself is very little. What is of consequence is what The Canada Assistance Act will actually mean, and mean in the province of Ontario. Here, Mr. Chairman, I have very profound reservations indeed, particularly, as I say, when nothing can be more significant in the field of social policy. The social policy of this department has been notoriously inferior in the general fields of categorical assistance.

Indeed, the mere fact that the department has acquiesced in a policy of categorical aid for so many years, is an indictment of the manner in which they view such activity. It was not necessary to acquiesce in all the bitter and discriminatory categories; it was not necessary to acquiesce in some of the more unpleasant injustices which those categories visited on individuals and continues to visit on individuals.

I would remind the Minister and the House, because I think it is important, that in many provinces of this country, supplementary assistance was provided. In one province of this country, a social aid programme which rejected the categories has been in vogue for many, many years. Yet we acquiesced for a considerable period of time. But now, Mr. Chairman, The Department of Public Welfare, according to the Minister's statement today and according to what we know, has agreed that he will accept the social revolution which The Canada Assistance Act implies, a shift from an arbitrary and discriminatory means test to a more socially desirable needs test.

Now, we have discussed the meaning of a means test and a needs test from time to time in this House. It is worth pointing out that that shift, that sense of shift, arouses great hopes almost everywhere except in the province of Ontario where, I submit, the distinction is barely recognized and less understood.

Now, that worries us on this side of the House and worries us greatly. It is necessary perhaps to put precise indication of what is meant on the record of the House.

The province of Ontario has felt for some time, and even some of its senior departmental people have felt for some time, that a needs test programme presently administered is the mothers' allowance programme. After all, the mothers' allowance programme in Ontario incorporates features of a prepaid budget. It incorporates features of assessing people supposedly on the basis of need. It has always been held up as a needs test programme, as opposed to the more arbitrary means test of, let us say general welfare assistance.

Well let me make a comparison for this House to show what this shift is likely to mean for the people of Ontario.

A mother with two children on general welfare assistance at the moment—these figures may be slightly out of date, but I believe they are up to date—receives $70.15 a month, or $841.80 a year. That is under a means test.

A needs test of mothers' allowance pays the same mother and two children, $87.15 per month, or $1,045.80 a year.

In other words, the difference between them is something in the vicinity of $200 a year. It amounts in every single category to $17 a month.

But more important, what the social planning council study of needs for such a family unit, a mother with two children, demonstrates in the Metropolitan Toronto area for instance, is that the minimum requirement would be $150.91 a month, adding up to $1,810 a year. In other words, some $800 more than our munificent mothers' allowance programme at present provides. Or to put it more simply, the mothers' allowance programme is providing something like 60 per cent of the absolute minimum subsistence level that reasonably experienced people have assessed is required.

That is a needs test programme in the province of Ontario, and that in very large measure, Mr. Chairman, is what The Canada Assistance Act will mean for the province of Ontario. There is very little comprehension apart from the reallocation of funds between the province and the municipality, as to the implications for people inherent in this plan.

To demonstrate yet another very serious weakness, it is worth pointing out that the staff problem to administer The Canada Assistance Act has never been properly tackled by this government. And no solution is presently apparent. I would ask the hon. Minister, and ask him genuinely, where is he going to find the people to administer a plan which requires a much greater degree of sophistication in its operation? It is going to provide qualitative changes. Where is the qualitative increase in staff which will allow for a different kind of assessment and evaluation of individuals, so that they can actually be based on need, rather than on arbitrary categories?

Again it emerges, Mr. Chairman, that such people are not available, so that The Canada Assistance Act when translated to the province of Ontario cannot possibly be anything other than another interim measure, another spasm, another twitch, another minor move in the direction of an income maintenance. It cannot mean anything more than that.

That may be sufficient for some people. We are inclined to accept minor shifts of that kind with great plaudits. We are inclined to assume that the slightest move in the welfare field is something worthy of tremendous commendation and excitement, and so we are all drawn into the public relations atmosphere which surrounds The Canada Assistance Act.

That Act may mean a great deal outside Ontario, but on the present evidence which we have it will mean very little inside the province.

So it is worth emphasizing a rather new idea, in the sense that Legislatures are just beginning to discuss it, but an idea which I suggest has particular relevance to the province at this point.

At precisely the moment of the introduction of The Canada Assistance Act, a growing body of opinion, and it is a body of opinion with which this party associates itself, rejects that particular kind of approach as anything other than an interim measure. And it suggests a more radical overhaul. It certainly suggests the contemplation of a more radical overhaul of the whole social security system, and suggests that we assert finally, strongly and unequivocally a serious study of the guaranteed annual income for various groups of people.

A guaranteed annual income, I earnestly suggest to the hon. Minister, now becomes the truly relevant base for social security, and when compared to the implications of the guaranteed annual income, The Canada Assistance Act pales into even greater insignificance. The guaranteed annual income would obviously apply initially—to do it in an intelligent and sensible way—to three groups.

1. Recipients of old age security, and I simply draw the attention of the House to the lead editorial in the *Globe and Mail* today, which precisely confirmed that fact;

2. To all those presently covered by categorical aid programmes, the disabled, the blind, the general welfare assistance, the mothers' allowance, and so on;

3. All those living below the poverty line; what one would call the working poor.

Now these are vast areas of the province embracing large numbers of people, but they all logically fall within a guaranteed income formula. Obviously, Mr. Chairman, some explaining has to be done, and I shall undertake now to do it.

The present socio-economic system uses a very simple mechanism for distributing resources. It assumes that the overwhelming proportion of those seeking jobs can find them, and that the incomes received will provide a job holder with adequate funds to live in dignity. That is the rationale of this socio-economic system.

However, anyone who sits in this Legislature for any length of time knows there are tremendous gaps to which a guaranteed annual income obviously applies. Let me mention some of them.

First, the question of the working poor. I shall not go into it in detail, except to point out the numbers of people who had to be subsidized under the government's own OMSIP legislation as an indication of the numbers we are dealing with.

Second, minimum wage legislation. Again, vast numbers of people fall through the fabric. Agricultural workers, young people, women, domestic workers, the hard to organize—those in restaurants, and so on; it is worth pointing out that even at $1.25 an hour we are talking about $2,500 a year.

In other words, the government's concept of a minimum wage falls appreciably below the poverty line; and that is a Tory governments' concept of the minimum wage.

Again, for a family with four children, husband and wife with four children, the social planning council studies show that the minimum per hour required is not $1.25, but $2.36 and the annual income per year is $4,900 minimum. So we are running at roughly 50 per cent of the required level, and that is an interesting commentary on a Conservative mentality. I no longer dispute that mentality. I have come to accept it as an almost intolerable fact of life.

My colleague points out to me that the minimum wage legislation in Ontario—and I should have made this exception—except for the construction workers, of course, is $1 per hour. My quick mathematics brings that to $2,000 a year, which is even more reprehensible. But it would not cause a ripple for the hon. member for Kent West for example who finds all of this delicious food for thought and comment. The third area which is obviously inadequate is that of workmen's compensation, which applies only to the injured workman and therefore leaves out large numbers.

Similiarly, unemployment insurance applies

only to the temporarily unemployed. It omits the long term unemployed and it omits those who are seeking their first job.

Similarly, the Canada pension plan is an employment-centred instrument which violates almost every principle of progressive income redistribution, as the hon. member for Woodbine very effectively demonstrated in this Legislature on an earlier occasion.

Sixth, no sick pay plan in Canada and a guaranteed annual income would help to overcome that fact.

Our old age security simply reflects the existing labour practices which are appalling in the extreme and for which no solution, with the greatest of respect to the Minister of Labour's bill earlier this session, is presently available.

And so we have appointed, curiously and interestingly enough, a special committee of the Senate on aging. Here is a final report in which they set out for the particular category of people the concept of the guaranteed annual income. I want to read a portion of that report into the record because I think it is of some significance and I quote:

> Any suggestion that these older people, when the $75 pension is not sufficient, should be expected to demand for supplementation on public assistance after a means test is utterly unacceptable.

The report goes on:

> There is another possible way of dealing with the situation which the committee has considered, viz., through the establishment of an income guarantee programme on the lines indicated below.

And these are the lines which the Senate committee on aging sets out:

> 1. The establishment of a technically competent body to study the income needs of older people and to develop a socially acceptable minimum budget for single persons and couples which would be adjusted automatically each year on the basis of a suitable index for consumer spending or of earning.
>
> 2. Until this study has been made, acceptance, as a working standard of the maximum annual income permitted now under old age assistance, namely $1,260 for single persons and $2,220 for a married couple.

Mr. Chairman, that is an appallingly low level of guaranteed annual income but it is at least a level.

> 3. The establishment of an income guarantee programme to provide allowances throughout life to all persons beginning at 65 on the following lines: that the only conditions for eligibility under the income guarantee programme be age as indicated above, ten years residence in Canada, a net declared income from all sources, including old age security and the Canada pension plan, below the above amount, that the procedure call for the completion of a simplified income form annually and that the amount by which the declared income falls short of the established minima in any year constitutes a benefit for the year following, that there be sample checks periodically under unemployment insurance to catch abuses but no means or needs test inquiries on traditional lines.

So a major body in Canada comes forward, given a restricted category, with the concept of a guaranteed annual income.

We might quibble over the amount, Mr. Chairman—I want to suggest a possible amount later on—but the principle cannot be overlooked and it could apply on a much broader scale. It could apply, as I suggested, to those people who fall through all the other programmes and through the categorical assistance Act and also to the working poor. And just to show that there are some pretty reputable groups who are moving behind this kind of approach to precisely the moment when we take a rather retrograde step in this province, I want to put one final quote on the record—the report of the national commission on technology, automation and economic progress in the United States. Their report in February, 1966, made the following observation:

> The commission recommends also that Congress go beyond a reform of the present structure and examine wholly new approaches to the problem of income maintenance. In particular we suggest that Congress give serious study to a minimum income allowance. Such a programme if found feasible should be designed to approach by stages the goal of eliminating the need for means tests in public assistance programmes by providing a floor of adequate minimum income. Under any version of the minimum income allowance persons with incomes below an acceptable standard would receive a tax rebate or tax allowance just as persons with incomes above exemption levels pay taxes. And all schemes share the feature the payments by the federal treasury are based on declara-

tion of past or present income. Federal income tax returns could be used as a basis for determining qualification.

It seems to me again that one can therefore marshal very reputable authority in the field and I put it on the record to urge the Minister in this direction.

Why are these people of various economic and social persuasions—let me assure you, Mr. Chairman, that they represent great varieties of political viewpoints—why are they all adopting this kind of stand? Well, there are many motives. Some of them are perverse.

For instance, the well-known economist, Milton Friedman, wants to implement a guaranteed annual income so as to remove all other social security entirely. The concept of a guaranteed annual income is, admittedly, a cash concept but it means that one would still have social assistance programmes which have a particular application for goods and for services. It is necessary to bulwark an income maintenance floor, as it were, with increased emphasis on medical care and on housing and on counselling and on rehabilitation and on all the structure of ancillary social provisions which are definitely important and without which a guaranteed annual income makes very little sense indeed. So Milton Friedman's objectives are really repugnant to this party.

But most of the other advocates make the following series of judgments:

The economic factors are of very great consequence. What a guaranteed annual income can do fundamentally is to anticipate any change in the wage system if automation has some of the far-reaching implications which many have attributed to it. There is no evidence as yet immediately available that that will happen to as great an extent as some of us in this Legislature, myself included, have suggested. But the guaranteed annual income still provides a mechanism for a new method of income distribution in society, a new method of income distribution which breaks down some of the traditional labour market forces.

One can also point out under the economic factors, Mr. Chairman, the effects of a steady flow of income to the poor. It is a salutary series of effects. It would stabilize the business and seasonal cycles, it would raise standards in economically depressed areas, it would facilitate labour mobility. In other words, there are very cogent economic reasons for a guaranteed annual income.

Then there are social factors. One of the social factors is the pure and simple concept of equality which demands a basic income. I suggest to you strongly, Mr. Chairman, that at this point in time, in the 20th century, social concepts of equality demand that you do not allow people to fall below a certain income level, and it is intolerable to introduce a Canada Assistance Act plan which will continue to have people below a minimum level. The other obvious social position is the elimination of the pernicious categorical aid, which categorical aid will be continued under a slightly different guise by the Ontario version of The Canada Assistance Act.

Finally, Mr. Chairman, and perhaps most significant of all, there are personal factors, individual factors. A guaranteed annual income, cash transfer payment as it were, should aid in the development of greater personal freedom. What a guaranteed annual income could mean is the possibility that the individual is considered to be as important a unit as the family is at present. In other words, the importance is shared, and one would not only pay the working head of the family but one might well also pay the wives of the working heads, and recognize the fact that the woman working at home is entitled to an income for that work as much as the woman on the labour market receives a specific wage.

What that could well mean is to recognize the role and the place and the rights of women in this society, and the relevance of the kind of role they perform in the home. While goods and services have an essential place, of that there is no question—nonetheless I suggest to you—that cash, as such, gives a greater impetus to individual freedom. As I said, it may well prove the vehicle for asserting the rights of women.

That is not a very socially acceptable concept in this House. There are a great many people in the government party—some of them in the Cabinet—who are ever apoplectic about such totalitarian mechanisms as day nurseries, and I can therefore imagine what they would think of paying women who are working mothers in the home looking after a family. But I suggest to you that again, however, much it may affront their sensibilities, it is necessary to tug some people into the 20th century and to recognize that sexual equality is now something which a proposition like the guaranteed annual income can facilitate.

It may imply a great shift in thinking but, I suggest, Mr. Chairman, on behalf of this party, that it is worth contemplating to the fullest.

All-in-all, therefore the guaranteed annual income is designed primarily as an anti-poverty measure; it is designed to bring incomes up to a basic minimum, and it emphasizes modern concepts of economic, social, personal and sexual equality. It makes it possible for new programmes of income distribution and it takes into account the effects of technological change on the work force, if those effects are extreme.

Now, the obvious question which would be thrown at any member who put forward this kind of proposal on behalf of his party, is one of methodology, technique—what mechanism, what detail?

I do not want to enter a fruitless and endless argument of the precise methods of establishing a guaranteed annual income at a precise level, but I will introduce one technique which is widely accepted. There are many who have very serious reservations but let me put it on the floor of this Legislature as a basis for discussion, and that is the interesting proposal of the negative income tax.

The negative income tax is a straightforward application of a percentage rate to the difference between a person's total income and his total allowable exemption, and an effort, via negative income tax, to bring the income level up to a minimum. Let me give a specific example to make it clearer to the House.

Suppose you established a 50 per cent rate. Let us take a mother who earns $1,000 and is the sole support of a child of 12. Her exemptions are as follows: $1,000 for herself; $1,000 for her dependent child, and $100 for standard medical and charitable deductions. Her total exemptions are, therefore, $2,100; her total earnings, as I said, are $1,000; the deficit is $1,100. The application of a 50 per cent negative income tax to that $1,100 would be $550. Then you add that to the income. It brings her total income up to $1,550.

That, in very brute, simple, terms is the principle of the negative income tax. It can be much more sophisticated; it can greatly vary. The rate can be 30 per cent, 50 per cent, 70 per cent. The opportunities to vary the rate build in possibilities of providing incentive to raise income oneself, but it also leads towards a guaranteed annual income provision.

One of the people who has done most work in this field, Dr. Robert Lampman, professor of economics at the University of Wisconsin, and who did several papers on the negative income tax for the bureau of economic opportunity in the United States, puts it this way:

> Who would get how much benefit out of a negative tax rate plan would depend upon the level and pattern of the negative rate; the way the tax rate is defined and the way the eligible tax unit is defined. By working with these three variables, the tax policy maker can put the money where he wants it.

Again, Mr. Chairman, I am not specifically advocating a negative income tax. I am simply suggesting that it is one of the many interesting proposals which have come forward from the groups of people concerned about a guaranteed annual income.

But there are other major implications which I want to put on the floor of this Legislature. I hope the discussions at some point might centre around them. First, if payments are made to individuals—to a husband and a wife and maybe, on occasion, to dependants, then obviously we would alter our entire tax system. Some of the obvious exemptions would be eliminated which, in effect, would raise the total tax; leave a larger gap, and the negative income tax would have to make that up and raise it to an even higher level.

There is another factor which should be noted. That is: You cannot pay annually for last year's poverty; so that it may be necessary to pay a guaranteed annual income on a quarterly, or monthly basis, and it might be necessary to file income tax returns on a quarterly or monthly basis, however it is done. Again the committee on technology in the American economy makes this statement —which is a very simple, straightforward one. It says that it could be a self-administered system and I want to quote:

> The recipient would fill out a tax form showing the income and family size; look at a table showing the allowance payable for that income and family size combination; and mark down what is due him.

There would again be a series of checks written in as there are in other programmes which operate in a similar fashion. So the question of the unit size—the individual or the family; the question of the changes in the tax system; the question of the times of payment—all of these are important features of a guaranteed annual income but they are involved in the methodology, as it were, and do not affect the essential principle.

What kind of guaranteed annual income, Mr. Chairman? Something rather in excess, I would suggest, of $100 a month. The social

planning council has said $4,900 a year for a family of four. Poverty levels are considered $3,000; surely something between the three and five thousand dollars level should be an acceptable guaranteed annual minimum for a family in this country, something in the area of $4,000. We have discussed that on the floor of this House before, but by no means can we allow ourselves under a Canada Assistance Act to perpetuate income maintenance which is below the poverty level.

In summary, what I have therefore suggested is in the nature of a suggestion for discussion. While we accept the principle—I might say, unlike our friends on the right, the Liberal Party, who have not yet accepted the principle, and I urge them to consider it seriously—while we have accepted the principle we put it in this context:

First, that The Canada Assistance Act will have serious limitations in the province of Ontario, and it is likely to continue to embody discriminatory features which work arbitrary hardship on individuals.

Second, that one can have a guaranteed annual income which applies, in the first instance, to those on old age security; in the second instance, to those covered by categorical aid plans, and in the third instance, to the working poor.

Third, that social assistance programmes as such, as we now know them, move vigorously to the area of goods and services—particularly services to people in the best sense of that word as social work concepts now define it and, finally, that a methodology be examined for working out a guaranteed annual income, whether it be a committee of this Legislature or a group of senior civil servants, so that some of the techniques can be open to public discussion and fruits thereof shared by all members of this House.

Hon. Mr. Spooner moves that the committee of supply, rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

## NOTICE OF MOTION

**Clerk of the House:** Notice of motion No. 33, by Mr. J. B. Trotter:

Resolved,

that, in the opinion of this House, this Legislature should enact legislation to supplement old age security payments by $25 per month and should make an automatic payment of $100 per month to those aged 65 and over who at present are not receiving old age security and that a cost-of-living escalator clause should be applied to these payments.

**Mr. Speaker:** Before the hon. member moves this resolution standing in his name, I should like to say that my attention has been directed to clause 2 of the hon. member for York South's amendment to the amendment to the speech from the Throne, which was dealt with by the House on March 24. It has been suggested the hon. member for Parkdale's resolution deals basically with the same subject and having been dealt with by the House should be out of order or would be out of order if brought forward again during the same session.

The member for York South's amendment proposed that the government should provide for an interim supplementary allowance to bring existing allowances to $100 per month. The member for Parkdale's proposed resolution appears to me to suggest to the government that it should be permanent allowances to everyone of the age of 65 and over with a cost-of-living escalator clause being applied to these payments.

I am of the opinion that the differences are such that this resolution does not offend the rule to the extent that matters dealt with by the House may not be again raised at the same session. As long as it is understood that the resolution deals only with a permanent allowance to those 65 and over with the escalator clause attached.

For these reasons I feel no precedence is being established by the acceptance of this resolution, which would permit the reintroduction of subjects already disposed of by the artifice of making minor changes to basic principles, because such attempts would, of course, have to be carefully examined. I may say I have discussed this resolution with all three parties and have acceptance on this point.

**Mr. J. B. Trotter** (Parkdale): Mr. Speaker, I move, seconded by the hon. member for Huron-Bruce:

That, in the opinion of this House, this Legislature should enact legislation to supplement old age security payments by $25 per month and should make an automatic payment of $100 per month to

those age 65 and over who at present are not receiving old age security and that a cost-of-living escalator clause should be applied to these payments.

Mr. Speaker, the generation of young men who went to fight in world war I have often been called the lost generation as a result of so many of them being killed and as a result of their lives being so upset, but those of them who have lived to this day could now be called the neglected generation for they are among those people who are 65 years and older. And the great majority of people 65 and over in Ontario and in Canada are receiving to my mind a dirty deal from our governments both federally and provincially.

Despite the fact the older generation has guided us through two world wars, the greatest depression in our history, a recession, and has guided us to what is a great prosperity compared to most areas of the world today, thousands of these people who have led us during far more difficult times, are destitute, the victims of sickness, old age and the high cost of trying to live. Most of the figures or the statistics available are based on all of Canada.

Some may complain that it is not fair to apply averages of all of Canada to the province of Ontario which is the wealthiest of all the provinces. But, Mr. Speaker, when we remember that there are some farmers in Ontario whose gross income is $1,500 per year, it would be safe to assume that except for certain small pockets of great affluence in Ontario that it would be proper to apply the averages of all of Canada to the province of Ontario.

Let us take a hard look at some of the shocking figures that show how prosperous the senior citizens are and again I repeat, these are figures for all of Canada. Nearly 39 per cent of the men between the age of 65 and 69 and 85 per cent of the women in that age group have incomes of less than $1,500. Over 60 per cent of the men and nearly 85 per cent of the women over 70 have incomes below $1,500. Many in this House, Mr. Speaker, will no doubt say that they know a lot of older people who have good incomes. Well, we may be in a position where we meet more prosperous people but certainly those people who are older and have good incomes are very much in the minority. Again, for an example, nearly 79 per cent of the men in Canada between the ages of 65 and 69 have incomes of less than $4,000. Nearly 97 per cent of the women in that age group have incomes of less than $4,000. And the women over 70 years of age, nearly 98 per cent of them have incomes of less than $4,000 and about 90 per cent of the men over 70 have incomes of less than $4,000.

So when we talk of handing out a lot of money to those who already have money, you will find that a very small proportion of our population, particularly in the older age groups, have what we would call substantial incomes.

I have often wondered what has happened to all the rich uncles and all the rich grandfathers we hear people talk about from time to time. And then we often hear of the rich widow and the rich divorcee. I was surprised to learn that in Canada 63 per cent of the women who are divorced or who are widows and are over 70 have an income of less than $1,000 a year. That is all the widows in Canada, and those who are divorced and over 70, and 63 per cent of them have an income of less than $1,000 a year. Nearly 49 per cent of the single women, those who have not married, have an income of less than $1,000. It would seem that the average woman is wiser not to marry, because in their older age the spinster seems to have more money than the widow or divorcee.

The Senate committee on aging has produced endless statistics on the numbers of the aged, their incomes and their lack of income. It is obvious that as a society we have been callous and indifferent to the problems of our senior citizens.

It is true that the Canada pension plan will be a great help in the future, but it does nothing for the thousands who are 65 and over today. It is cold comfort to tell someone who is 65 today, that the pensions will be much better 20 years from now. What the old need today, Mr. Speaker, those who are 65 and over, they need now. They cannot wait and it is a ridiculous thing from their point of view to say that we have a good scheme that is coming into effect.

I admit that the Canada pension plan is a good scheme. It is a great step forward but we have left an appalling gap for those people who are in that age group of 65 and over. How can anyone possibly live on $1,000 a year? Yet in Canada over 64 per cent of single men over 70 live on less than $1,000 a year; over half of the widowed and divorced men live on less than $1,000 a year, and nearly 40 per cent of the married men over 70 live on less than $1,000 a year.

We talk about a war on poverty and there is much poverty in many places to attack. But

should our senior citizens not have first call on our resources? After all, they cannot wait. Do we not owe these people an old age in which they can live in dignity? Our senior citizens have given of their energies and talents to our society. They are our mothers and our fathers and yet, as a group, they get a miserable pittance of our wealth.

Many of our elderly saved for a small pension for what they hoped would be their golden years but because of the rising cost of living, these pensions have eroded away. The hoped-for security has become destitution or the very present threat of destitution.

The older generation does not want charity. It was raised in the time of the old adage, "A penny saved is a penny earned." But our citizens who are 65 and over have been caught up in social and economic changes the like of which neither this country nor the world has ever seen before. We must spend untold hundreds of millions of dollars on education and highways, and I admit this must be done if we are at least to keep pace with the world and if we are to build the good society but, surely, we owe our senior citizens much more than the mere pittance that we dole out today.

The Canadian Senate committee on aging said this—and I notice that the hon. member for Scarborough West had picked up this quote, but it is worth repeating because it goes to the heart of the problem of the situation of the aging. The Senate committee said this:

> Any suggestion that these older people, when the $75 is not sufficient, should be expected to depend for supplementation on public assistance after a needs test is utterly unacceptable. Public assistance should, of course, be available to them as to others in the population to meet residual needs and to deal with special circumstances, but it is the committee's conviction that main reliance for meeting their ordinary requirements should be on benefits to which they are entitled as a matter of right and that the proposition of older people requiring needs-tested supplementation should be very small at all times.

Mr. Speaker, despite the poverty of the aged, only 15 per cent over 65 are in receipt of public assistance. The pitifully poor manage on their own with the aid of a $75 a month payment. It should be remembered that 90 per cent of our elderly citizens are not physically or mentally incapacitated, that they need to be taken into care.

It is more humane to allow our elderly citizens to be independent and on their own than to send them to institutions, and it is far easier on the taxpayer. I think, from what I have learned on this subject, that the more opportunity an elderly citizen has to be independent to carry on on his own, the more apt he is to remain healthy and strong, and I think the improvements in the old-age pensions, such as they are, have helped them.

I know of one instance near Perth, Ontario, where the old house of refuge—as they used to call the old folks' home in those days, and this particular building still stands and is still called the house of refuge—that before the old age pension was raised, the place was packed, but as soon as the pension went up to $65 and $75, the people were able to move out. Instead of having 137 people crammed in the old building, when I was there there were only about 37. The fact proves this, that if the elderly people have enough to live on, even if it is only an existence, they are far more anxious to get out of institutions and to be independent and to carry on in their own way.

By doing this, it is far cheaper for us—looking at it in an utterly hard-boiled way—it is far cheaper for the taxpayer to say to these people, "Be independent and we will help you to help yourselves." That particular case in Perth is evidence to me—it is economic evidence and it is factual evidence—that the elderly people want to be on their own, they are capable of being on their own, if governments, at a time when living costs are so high, give some assistance.

It is far better that they maintain their own homes, and many elderly people in Canada today, and in Ontario, do maintain their own homes. A brief from central mortgage and housing corporation before the Senate committee stated that although many elderly people have their own homes, they are of a much poorer quality than what the average citizen has. The elderly people today, even in this field, are having a struggle and with the rising cost of property taxes many of them are being forced to sell. Here again is a great weakness in our system and increased pensions would certainly help people maintain their own homes and overcome the high property tax rate.

It is true that through central mortgage and housing corporation we have been able to build apartments for senior citizens; we have senior citizens' apartments and they are an excellent thing, insofar as they go. But here in Toronto we have a waiting list of 2,912 people waiting to get into the senior citizen homes, or I should more properly say

senior citizens' apartments. These are the buildings where the senior citizens, either single or as married couples, can rent an apartment. But when the waiting list is so long, many do not even bother to apply, because when you are 65 years of age and over and when you are on a waiting list of nearly 3,000 people, it is a long long wait.

But even the cost of subsidized apartments is getting beyond the reach of many of our elderly citizens. Originally, apartments for a single person rented for $35 a month. In the new apartments, it is going to cost $60 per month, because central mortgage and housing corporation has raised the interest rate to 5⅞ per cent on its mortgage loans for senior citizens' homes.

Admittedly, the provincial government in Ontario gives a subsidy of $500 for an apartment for construction purposes. I commend the provincial government for doing this. It does not speak well for the federal government not doing the same thing when these elderly people are caught in the squeeze. Originally, the rents were $35, now they are going to $60 for an individual, and if they have a pension of $75 a month you can see that they do not have much after they have paid the rent.

The rent for a married couple in a senior citizens' apartment building is $68, but it is due to go higher. And if one of the aged couple dies, it is not only a tragic emotional blow; it causes a financial crisis. With the two of them together they can often get by, but with the meagre pension of one cut off, it is indeed a financial crisis.

The vast majority of our aged live in a state of perpetual fear of destitution. What can we in this province do about it? I admit I would much prefer to see the federal government establish a guaranteed income programme, to provide allowance throughout life, to all persons beginning at age 65. And on this matter, the member for Scarborough West, speaking just previous to me, on the welfare estimates, went into some detail about the guaranteed income programme.

This is bound to come. This is in the future, and the unfortunate part about it is it takes governments so long to bring about even what is the inevitable.

**Mr. K. Bryden** (Woodbine): The Tory governments at Ottawa and here.

**Mr. A. Carruthers** (Durham): Is the hon. member talking about Ottawa?

**Mr. Trotter:** Yes, I am talking about Ottawa. I am talking about governments in general.

The Senate committee set out such a scheme in great detail and the scheme also had a built-in escalator clause to protect our aged against the rising costs of living. And I applaud the work of such men as Senators David Croll and Arthur Roebuck, two distinguished Canadians who, incidentally, were formerly in this House and were formerly Cabinet Ministers.

The Ottawa government, to my mind, is not moving nearly fast enough and it is regrettable that they have not more quickly accepted the recommendations of this Senate committee on aging, for the problem is urgent and the old cannot wait.

No matter how much Ottawa can be criticized, this does not excuse Ontario from its constitutional and moral responsibilities, because after all, constitutionally, care of the aged rests with the provinces. There are 356,000 in Ontario over 70 years of age, and $25 a month would cost our government $8,900,000 a month.

There are 193,200 people in Ontario between the ages of 65 and 69 and 25,000 of these are already receiving old age assistance, on the average of about $68 per person per month, with the federal government paying half.

As each year goes by, more of these come under the $75 a month pension, of which all is paid by the federal government.

As you know, Mr. Speaker, those 70 years of age received $75 a month. Starting this January, it was those who were 69. Eventually they are going to pay the $75 a month to those who are 65. As a result on the old age assistance, this scheme saves the province money. But it would cost, if we in this province were to give everybody who is between 65 and 69 years of age $100 a month, it would cost us slightly over $19 million, less the money we already receive from the federal government for those who receive old age assistance.

It would cost the province of Ontario, assuming we received no further help from the federal government approximately $26 to $27 million a month. However, it is reasonably safe to assume that the federal government would help, even if it has been slow in bringing about the guaranteed annual wage, as suggested by the Senate committee.

In British Columbia, they now pay those who are 65 years and over, a great proportion of them, they now pay them a total of $99 a month, and half of the extra is paid by the federal government.

But I want to make this principle first.

Whether we receive help from the federal government, which I agree they should give, and with the new Canada Assistance Act which is now being introduced in Ottawa it is obvious it is going to come, even in principle, we in Ontario are responsible for these people.

If, as we are going to do in one or two years, we spend a billion dollars a year on education and many millions on highways, then surely we can pay to our elderly citizens the sum which I feel they have earned over the years. This is our debt to our elder citizens, it is not charity, it is something that they have worked for and which they in their older years deserve.

British Columbia has found it possible to supplement the old age pension to bring it up to $99 a month, and even though they have a means test with which I disagree, I think we in this province are rich enough that we can go one better than British Columbia.

There are certain grants also made in Alberta which we do not make. If these provinces can do it, why cannot Ontario, by far the richest province, take the lead? Let us say to these people, let us do away with the means test, let us give them what is their just due.

What we really need, Mr. Speaker, is to lead the way, to be able to say that all those who are 65 should receive $100 a month. Too many of our senior citizens have to climb three flights of stairs to a lonely room and to live off a two plate grill. This is the existence of so many of them in large areas such as Hamilton and Toronto and life is pretty miserable, it is a fraud and nonsense to tell the older people that these are their golden years. They are far from being golden and it is a result, really of a social neglect of the people as a whole, and particularly of the governments to come to grips with this most serious problem.

It is true that when many retire they do not have necessarily the high cost of living, but an active person does. Let us remember the costs of growing old. The cost of drugs, the cost of being frail, in the face of the rising costs of living, and falling incomes, is a real and terrible problem for our citizens who have served us well over the years, and deserve not to be called the old, but to be called the senior citizens of Ontario.

So I would urge that we introduce $100 a month pension, with the plan based on the 1966 cost of living, that we escalate these payments as the cost of living rises. This is the least we can do for about the 550,000 citizens in Ontario who need and who deserve our help, and I am glad to have ths opportunity to bring their plight and their cause to this House.

**Mr. N. Davison** (Hamilton East): The one thing the mover of this resolution could be certain of was my support. In fact, I was rather intrigued when I saw the wording of the resolution. It had a familiar ring to it. I was right. Word for word it was the paragraph which I requested should be added to one of the recommendations of the second interim report of the select committee on aging and the same paragraph, I have been informed, has been endorsed by the Liberal members on that committee.

**Mr. Trotter:** That is similar to Dr. Davis'.

**Mr. Davison:** So, as I said earlier, the hon. member for Parkdale knew that he was assured of my support for his resolution.

But having said that, let me state right away that, in my opinion, the federal government should be completely responsible for an adequate level of old age security. Only if the federal government fails to live up to its responsibility should, and must, the province step in to make up for the federal government's neglect. It was with this in mind, and knowing the desperate circumstances under which many of our senior citizens are forced to live, that I requested that the select committee's recommendation be expanded.

I would say to the hon. member for Parkdale that, rather than harangue this House to supplement the old age pension, he should be in Ottawa where this very subject matter was debated last Tuesday and, I gather, is being debated this very minute. He should be there to urge the Minister of Health and Welfare and his Liberal colleagues to accept the Opposition parties' plea to increase the old age pension to $100 immediately.

I know that it is argued that the Canada pension plan makes a great deal of money available to older people when they retire. But that does not help our senior citizens today. They were the ones who during their working lives, produced the wealth that makes our present standard of living possible. But they are the very ones who will not gain a cent from the Canada pension plan because their productive years are over. If nothing else, we owe them a debt of gratitude and increasing their pension by $25 a month—or $300 a year—won't break our economy but will make life a little easier for them.

I hope that the Liberal government in Ottawa will see the error of its ways and

increase the old age pension to $100 immediately. But should they not, then I think this government has a responsibility to step into the breach.

It has been said by some critics of the Conservative party that Conservatives support increased social security payments while in Opposition and when it is safe to do so, but when they have the power to do something about it, they will do nothing. It is my hope that the Ontario government will prove such critics wrong and by their action—by paying old age pensioners a $25 monthly supplement —confound them.

War on poverty has become quite a catch word. But few people realize that 25 per cent of our poor belong to the over-65 age group. They are the people who live on a tiny fixed income in this age of spiralling cost of living. If we really want to declare war on poverty, let us start by paying old age pensioners an additional $25 now. And let's not use the old line that an across-the-board increase will give extra money to people who do not need it. This is one of the greatest pieces of fiction ever produced. If the across-the-board increase goes to someone with additional income, it will be returned through income tax. Raising the pension for everyone does not amount to giving something to people who do not need it.

But all the arguments for raising the old age pension have been stated over and over again and there is no need to repeat them at this time.

We know that an old age pension of $75 a month is not enough to live on. Let us not spend all our time arguing whether Ottawa or Queen's Park should pay another $25 a month. Such an argument doesn't put more cash in the pockets of the people who need it—and they need it desperately.

If Ottawa won't come through, ours is a rich enough province to afford an automatic supplement of $25 a month for our old age pensioners. Let the government say now, today, "yes, we will pay it, and we will pay it immediately." It's little enough that we give them, but it means a great deal to our old age pensioners.

**Mr. R. Welch** (Lincoln): Mr. Chairman, it is my privilege to participate in this particular debate on a very important question of social justice. I feel one should start by saying that there is certainly no quarrel as far as I am concerned with the members for Parkdale and Hamilton East on the general principles that they enunciate in support of this particular resolution. I hope that this would be clearly understood as they have carefully itemized the need for these particular increases for this very large portion of our citizenship. Indeed, a concern for the dignity and the worth of the individual is, I hope, shared by all members of this particular House and I hope that we would have that understanding during this discussion.

There are those members of the party to which I belong in the House, namely the hon. member for Durham the hon. member for Hamilton Centre and the hon. member for Oshawa who would be more qualified to participate and I hope will participate in this debate for they have much to offer on a discussion of this subject. But may I presume to put forward for the consideration of the House one or two points as we consider carefully together the importance of this particular resolution.

I think the member for Hamilton East started out in a vein which I thought I was going to be able to support wholeheartedly and still do support, insofar as it went, when he places the responsibility for this particular matter where it belongs, namely, with the federal government. I do not however want to, and I appreciate his caution, to engage in this game—this ping-pong game between Ottawa and Queen's Park—for I appreciate, as he has already clearly pointed out, that this is something of great concern. In the meantime there are citizens in this province who are in need, and I want to talk about that question of need in a few moments.

However, I think it is clear by statements which have been made by the Prime Minister of this province, certainly a statement made by him in connection with the presentations made by this government in January of last year at the joint Senate hearing, the House of Commons and Senate hearings on the Canada pension plan.

He stated that the province of Ontario and this government have traditionally worked for national unity and national standards of social services, and then went on to point out during the course of the presentation that the decisions we make, and he is referring, of course, to the government in Ontario, must be made in the broad context of what is best for the Canadian nation as well as for the province of Ontario. And I think this is a good case for uniform benefits across the country as part of Canada's overall social security programme, and if there are any differences to be made up or any

inequality I think naturally this should be something for the federal government to look after.

I think too we should be, in fairness—and I know that the members who have just spoken, Mr. Speaker, would want to be fair in this matter, as we look at the record of the present government here in Ontario on this subject of the inadequacy of the present flat rate pension.

Starting off on the assumption that we agree that by constitutional amendment the whole question of old age security is one within the federal jurisdiction by virtue of the 1952 amendment to the BNA Act, I think we should see and study for a moment the representations which this government has made to Ottawa on behalf of these people for an increase in this particular pension.

The Ontario position was made quite clear in 1963 when a strong representation was made by the government of Ontario at the federal-provincial conference held on September 9 and 10 of that year. The Prime Minister in making the presentation of this government to that conference stated that he was in complete agreement with a $75 basic pension. At that time, of course, as we realize, the pension was only $65. And if this was done, he assured the members of the conference that the provincially supported assistance programmes would be brought up to the same level. This, in fact, was done once the basic old age security pension was raised to $75 by the federal government.

I have already made some reference to Ontario's brief to the special joint committee of the Senate and the House of Commons which is dated January 21, 1965, dealing with The Canada Pension Act, being Bill C-136, and which was discussed at a meeting of that committee on February 1, 1965.

Those of us who have studied that particular presentation will recall that we as a government requested a flat $25 to all of our people who were on pension or who would not receive benefit under The Canada Pension Act to be paid for, and I want to underline this because this is one method and I want to mention another, to be paid for from the Canada pension fund itself starting on January 1, 1967. I am satisfied on the basis of what I have read that this was, and still is, economically possible.

If you study the statement made by the hon. Prime Minister at the same time as the submission of the brief, he expressed his concern at that time for nearly one million Canadians who were then receiving old age security benefits, all of whom were excluded from the Canada pension plan. And as part of that presentation we have this request for the basic $25 for these people and also the question of the minimum pension, which was another matter for some other group.

You will recall at those hearings before the committee, Ontario voiced certan criticisms of the plan as it related to pro-rating old age security in order to make it possible for people at age 65 to receive their pension which, as I understand, was calculated to be at the rate of $51 a month.

I hope I am being fair when I say that as a result of the criticism of this particular aspect of Bill C-136 as it was then being considered, the decision was made, as we know, by the committee to make the old age security pension available to all of our citizens starting at age 65 in progressive steps, that is, year-by-year, until we got to age 65. And so we are on this particular programme now which will result in the availability of old age security pension for all citizens of this country by January of 1970. So I think Ontario's record in this field has been very clear in making the presentation and the representation on behalf of our people before the proper body, namely, the government of Canada.

If the funds, and we move on to some other source of revenue, if in the opinion of Ottawa—and apparently as of the moment this is the opinion of Ottawa—these additional moneys are not available from the Canada pension fund, then I would suggest, with the greatest respect, Mr. Speaker, that these funds are available from the present old age security fund over which the government of Canada has complete control.

In the same *Hansards* to which I am sure the member for Hamilton East had some reference when he was preparing his remarks for today, because he certainly was echoing the statements of some members of his caucus in that particular House, he will have noticed some very interesting facts with respect to the balances of the old age security fund with respect to the financial ability of the government of Canada to meet the payments to which the member for Parkdale has made reference.

And in answer to certain questions which were placed on the order paper in the House of Commons, it is interesting to note that the balance on account in the federal old age security fund as of December 31, 1965, amounted to close to $140 million. Then, if you read the answers to subsequent questions, you find that the balance on account in this same fund for the fiscal year ending March

31, 1966, amounted to close to $217 million. And then the Minister of Finance was asked an additional question as to the anticipated balance for the fiscal year which will end on March 31, 1967, and his answer was $455 million.

**Mr. R. Gisborn** (Wentworth East): All paid for by the low-income earner.

**Mr. Welch:** Regardless of where it may come from, there it is. Keep in mind that as of the end of March 31, 1967, we will already have all of our 69-year-olds on old age security, on the flat rate pension, and we will have started with the people of the age of 68. This 1967 surplus, to which I have made reference, has been arrived at after allowing for an outlay of $1,035 million, compared to $755 million in the 1963-64 fiscal year.

It is interesting to note that in three years outlays increased by $280 million from this fund or 37 per cent. At the same time, the level or the rate of benefit has been raised and the number of persons covered has been increased by 100,000 through the lowering of the age to 69 and another 100,000 will be added to the recipient list this January. Notwithstanding all of this, the anticipated balance in the old age security fund as of March 31 of next year is estimated in the amount of $455 million.

I would suggest—and I hope my mathematics are correct—that these increases from December 31, 1965, to the end of March, 1966, and then to the end of March, 1967, are tremendous, keeping in mind the expenditures from this fund during these fiscal years.

This fund, if I have understood the answers to these questions in the House of Commons correctly, will in fact increase at the rate of 110 per cent in one year or 10 per cent each month and this money, all earmarked for old age security is raised in the following way, as we know; three per cent of federal sales tax, three per cent of corporation tax, and four per cent on all taxable income of the individual up to a maximum, of course, of $120 per year. All earmarked for this old age security fund.

Now, surely we would agree and, as the member for Parkdale has already intimated, that Ottawa has the greater fiscal capacity right now to accomplish the goal which is the subject matter of his resolution. And I do not know how he made his calculations—not that I want to put this matter strictly on a financial basis although one would be foolish to ignore the fact. The arithmetic I have gone through certainly adds up to a provincial expenditure far in excess of his calculations if this became solely and completely a matter for the provincial Treasury.

The figures I have are as of April, 1966, and I am advised that there are 404,000 people in Ontario who are receiving old age security. And my calculations would be that if the province completely on its own was to provide $300 a year for these people—that in my calculations adds up to $121 million. I am also advised that there are 170,000 people in the province of Ontario as of April, 1966, in the age group 65 to 68—I have taken out those of 69 years—and my calculations would be, aside from all this other business of grants and so on, but if we were to provide these people with $1,200 a year solely from a provincial source, this means to me $204 million.

When you add those two sums up you have $325 million. If it has to come completely and solely from the provincial Treasury and you keep in mind that a one per cent increase in the sales tax brings an estimated revenue of $65 million. I would suggest that to provide this solely from our sources means an increase in the provincial sales tax of five per cent.

I leave that for what it is worth on its own to suggest to you once again that the matter, as the hon. member for Parkdale so correctly points out, becomes one of provincial priorities. I go back again to the fact that we are agreed that something has to be done to increase this flat rate pension subject to some other matters with respect to need, and that there are funds now available, in my humble opinion, in order to support this increase from the proper source, namely, the federal source.

When you consider, Mr. Speaker, the work of the tax structure committee, the basic purpose of that committee's work was to arrive at a system of giving the province a greater fiscal capacity, because really their spending responsibilities are rising more quickly than the federal spending responsibilities. And the problem naturally will become worse, Mr. Speaker, if Ontario moves into or takes over an additional spending area which, through the constitutional amendment of 1952, belongs in Ottawa. Ottawa's spending responsibility, of course, is not rising at the same rate as the provincial's when you keep in mind the tremendous demands, not to overlook the demands of the municipalities.

Let me turn quickly to the second part of the member for Parkdale's resolution. We

talk in terms of that area, part of which at the moment is the subject matter of our shared programme—the old age assistance programme—and I feel we must press Ottawa here as well. There is some evidence in the same debate to which the member for Hamilton East has made reference, that there is some progress being made to further involving the senior level of government in these share programmes and the availability of new money for these programmes.

But here, once again, Ontario's position was made quite clear at the hearings of the joint committee considering Bill C-136 a year ago. And this part of the resolution of the member for Parkdale, if taken literally, means —and I used it in the calculations to which I made reference a few moments ago—$100 a month from the province to everyone 65 to 68.

I suggest there should be some consideration—it is not included in the resolution—but I would hope that we would be just as concerned with this group between the ages of 60 and 65. And may I leave simply as a matter for the consideration of all members of this House, that as we move progressively from 69 to 65 for old age security, I hope there would be some consideration given between the two levels of government for the assistance programme to move from 65 to age 60 in the same way as we now provide this assistance for women in this province—married women and widows—subject, of course, to whatever refinements might be necessary in the operation of the Canada pension plan.

For in the exercise of my duties as a member of this House, I have been disturbed at the problems that are faced by people once they get over a certain age, in finding some type of gainful employment, and the humiliation that many of them feel in having to go in this age group of 60 to 65 for general welfare assistance. I am wondering, and it is a question, Mr. Speaker, whether some consideration might from a provincial point of view in co-operation with the federal, best be given to this group as we assume that the basic pension may well be raised, and move toward at 65. But this is a matter, perhaps, for some other time and, at the same time, we would be of some help to the municipalities which look to us for financial assistance because we might be relieving them of at least their part of that responsibility.

I quickly move, in conclusion, to the escalation section of the resolution, and I would agree with the speakers who have preceded me, that this is a matter of real concern. Indeed, we are agreed that this basic pension must go up; we are agreed on the figure of $100; we may disagree from where it should come. But, what is so magic about this figure of $100 and how realistic is it in many cases to actual need? All agree on some relationship between assistance and the consumer price index, and I hope this would be introduced, for when we consider the value of today's dollar—the purchasing value in the light of the price-rises of today—it certainly is a matter of great concern. It is a matter of conscience to me as I move around my riding and meet with these people to share with them the concern they have in making ends meet; people with a great sense of dignity; with great pride and who, as the member for Parkdale has said, have served so well in their generation and have provided leadership and examples to those of us who follow.

I hope, sir, we can get these periodic increases out of politics, and out of the cheap political partisanship that goes on from time to time by all parties and, may I include my own, who will put the senior citizens of this province on the auction block every election and try to bribe their votes. It is a disgrace, and I hope that we can find some method—surely there is some method that can be found by intelligent men in all levels of government—to get these periodic increases out of the political arena with flat increases from time to time.

Rather, we should tie in with regular increases which come automatically on some formula or system, related as it must be to the cost of living. And I hope that this would be an area of great concern, where we would find unanimity among all parties. The flat rate, you know, means either too much for some, or too little for some. Once you get an average it is not realistic. Because, who is really average? We have had some references, of course, to the whole question of the cost for shelter and these related matters.

It is with apology to my friend from Ottawa East, I say that I am sorry I was not watching the clock, and it was not intentional on my part. I have only spoken for 17 minutes; I am overtime by three.

May I conclude by saying that I think there is some indication now as we read of the Canada assistance plan that with some new federal funds we may be able to move more into the whole realm of need and I would hope, that as we consider seriously the importance of this resolution, that we would

move together to raise the standard of living for these people who are in such need.

**Mr. H. S. Racine** (Ottawa East): Mr. Speaker, there is one remark that has been made by the previous speaker about bribing people with old age pension. I wonder would he examine his own conscience, and that of his party, as to who has been bribing whom?

**An hon. member:** He included everybody.

**Mr. Welch:** I already have made that examination public.

**Mr. Racine:** Mr. Speaker, it is rather difficult at this time to have very many new ideas to those expressed by the previous speakers on the resolution. They have mentioned the request of many of the older people throughout this province, and this has come to our committee on aging particularly, requesting the provincial or the federal government to increase the old age security to $100 per month. These older people in certain areas found it impossible to balance their budget because their present pension is very low—as low as $30 a month in one of the municipalities. I am sure the many pensioners, people who have given 30 or 40 years of their life in the employ of this government in the days when the salaries were very low, and even federal civil servants that I know of today, are retiring on their pensions with a total income which would be very, very low. This is because the pension they are receiving is much lower than the present pensions being paid. We found the same problem in certain areas where in industry no pensions were provided for and it was only late in life that some of those people were able to get a pension.

I think there is one of the arguments, Mr. Speaker, that I would like to bring out in favour of this increase of $25 per month. Most of the older people are very frugal and may even be in a position to save a little bit of money for emergencies from that amount we are suggesting. Some of that amount could be used for illness, perhaps a little trip to visit their families, and possibly—and I hope that I am not accused of being partial in this instance—they could have the possibility of saving a little bit of money to cover their funeral expenses.

Now, this is one of the things, Mr. Speaker, that has been mentioned to us during our visits of the committee. I think possibly this is one area that should be explored, where those people who have been in the habit of being very independent would like to be independent even when they pass away and leave this world.

It is quite possible that the debate today may be an exercise in futility. My own feeling is that the Cabinet in Ottawa, with its socially-minded Ministry will implement, in the very near future, the Croll report, which has been referred to by previous speakers.

However, I would suggest that should this report not be implemented at this time, possibly the government of this province should recognize its responsibility for the elderly people of this province and would consider supplementing the present old age security pension by some $25 per month. For these reasons, Mr. Speaker, I would like to say that I am very strongly in favour of the resolution introduced by the member for Parkdale.

**Mr. Bryden:** Mr. Speaker, I think the distinction the Speaker made between this resolution and the subamendment which my leader put on the order paper earlier in the session, indicates a basic difference in philosophy and approach between the Liberal party and this party.

You took the position, Mr. Speaker, or you ruled I should say, that this resolution is in order as it is differentiable from the amendment to the motion for the adoption of the Speech from the Throne proposed by my leader, because this proposes a $100 pension as a permanent measure, whereas our motion of that time proposed it as an interim measure.

**Mr. Speaker:** As well as all persons over the age of 65.

**Mr. Bryden:** Also there is another differentiation, that our motion related to other groups in the community, as well as to old age pensioners. This relates only to old age pensioners.

I think it is important to note, Mr. Speaker, the basis on which we regard this sort of policy as an interim measure. We regard it as interim pending the development of a guaranteed income programme, along the lines that my friend from Scarborough West outlined earlier this afternoon.

We think that the time has come when we must tackle this problem of guaranteed income. We believe certainly in providing a better pension for old age pensioners than they are now getting. We do not, however, regard that as a final, permanent solution to

the problem. We regard it as an interim solution.

We do not, as I take it my friend from Parkdale does, regard a guaranteed basic income programme as something that may occur in the remote future. We think it is on the agenda for the immediate future and we as a party stand for such a programme.

We will support this resolution on the basis of it being an interim measure, because that is what it is in our thinking. It may be a permanent measure in the thinking of the Liberal Party, but it is an interim measure in our thinking.

We support it with the further notation that by itself it is also inadequate in that it gets us back into the old categorical approach to social welfare. It proposes that there should be a basic pension of $100 a month, little as that is, for those over 65 years of age. What about the blind? What about those who are disabled due to other causes? We take second place to no one, especially in view of the long record of our party which I have no time to go into and of the CCF before it in relation to old age pensions—in supporting the case for the aged. But we believe that the blind and other people in similar categories have an equally legitimate claim.

This resolution puts forward the old-fashioned approach, the approach of the categorical programme. You have a programme of assistance for a certain category. You have another programme for another category. There are all sorts of loopholes through which various people fall because they do not fit into any category. There is discrimination as among categories; there are a great many evils that I do not have time to enumerate.

We believe in moving forward to overall programmes in place of categorical programmes. We believe the approach should be the need of the human being and that the objective should be to provide every human being in this country with an income that is sufficient to maintain him in health and decency.

The Liberal Party is still living in the past. This resolution makes that quite clear. We say, let us move forward to the future. By all means adopt programmes of this kind as interim measures, but let us emphasize that they are interim measures. The challenge of the future is to develop more comprehensive and adequate programmes to replace gradually the innumerable categorical programmes that now exist in this country.

Even the federal Liberal government is making a small hesitating step away from the Canadian predirection for categorical programmes in The Canada Assistance Act. It is a very small and hesitating step, but at least it is a step. But apparently in Ontario the Liberal Party is still wedded to the antiquated approach of the categorical programme.

Therefore, I would emphasize again that when we support this resolution, we support it on the same basis as we moved our motion of some time ago, that this is a necessary interim measure, but that the real problem is to deal with the whole situation in all its ramifications.

**Mr. Speaker:** This concludes the debate on resolution No. 33.

**Clerk of the House:** The 18th order; House in committee of supply; Mr. A. H. Cowling in the chair.

It being 6 o'clock, the House took recess.

No. 149




# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Tuesday, June 21, 1966

**Evening Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO



The House resumed at 8 o'clock, p.m.

**Clerk of the House:** The eighteenth order: House in committee of supply.

## ESTIMATES, DEPARTMENT OF PUBLIC WELFARE

*(continued)*

On vote 1701:

**Hon. Mr. Cecile:** Mr. Chairman, I have some very short remarks to make in respect of the two speeches that were made this afternoon, one from the hon. member for Ottawa East in whose comments I was very interested and especially in what he called a centennial project for adoption.

As you know, for some years past we have endeavoured to embark upon programmes of adoption using such means as advertising —I think it was a year or two ago that we embarked upon this and it was very successful—and the other matters that I mentioned in my opening remarks—and I dare say that it was a very successful operation and it still is.

We have a record high this year, compared with other years, as far as adoption is concerned. But, I always like somebody to make remarks on that particular aspect, if only to wake up the conscience of the people. It has a great effect in the way it goes along with our thinking.

I was very interested also, in the remarks of the Boucher report. I might say that the gentleman in question, together with the department in Quebec have been constantly with us, advising us and we advising them in the programmes that we have here in comparison with theirs, and I am quite sure that this report will be very beneficial.

Generally speaking, I enjoyed the speech of the hon. member for Ottawa East because he thinks along many of the lines that we do in respect of trying to better the lot of the people who are receiving welfare or social help. I agree with him, too, that possibly—and I have been thinking of this for quite some time—that the name "public welfare" should be changed.

I was also very interested in the cogent remarks of the hon. member for Scarborough West, particularly in his proposal for a guaranteed minimum income. This subject is being studied in some depth in the United States and is also receiving much attention in both Great Britain and in Canada.

We all agree, I think, that we should like to see every person enjoy a decent standard of living, although there may not be a definite consensus as to how this could be achieved. It is true—and I guess everybody agrees with it—that we are passing through a period of social change with various insurance schemes being established, minimum wage laws in effect and a marked improvement in social services and the extension of services.

As I understand the hon. member for Scarborough West, he would apply this—and I could be corrected—annual income or negative income tax method to the total population. Without either accepting or rejecting this far-reaching proposal, I would point out that it has wide social implications of which I am sure he is well aware. It is a principle which will be discussed at great length by economists, social philosophers and politicians.

So far as I know, there is no nation today that has evolved a method of a guaranteed annual income for its total population. This is not to say that this might not become a feature of social organization in the future. If the time arrives when automation or some other economic development makes it impossible to employ a significantly large percentage of the work force, society will have to adopt some means of distributing income, whether or not the persons are employed.

I might just remark that the economic conditions in Canada, and particularly of Ontario, are relatively prosperous. There is only about 2.3 per cent of the work force seeking jobs in this province at the present time. If we were to take the proposal in a narrower sense to apply for instance to older persons, or even to those who are now eligible for public welfare, this would be quite a different question.

In the widest sense, of course, it would guarantee a certain level of income to both

those who were employed and those who, for some reason, were incapable of earning a living. There is undoubtedly merit in the concept, whether taken in the narrower or in the wider meaning, but surely, this would have to be implemented on a national scale. It is related to the total economic system of a country, rather than to the circumstances of a province or a constituent state.

I think this very complex subject will loom large in the economic and political science of the near future. I can assure you, Mr. Chairman, we would be ready to co-operate in any studies that might be taken along this line. I am sure the hon. member for Scarborough West has raised a large issue to which, I am sure, he does not expect an immediate commitment. I must say that I admire his presentation and find these ideas very stimulating. I can assure him that I have many times listened to him in the House and have always enjoyed his speeches. But, this afternoon I think he really had some meat on the platter and I can assure him that I have considered his ideas very seriously and will do so in the time to come.

I think that with The Canada Assistance Act coming to the fore and the fact a theory is being evolved there which is really not new—but can be applied as a great step forward—I am sure that the ideas expressed here will be taken into consideration.

Mr. Chairman, before you put vote 1701, I would like to move an amendment to the 1966-1967 estimates of The Department of Public Welfare, as follows:

Vote 1701, item 10—Grants, new and acquired buildings, The Homes for the Aged Act, RSO, 1960, chapter 174 as amended, $5,463,000, to read as follows:

The Homes for the Aged Act, RSO, 1960, chapter 174 as amended and The Homes for the Aged and Rest Homes Act, $5,463,000.

The Homes for Retarded Children Act, 1962-1963, as amended, $708,000 to read as follows:

The Homes for Retarded Children Act, 1962-1963, as amended, and The Homes for Retarded Persons Act, 1966, $708,000.

I suppose I could make the amendment for the whole instead of waiting for the vote, sir, I guess that would be in order.

**Mr. Chairman:** Yes—there are no changes in actual amounts, are there?

**Hon. Mr. Cecile:** No.

**Mr. Chairman:** We may as well have them all at this time, if you will, Mr. Minister.

**Hon. Mr. Cecile:** Vote 1702, item 6—Subsidies on operation and maintenance costs (The Homes for Retarded Children Act, 1962-1963, as amended) $124,000 to read as follows:

Subsidies on operation and maintenance costs (The Homes for Retarded Children Act, 1962-1963, as amended, and The Homes for Retarded Persons Act, 1966) $124,000.

Vote 1707, item 5—Subsidies on operation and maintenance costs (The Homes for the Aged Act—RSO, 1960, Chap. 174, as amended) $2,887,000, to read as follows:

Subsidies on operation and maintenance costs (The Homes for the Aged Act—RSO, 1960, Chap. 174, as amended, and The Homes for the Aged and Rest Homes Act) $2,887,000.

On vote 1707, item 6—Special home care (The Homes for the Aged Act—RSO, 1960, Chap. 174, as amended) $8,000, to read as follows:

Special home care (The Homes for the Aged Act—RSO, 1960, Chap. 174, as amended, and The Homes for the Aged and Rest Homes Act) $8,000.

**Mr. Chairman:** As I understand there are no changes whatsoever in the amounts. It is just a question of clarification and change in terminology.

Shall the amendment to vote 1701 carry?

Item 10 of vote 1701, as amended, agreed to.

Item 6 of vote 1702, as amended, agreed to.

Items 5 and 6 of vote 1707, as amended, agreed to.

**Mr. Chairman:** On vote 1701:

The member for Scarborough West.

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, just a small observation on the Minister—let me assure him that I do not wish to be uncharitable and I appreciate his friendly comment. It worries me a little though, it is like a pat on the back from the *Globe and Mail* and one wonders if one should not redefine my place in the political spectrum.

I wanted to make it clear to him and to the House, if I did not this afternoon, that I was not suggesting a guaranteed annual

income at this point for society as a whole, along the lines that some economists have suggested, that everyone receive the guaranteed annual income and those about it then have the amounts taxed back. That is probably unrealistic and excessively radical in the context of North America. I was advocating it for those specific groups spelled out who are at present more or less encompassed by categorical assistance programmes and other social measures. I think that would be a definable and manageable population number at this point in contemplating such a programme.

**Mr. Chairman:** Shall we deal with vote 1701 item by item?

Items 1 to 6, inclusive, agreed to.

On item 7:

**Mr. H. S. Racine** (Ottawa East); On item 7, grants and bursaries re training, $123,000.

Perhaps the Minister could tell us whether the amount that was in last year's estimates has been expended in full, and what is the difference between last year's estimates for this purpose, and this year's?

**Hon. Mr. Cecile:** Mr. Chairman, maybe the best way to do this is with a statement I have here, which might be interesting to the members of the House. It is a short one and I would like to read from that.

The schools recommended students to us, that is for the year 1965-1966. The main expenditure from this item is for bursaries to students attending the school of social work at the Unversity of Toronto, the school of social welfare, St. Patrick's college in Ottawa, and the welfare services course at the Ryerson polytechnical institute.

These bursaries are to support students who are educating themselves as social workers and welfare workers. These trained people are in very short supply, and we want to encourage as many as possible to take this training and to come into public welfare. We are increasing the number of bursaries year by year. In 1963, at the school of social work, we offered 27 bursaries; in 1964, 34 bursaries; last year we granted 40; and this year we are offering 48.

In 1964, as the Ryerson course began, we granted 11 bursaries to students there. In 1965, we granted 25 bursaries at Ryerson, and this year we expect to offer 28 bursaries.

To these bursary figures we have to add the staff members of the department who are given educational leave to go to schools of social work and to Ryerson. In the present year we will probably have at least ten persons from the staff at schools of social work and ten at the Ryerson institute. These people receive full salary while attending, plus payment of tuition fees.

We also encourage staff members to take extension courses related to welfare services and to complete their bachelor of arts education so that they can go on to become social workers. We expect to pay tuition fees for persons who study in their spare time.

In summary, we are offering 48 bursaries at schools of social work, sending ten staff members there on leave with pay. We will offer 28 bursaries at the Ryerson institute and have another ten staff members there on leave. In addition 18 people will be assisted in other courses. That is a total of 114 persons receiving substantial financial aid towards completing their education.

The cost of this programme for the fiscal year will be $160,391, and the federal government is expected to share it with an amount of $47,391; hence the seventh item, $123,000, in the estimates.

Might I add further, sir, that the purpose is to attract graduate social workers into the public welfare service, into children's aid societies and into the municipalities. We offer a grant of $150 monthly to single students and $200 monthly to students with dependants. We also pay the annual tuition fee of from $500 to $600. The monthly grant continues for the full academic year; in some cases nine months, in other cases 11 months of study. The average bursary amounts to about $2,000 a year.

The bursary may be received for both of the two years necessary for the bachelor of social worker's degree. Any person may receive a bursary if recommended by the school on the basis of scholastic ability and financial need, regardless of his province of origin. The schools recommended students to us, and in the year 1965-1966 we allotted 20 bursaries to each of the two schools. They were all filled for a total of 40 bursaries granted, and in the coming year, as stated, we will offer 48.

Besides these bursary students, we have members of the staff on education leave at the schools as stated before.

Last year we spent $112,214.

**Mr. Racine:** Mr. Chairman, on the same subject, the hon. Minister has mentioned people from the staff of his department and

people from the staff of the children's aid societies. Has that been extended to other agencies, other social agencies? I was wondering in terms of the many social agencies in various cities that have people on staff that haven't proper qualifications. Are there any grants available, any bursaries available for those people also?

**Hon. Mr. Cecile:** I am advised, Mr. Chairman, that at this time it is mostly in the public area or in children's aid societies.

**Mr. Racine:** Well, I think this is important, Mr. Chairman. I think we all realize, we all say the same thing, that there is a shortage of social workers in all fields. There are some in this department, some in the Minister of Health's department, and that of the Minister of Reform Institutions, and others. Do we really do enough to attract people to the profession?

What do we do at the high school level to encourage people to take those courses? I think this is maybe where we are a little weak, and I was wondering whether there was enough leadership on the part of this hon. Minister and other hon. Ministers to attract more people to this profession. I know what I am talking about, Mr. Chairman, because I have been in this field for a long time as a volunteer worker, and I have studied this problem. I have been told many times that students at the grade 12 or grade 13 level will try to find some area where they could pursue their studies, and in many cases they do not know about the wonderful field that is ahead of them in social welfare.

I do not know what could be done. I guess there would have to be co-operation between the various government departments and possibly The Department of Education and possibly the people in the welfare field themselves. But I think we should do more and I am wondering whether there is any programme. I know those things are available in the estimates here, but if people do not know about them they cannot take advantage of them, and I think this is perhaps one of the weaknesses. I was wondering whether there might be some interdepartmental committee that would look into this matter in order to let more people know about those facilities and about the wonderful opportunities there are in the social welfare field.

**Hon. Mr. Cecile:** I would say, Mr. Chairman, that we are really looking into this matter with The Department of University Affairs. As I mentioned in my opening remarks, I believe, we were welcoming the new schools that will be coming to the fore and preparing a special course for that very kind of preparation. As I said before, it was the schools themselves who recommended these pupils to the different areas where bursaries are allotted, such as Ryerson, or through the social welfare schools at the University of Toronto and Ottawa.

As far as advertising for students, we are constantly advising the universities to that purpose. There might be a field, as the member says, that we might enter into a larger advertising of social work in the high schools, but I am advised that at the present moment all the space available is filled. There is no reason to think that we will not have other openings like the University of Windsor which enters into an undergraduate course, and the new school of social work at the Lutheran University, and the schools of applied technology which will be opening. I think this will be another area in which we can look forward to trying to induce people into entering that field.

As far as the present moment is concerned, bursaries are mostly concerned with the public service and also the children's aid societies.

**Mr. Racine:** Mr. Chairman, I am sorry to take up so much of the time, but I think this is an important part of the role of the Opposition, to point out those things.

Now, the member for Scarborough West some time this year made a speech on training in which he referred, I think, to a committee which was chaired by Ed Watson of the Canadian welfare council. I referred to this this afternoon, and I do not know whether the Minister is aware, but this committee which was chaired by Ed Watson and had Mr. Fisher of the Canadian welfare council and other individuals as members, did a lot of research work, but unfortunately this committee has now discontinued its activities. I think it is too bad because I think this committee had done a lot of research work, unfortunately at a time when the result of that work could have been felt, it had to discontinue. I was wondering whether the Minister had ever been asked for any subsidy for the committee that was studying this problem, or whether any offer had been made by his department so that this committee could carry on its work. I think that this is something that might be revived.

I think that although this committee is not active at the present time, it can easily be revived. But it might require some co-

operation on the part of both the federal and provincial governments. I think this organization is certainly well prepared to look into this matter of social service, or welfare service personnel. I would suggest to the Minister that he try to contact the Canadian welfare council and find out what has been done, and what they might have to suggest along those lines.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I do not want to labour this point, but if you look at the recruitment of men into the armed forces, you see this on television, you see posters telling men of the attraction of serving their country. I find it is sickening, quite honestly, year after year that we get this insipid excuse from a number of the Ministers that there is a shortage of social workers. There is no message to young people who have an idealism and enthusiasm to dedicate themselves to the profession.

I agree completely with my hon. colleague that we know of the bursaries because we discussed them; we know the effort that is put in to try and attract young people to go to the schools of social work. On the other hand, I would like to see a much more aggressive approach on the part of this government to asking young people to move into this kind of profession and into this area.

I would like to see a film, for example, such as they had out in B.C. where they showed the kind of work which a young person does in the social work field. They described how up in the Cariboo there was excitement and challenge in working with people to help them to get on their feet again. I would like to see you go to Ottawa and ask Ottawa to ask the appropriate authorities in the CBC—I realize that the government does not dictate to the CBC—but to say that these are some of the obligations that the public media have to the country—show youth some of the exciting things about this profession and some of the challenges there are.

To most people, this profession continues to be rather a dull bunch of old maidens, do-gooders, with a lot of criticism about old ladies in bonnets pushing their noses into other people's affairs. It is far from that; it is a very exciting profession.

I think the responsibility for that kind of stereotype thinking that I mentioned before rests, to a large extent, with the government and with the Minister of Public Welfare. I would hope—particularly when you have these bursaries and scholarships—that young people would be clamouring to get into this profession to have the opportunity of these bursaries and scholarships. I say it is an indictment on the government, on The Department of Public Welfare, that these people are not lined up with a sense of patriotism and desire of service in this profession.

**Hon. Mr. Cecile:** Mr. Chairman, I would just like to point out that I am advised that a booklet—and I remember seeing it—was sent to every undergraduate in all universities of the province showing the benefits and the challenging work that was occasioned in social welfare. I appreciate there might not be enough—you can never do enough—but at the present moment every space for that particular purpose in every school that we have at our disposal in Ontario is filled up. I hope that with the new programme that was announced by the Minister of Education, along with the University of Windsor coming into the fold and possibly the University of York and also the colleges of applied science and technology, that there will be more space then. I appreciate and I agree with my friend that you cannot advertise too much for this until we have space.

**Mr. Thompson:** I would just like to say to the Minister, that as we look through some of the—I will put it this way—"slush funds" which go to advertising agencies, and we notice there seems to be a preponderance of funds—I am not referring to the Minister—but I am saying that frankly I would go along if I saw in his estimates an appropriation to an advertising agency for the purpose of doing a hard-driving recruitment campaign to get social workers.

**Hon. Mr. Cecile:** I will remember that.

**Mr. Thompson:** Fine.

**Mr. S. Lewis:** Mr. Chariman, does the Minister at this point know what the new school of social work enrolment will be; does he have figures on anticipated graduate numbers?

**Hon. Mr. Cecile:** Which did the member have in mind especially?

**Mr. S. Lewis:** Well, Waterloo, precisely.

**Hon. Mr. Cecile:** I did not quite understand the hon. member's question.

**Mr. S. Lewis:** Does the Minister have enrolment figures for the number of students he expects to attend, and how much it will increase the field by?

**Hon. Mr. Cecile:** As far as we know at the moment, it would be around 25.

**Mr. S. Lewis:** Around 25. And when does the Minister expect a graduate programme at Assumption?

**Hon. Mr. Cecile:** Well, this matter is under negotiation, but my information is that it will be possibly within a year-and-a-half or two years before they really start going. But the Lutheran, I understand, will start in September.

**Mr. S. Lewis:** I would like to point out, sir, that the figures I have show that the total enrolment in the school of social work in the University of Toronto, 1961 to 1965 is 176. It is anticipated that that will be 250 by 1970. Now, that adds 75 people in total, and we are talking in terms of Assumption and Waterloo Lutheran adding perhaps another 50 or 75 people by the same period of time, putting it at its best. So within the province of Ontario at the moment, it may be fair to say that by the year 1970 we are unlikely to produce more than 150 graduate social workers—from 1966 to 1970—and that is probably putting the best possible interpretation on it.

With the greatest of respect, Mr. Chairman, I suggest that while I am not one who considers social work the panacea in this field, and I think the hon. Minister respects that—there are various levels of welfare work training—nonetheless that is a terribly inadequate measure of service on the part of government.

I do not know what other universities the government may have in mind, but I urge them to think of it seriously, because whereas the requirements move into the thousands, the actuality remains 150 by 1970, unless there are new government announcements. That is a very serious situation, and it is not compensated, I suggest, by the emergence of one undergraduate programme, and an uncertain programme at the community college level. It is in no sense compensated.

I understand that one of the problems lies with the Treasury board, or at the civil service commission, as it were, in many of these staff training and financial areas. Perhaps The Department of Public Welfare is having the same trouble as so many departments are having. But I urge the hon. Minister to use whatever resources and energy he has at his command to point out that the programme is so minimal, it is in a sense inconsequential in terms of demand, and we somehow have to improve it.

I do not feel futile about it, but I am almost tired, almost self-conscious about parading the same facts again and again before the House without response.

**Hon. Mr. Cecile:** I appreciate the comments of the member for Scarborough West, Mr. Chairman, and I can assure him that as far as we are concerned, we are giving it every attention that we can.

There is also the question of having instructors for these courses. They are in very short supply too. I was always struck by one thing, and this is no excuse for any jurisdiction, but while in Washington we were talking about this and the fellow said they would need about 120,000 of them tomorrow.

It is no excuse to say that we are short here, but it goes to show that it exists a little bit across the line.

Item 7 agreed to.

On item 8:

**Mr. Racine:** Mr. Chairman, I wonder if the hon. Minister would give us some explanation of this item 8, grants to soldiers aid commission?

**Hon. Mr. Cecile:** Yes, this is item 8. There is a soldiers aid commission which deals wth certain grants which were left by will, by a couple of persons in the province of Ontario to deal with World War I widows, and it is still in existence.

You appreciate that there are some war widows remaining from World War I. I can assure you I have been studying this for some time now, and am trying to find out a way where these moneys could be transferred over to the Canadian legion, but this is a matter that would have to go before a court of law to change over the conditions as stated in the will.

This is an item which has been in here for many years to help out in the accomplishment of what was designated in that particular will, the Kathleen Hammond fund, I believe, is what it originated as. Some day I will get some of my friends who are better lawyers than I am to go before a court and see if we can change it for some other purpose.

Item 8 agreed to.

On item 9:

**Mr. Racine:** On the question of grants, Mr. Chairman, I notice with great satisfaction a fairly substantial increase to the Canadian welfare council and to the Ontario welfare council for this year. I had spoken on this

subject last year and I think that they are two organizations that this department and this government need very badly.

One question I wanted to ask is, who is entitled to some of those grants? For instance, I see a grant of $13,000 for the social planning council of Hamilton and district. Now, there is not, in the estimates, an identical amount for the Ottawa welfare council. Are there sums available for any social planning council or any welfare council in municipalities; or is that an amount that the government has been paying to the social planning group of Hamilton for some years?

I will tell you why I am raising this point. The Ottawa welfare council at this time is having a survey of the social needs of the municipality. This survey is going to cost some money and there was a question of trying to get some money from some organization or from some government. I was wondering whether it might be possible for the Ottawa welfare council in order to carry out this study—which would be to the advantage of the department as well as it would be for the municipality of Ottawa—whether there might be some sum available for the Ottawa welfare council for that type of a study?

**Hon. Mr. Cecile:** I might say, Mr. Chairman, that the $13,000 the member for Ottawa East speaks about is what I spoke about this afternoon, the centre of the social planning council of Hamilton and district. Now, if any other council, whether it be Ottawa or another, has anything in that particular area that they want to come to see us about, and make a proposition and show us what they have in mind, I suppose we would consider it.

This centre was promoted by ourselves. We suggested it to the council of Hamilton and district, and they have bought the idea and I go along with it. That is for a special project.

If any other area, like the Ottawa council which you are speaking about, has some projects of that description they can come and show us the value of them and what their aims are. We would be very pleased to discuss it.

**Mr. Racine:** Mr. Chairman, I would like to thank the Minister. I had no idea that this $13,000 was allocated to this experimental project I talked about this afternoon. Thanks very much.

**Mr. Thompson:** Mr. Chairman, under item 9, I was interested in the reference to Waterloo Lutheran. Has it been established that Waterloo Lutheran will have a school of social workers?

**Hon. Mr. Cecile:** Well, Mr. Chairman, if my friend would allow me, I just have about three paragraphs he would likely be interested in hearing.

In January of this year, Dr. W. J. Villaume —that is a French name, I do not know whether he is French or not—president of Waterloo University, announced the establishment of a graduate school of social work at that university.

This is the first graduate school organized in Canada since 1952 and will make an important contribution, I am sure, to the growing need that we have in Ontario for professional social workers.

The school has been fortunate in securing the services of Sheldon L. Rahn as dean. Dean Rahn has been busy recruiting a faculty and developing a curriculum strictly designed to meet the needs of the public and private social services in western Ontario. We are very encouraged by the progress to date and to be able to report that the school will definitely open this fall.

We are offering every possible support for consultation, provision of bursaries to students and assistance for the development of field instruction for students.

The problems involved in expanding the capacity of social agencies to provide field instruction, as stated so many times, is the great bottleneck as far as we are concerned here. We are hoping that these efforts to extend facilities will provide for more of these specialized services and we intend, Mr. Chairman, to lend every possible support to Waterloo Lutheran's effort to solve this particular question.

**Mr. Thompson:** Mr. Chairman, I notice under St. Patrick's college, Ottawa's school of social welfare, that the building fund is $10,000. I certainly commend the Minister for giving that amount; and also St. Patrick's college, Ottawa, another $10,000. Now, apart from those sentiments which are expressed by Waterloo Lutheran, how much in dollars are you allotting to help the school?

**Hon. Mr. Cecile:** I am advised, Mr. Chairman, that the building part of it is no problem over there. The $10,000 which you referred to at St. Patrick's and in the University of Toronto, these were bursary payments.

**Mr. Thompson:** The question is regarding Waterloo Lutheran.

**Hon. Mr. Cecile:** If there is a problem about something else as we say, we are in conversation with them.

**An hon. member:** How about the St. Patrick's grant?

**Hon. Mr. Cecile:** No, I do not know. I do not know how this happened, but it happened. It could not happen under the regulations of The Department of Education for reasons that are well known.

**Mr. Thompson:** I do not accept those reasons.

**Hon. Mr. Cecile:** Well, however these were made, if there is a way of helping those who are in university and we can find it, we will find that way. As far as we are concerned here it has been done at St. Patrick's and I do not see any reason why we cannot help. But right now there is no question about—there is no problem about the housing.

**Mr. Thompson:** No, Mr. Chairman, my question was: You had expressed very warm sentiments toward Waterloo Lutheran graduate school of social work. Apart from the sentiment, how much in dollars are you giving to help them with bursary power, and any other of the needs which they obviously must have if they start this school?

**Hon. Mr. Cecile:** I am advised that they are looking forward to our help in field instruction. We have already one unit created in the city of London in that particular respect.

**Mr. Thompson:** Surely, Mr. Chairman, any university when it is starting a school, whether it is a school of medicine or school of something else and particularly a graduate school of social work, will want financial help from the province, which is interested in getting the graduates of that school of social work to work in its various departments.

What I want to ask you is, apart from your locating the field work opportunity for some people in London, how much are you giving in the way of finances to the school of social work? How much are you giving? Are you giving anything or nothing?

**Hon. Mr. Cecile:** In direct dollars?

**Mr. Thompson:** Yes.

**Hon. Mr. Cecile:** None, not right now. But—this is a matter under discussion right now—we are dealing with them for what they have asked us so far.

**Mr. Thompson:** What have they asked you for so far in dollars?

**Hon. Mr. Cecile:** I have no recollection that actual dollars have been asked now. But, they want us to help in the field instruction, and we will pay all the bursaries of their students that will go in; payment for field supervisors, and that sort of thing.

Now, we have the money part of it that you discussed, in dollars and cents. Whether we should give them a grant for this or not, that has not been discussed, nor has it been decided yet.

**Mr. Thompson:** Could I ask this one question, assuming that they do come to you and ask for a grant, either for building or to help pay for staff? In view of the sentiments that you have raised, the warm sentiments, are they going to get a cold rebuff or are they going to—

**Hon. Mr. Cecile:** Not from me.

**Mr. Thompson:** They are going to then be able to get financial assistance from you provided it is justified, to develop the school of social work?

**Hon. Mr. Cecile:** My friend, it is no use trying to pin me down tonight on this matter because I will just tell you that I will do everything I can in my power to help.

**Mr. V. M. Singer** (Downsview): Before I get into this subject I noticed that in the Speaker's gallery the parliamentary delegation from Czechoslovakia has come to watch our deliberations. Perhaps just because I happened to catch your eye, let me, on behalf of all the members of the Legislature, extend our welcome to them.

I did want to say, sir, following up my leader's remarks that insofar as Waterloo Lutheran University is concerned the explanation given by the Minister is sadly lacking in any detail or any sense of conviction or real feeling. Now, here is a group that has offered to the province of Ontario academic courses both on an undergraduate and a graduate level in the sciences and in the arts and they are being denied government participation for some reason that frankly escapes us and escapes most of the intelligence of the people or Ontario. Now, it is all very well for the Minister to get up and say insofar as he is concerned he welcomes

what they are trying to do, and he wants to participate.

**Hon. Mr. Cecile:** We are.

**Mr. Singer:** But he feels as the spokesman for that whole Treasury bench, for all his 22 colleagues—

**Hon. A. Grossman** (Minister of Reform Institutions): Where does the hon. member get 22?

**Mr. Singer:** Well, however many there are, in fact the Minister of Reform Institutions can give me yesterday's count.

**Hon. Mr. Grossman:** There are only 20.

**Mr. Singer:** All right, 20, and did the Minister include the Minister without Portfolio?

**Mr. Thompson:** The Minister of Reform Institutions makes up for two.

**Hon. Mr. Grossman:** If the hon. member cannot count up to 20, how is he going to participate in an important debate like this?

**Mr. Singer:** Unfortunately, Mr. Chairman, when we hear some of the voices we sometimes count double, we count him as two on occasion because he talks as much as anybody else does.

The point is this, insofar as the contribution that those people concerned with Waterloo Lutheran are anxious and willing to make, there is a complete absence of commitment from the members of the government to encourage any participation that they want to make.

It is all very well for the Minister of Public Welfare to get up and say, "I believe they are very good people and insofar as I personally am concerned I want to help them." But where is the help that is coming forth from the government of Ontario? Where is the help from the Provincial Treasurer? Where is the help from the Minister of Health? Where is the help from the Prime Minister?

There is no help at all. They are damning these people with faint praise. It seems to me that even insofar as we say we believe in the democratic processes in the province of Ontario we divide it only into two categories, there is an English category and a French category and if you get in between those two there is no help at all forthcoming. Any other group that is somewhat apart from either the English or the French categories is being damned because the government is not prepared to get up and recognize there are other people than the English and the French who can produce something for the well-being of the province of Ontario.

I say this, and I say this with as much emphasis as I can put forward, if the government believes there are contributions to be made to the welfare of the province of Ontario by all of the segments within the province, that there would be a real interest and a real concern into the contribution that can be made by Waterloo Lutheran. It is not sufficient that the Minister of Public Welfare gets up and says: "As far as I am concerned they are a bunch of fine people and I want to help them."

He has to speak forcefully and he has to speak with the voice of government, and he is not speaking with the voice of government. This is the serious problem that we find as each individual Minister gets up and commends individual segments of our province.

I see that the Minister of Energy and Resources Management, who is a great fellow for sitting here and making foolish interjections is interjecting himself into this. I would welcome his contribution to this debate and I would welcome his opinion as to whether or not it should be a part of the commitment of the province of Ontario to support the efforts of Waterloo Lutheran. If he believes it should not, then I think the people of Ontario would like to hear it. If he believes that it should, then I think he should join with his colleagues. The Minister of Public Welfare is a very sincere man but apparently cannot translate his ideas to his colleagues on the Treasury benches. The Minister of Energy and Resources Management is, as I understand it, a member of the Treasury board and if he believes this is a good idea, I think he should rise boldly and proudly in his place tonight and say: "We are prepared to contribute so many dollars to the Waterloo Lutheran University school of social work." Now, he has not said that, all he does is sit there and heckle. I think it is about time that the Minister of Energy and Resources Management took part in these debates in a more meaningful way than to sit there and wave his hands about and make rude remarks.

**Mr. J. H. White** (London South): Mr. Chairman, I think the racist overtones in those remarks are most lamentable. The hon. member knows that what he said is not the case in this province.

**Mr. Singer:** Mr. Chairman, that is a very interesting thing. Now, the member for London South says the hon. member knows that what he says is not the case in this

province. I say this, sir, we have made this case for several years. The board of management of Waterloo Lutheran has made this case to many members of this House, on this side of the House and on the other side of the House, and the fact is the dollars are not forthcoming. And I say in the absence of a better explanation that the only conclusion that we can come to is that the government does not believe there is room for a difference of opinion.

**Mr. White:** Mr. Chairman, I think the inference given by the remarks most regrettable, and I think they were not, in fact, in accord with the hon. member's personal point of view. I feel they are not in keeping with the circumstances in this province.

**Mr. Thompson:** Mr. Chairman, I think the proof of the pudding is, as they say, in the eating, and the case of the eating here is financial aid. The Minister of Public Welfare, when we asked about St. Patrick's college, gave us that sort of genial smile that he has now and again, but I interpreted that to mean that this was the way that we helped this college because we do not do it in a more open way as we would the University of Toronto school of social work. I think we all recognize that because Waterloo Lutheran is a denominational college for some reason, despite the fact we are crying out for institutions to train social workers, we run up against the bureaucratic maze that you set up with respect to giving aid to denominational colleges, and, therefore, are other ways you try to get around this.

I say that from our side we are interested in producing social workers, if they are needed. They certainly are, there is no question of that, and whether they come from a denominational college or from a public university, our point is that we should give all the assistance we can to the training of these people because they are going to be of service to the public life of this province.

I say that in the case of St. Patrick's college, if I can just focus on this for a moment, I would like to know why there is $10,000 for St. Patrick's college. Is that for bursaries?

**Hon. Mr. Cecile:** The first grant corresponds to $10,000 which we pay for purposes of bursaries and administration costs.

**Mr. Thompson:** Why is this not also done for Waterloo Lutheran?

**An hon. member:** They must be Irish.

**Mr. Singer:** That is the whole point.

**Hon. Mr. Cecile:** I do not know. Maybe I should handle my estimates sometimes in another language! I made it very plain that as far as we are concerned with this school now we are going along with their requests. If a request for money or something like that —for help in administration—comes along this will have to be taken into consideration. But so far we have gone along with them in the requests they have made.

Item 9, vote 1701, agreed to.

**Mr. E. Sargent** (Grey North): Mr. Chairman, maybe the chair could enlighten me on this subsection following section 10—grants to assist in the erection of housing units for elderly persons.

**Mr. Chairman:** These are statutory amounts and we do not vote on these.

**Mr. Sargent:** Could the Minister advise me on these housing units for elderly persons, what is this?

**Hon. Mr. Cecile:** The $500 per unit—is that the one the member is talking about?

**Mr. Sargent:** It says the erection of housing units for elderly persons.

**Hon. Mr. Cecile:** Yes, well, that $500 per unit was given at the time to be a sort of encouragement to the groups or the municipalities who would undertake to build these low-cost rental housing. As you know—I think my figures are right—the government of Canada would lend 90 per cent of it and the municipalities or groups 10 per cent of it. This was to help defray that 10 per cent of the cost.

**Mr. Sargent:** Mr. Chairman, this is developing into quite a problem insofar as the inability of contractors to be able to get bonds to erect these housing units for elderly persons. Two years ago the government took a survey of our city in this regard. We have a programme on the way, but we cannot get any contractors to bid on it because they cannot put up the bond. This is a serious thing in two types of housing in our municipality, low-rental housing and elderly housing.

I am wondering if the Minister knows how many similar situations cannot get off the ground because contractors cannot get a bond to do this type of work. I am wondering if the Minister's department can get into the act at local level, guaranteeing able contractors to do these jobs, because there is an urgent need for this type of housing, and we cannot get it moving. I am not critical of the

Minister's department because I have never seen a department more co-operative in helping out people in need than this Minister and his Deputy Minister, and I am very grateful for the job they are doing. But I think at our level we have a need for some higher authority. Private enterprise cannot give these contractors bonds to get moving, and we have two projects stalled because private enterprise is not doing the job. So somewhere along that line this department should come along and be active and say: "We will guarantee the job."

**Hon. Mr. Cecile:** Mr. Chairman, I am sure the hon. member for Grey North will appreciate that this naturally is under The Department of Economics, but I will take it upon myself to discuss that very thing with the Minister.

**Mr. G. Ben** (Bracondale): Mr. Chairman, the hon. Minister made a very laudatory speech here, indicating just exactly how much is going to be given to the municipalities in the 80 per cent he mentioned as coming from the senior levels of government. I note he uses the words "senior governments," but nowhere in his introductory remarks did he specify exactly what portion of that 80 per cent that is coming from the senior governments is in fact coming from this province.

Would the Minister indicate to us exactly what portion of this 80 per cent is being contributed by this province? And how much is, in effect, being contributed by the federal government? Could he give it to us in percentages and also in dollars?

**Mr. Chairman:** I have no objection to the Minister answering the question, but I would remind the member that we are now dealing with vote 1701.

**Mr. Ben:** Thank you, Mr. Chairman.

**Mr. Chairman:** And we have dealt with all items up to No. 10.

**Hon. Mr. Cecile:** Well, I do not mind answering that. The 80 per cent figure was a general overall figure that we decided. I can give one example where we are paying less than 80 per cent to the municipalities to use on homes for the aged. For instance, we are paying 70 per cent, and 50 per cent is paid by Ottawa. We were paying 20 and the municipalities 30. But the part that Ottawa does not include—all the fringe benefits, that is, any programme of any kind, it might be OMSIP, it might be OHSC, and other matters like this, Ottawa does not contribute at all. In capital expenditure it does not contribute at all in any place.

**Mr. Ben:** What percentage of the department's funds, paid out to the municipalities of this province are contributed to the province by the federal government?

**Hon. Mr. Cecile:** What funds do you mean? Capital funds or maintenance funds?

**Mr. Ben:** I do not care whether they are capital or maintenance or both. How much of the money spent by you in grants to municipalities in fact comes from the federal government?

**Hon. Mr. Cecile:** Well, in capital expenditures, none.

**Mr. Ben:** Fine.

**Hon. Mr. Cecile:** In maintenance expenditures, 50 per cent across the board in many programmes. If you want to look at categorical programmes that we happen to have now—disability, old age assistance, and widows' allowance—50 per cent. We divide equally. On the blind, it is 75 per cent Ottawa, 25 per cent ourselves. On mothers' allowances, they share nothing. For the homes for the aged, for instance, they pay 50 per cent while where at the present moment we are paying 20 per cent and the municipality is reimbursed their maintenance cost by 30 per cent, which will be raised to 80 per cent. That is additional also to the incoming Act, to the welfare plan, that Ottawa is now discussing.

All the other adjuncts to this—the medical cards as it is now, or OMSIP, or OHSC, all the other services—there is no contribution at all from Ottawa.

**Mr. Ben:** So in essence, the maintenance cost—

**Hon. Mr. Cecile:** In child welfare by the way, there is no contribution by Ottawa.

**Mr. Ben:** So in essence, 50 per cent of the welfare costs come from Ottawa. That would be a fair figure.

**Some hon. members:** No, no.

**Mr. Ben:** No? Well, would you tell us in dollars and cents how many dollars did you receive to be passed on to the municipalities?

**Hon. Mr. Cecile:** Well, if my friend wants this in detail, actually I do not carry that in my mind. I am not that smart. But I can get it for him.

**Mr. Ben:** The advisers are sitting in front of the hon. Minister.

**Hon. Mr. Cecile:** When I go past $500,000, I cannot count very well.

**Mr. Ben:** Would the hon. Minister please tell us what non-mandatory services are supplied by the municipality of Metropolitan Toronto, or the city of Toronto, that are not supplied by other municipalities in this province?

**Mr. S. Lewis:** On a point of order, Mr. Chairman, with respect, the member for Bracondale is striking at some important areas, but simply not in this part of the estimates. We are getting into a wide variety of conflicting programmes, which have no relationship one to the other. Vote 1711 covers much of what he wants to raise, and I think the other portions come under an area like 1706.

I suggest we try to at least keep the programmes in the proper vote.

**Hon. J. P. Robarts** (Prime Minister): Mr. Chairman, may I speak to this point of order? I really think the information the hon. member wants should be obtained by putting a question on the order paper. It is mathematical, it will require taking apart—because each of these programmes has a different division in cost between the province and the municipality and the federal government. It is exactly the type of question that should be put on the order paper. The mathematics of it alone are going to take a good deal of time.

We must take each of these programmes, break it down into the agreement that exists between the federal government, the provincial government and the municipality, and take out that part and add up the totals and then we will be able to give the hon. member the answer. But to expect the hon. Minister and his officials to produce this in a debate of this type, of course, is not right, and that is why we have the procedure of asking questions of this type, putting them on the order paper, in order that the department may have notice and may obtain the information.

**Mr. Singer:** Mr. Chairman—

**Mr. Chairman:** On the point of order?

**Mr. Singer:** Yes, on the point of order. Surely to goodness when we have the opportunity to bring before the Legislature the estimates of this department, and they amount to $102 million—that is a lot of money and when you add on capital expenditures there is another $18 million, so that is $120-odd million—one would anticipate that the Minister would come before this Legislature armed with all the statistics.

**Hon. Mr. Robarts:** Nonsense.

**Mr. Singer:** Now he may not have it spelled out to the last cent, but surely to goodness one would anticipate, and one is entitled—the members of the Opposition and the people of Ontario are entitled—to having before the Legislature at the time the estimates of The Department of Public Welfare are presented, a reasonable presentation and a justification of expenditures, and a reasonable bookkeeping accounting of what is being done with the money. My colleague from Bracondale could not make a more valid point than when he says to the Minister, tell us how the money is broken down. Tell us in approximate amounts how many dollars you get out of Ottawa.

The camouflage that you sweep over the scene, really is only an indication that the government does not come before this Legislature prepared to intelligently discuss the estimates that are before us.

**Mr. Ben:** Mr. Chairman, I am rather surprised at the hon. Prime Minister getting up. Frankly, if he had a horse, I would call him Sir Galahad, who tried to come to the rescue of the hon. Minister of Public Welfare.

**Mr. Chairman:** Order, please.

**Mr. Ben:** On a point of order. I am trying to point out that, as the hon. member for Downsview pointed out, one would believe sincerely that one should be entitled to ask the Minister of Public Welfare at any time how much money he gets from Ottawa and expect him to have the answer at his fingertips.

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Mr. Ben:** I still have the floor.

**Mr. Chairman:** I am suggesting to the member for Bracondale that it does not constitute a point of order. Will he please be seated for a moment?

**Mr. Ben:** I still have the floor, aside from the point of order, Mr. Chairman.

**Mr. Chairman:** The member for Scarborough West stood in his place on a point of order which was well taken. There

are other points in connection with the member for Bracondale's submission that come under other votes; for instance, the old time relief, cash maintenance, muncipal grant of 80 per cent, under general welfare assistance, under 1706. And under 1711, the fuel and clothing, rent and insurance, supplied by the municipalities, under The Mothers' Allowance Act. These are points that should be discussed under these particular votes.

Now then, I am going to suggest to the member I have been doing exactly what this House has asked me to do, to follow a sequence of votes. We started under 1701 and we went through item by item and the items were discussed until we came down to No. 9 and No. 10. At this particular time, we are discussing No. 10, and the item the member is discussing is certainly not on vote one now.

**Mr. Ben:** Then, Mr. Chairman, within item 10, surely would come places like boys' village. Correct?

**Mr. Chairman:** Under item 10?

**Mr. Ben:** Under item No. 10.

**Mr. Chairman:** The Children's Institutions Act.

**Mr. Ben:** Yes. Now, in May of last year, the government of Ontario proposed to spend $1.5 million over five years, conducting private experiments at boys' village to determine what ought to be done. Now, how much has the hon. Minister through this government spent in the last fiscal year for that purpose and what did they discover for the money they did spend, if they did spend any money?

**Hon. Mr. Cecile:** These again, Mr. Chairman, are all capital grants, and Ottawa participates in not one cent of this.

**Mr. Ben:** I am not interested in whether or not Ottawa participated. Last year you stated you are spending $1.5 million over five years. How much did you spend last year for that project and what were the results of that expenditure, if you in fact did expend any money?

**Hon. Mr. Cecile:** Boys' village residence at Downsview grant for construction for a proposed addition of a second 14 bed residence for emotionally disturbed boys, $16,800.

There is another item here for the completion and construction of another 14 beds, being a 70-bed residence, $70,000.

**Mr. Ben:** Fine, Mr. Chairman. The hon. Minister states that he spent a specific sum for construction of a building and so much for construction of beds. My question was, how much did they spend on that so-called pilot experiment at boys' village? I am not referring to the construction of the building or the supplying of beds. They were supposed to have carried out an experiment to find out the effect of institutions such as boys' village. How much, if any, did they spend?

**Mr. S. Lewis:** On a point of order, Mr. Chairman, I am sorry to do this. I do not want the member for Bracondale to think it is conspiratorial, but if he will look under vote 1702 of the child welfare branch, he will see under item 4, comprehensive treatment demonstration, boys' village. All I am appealing for on the point of order, Mr. Chairman, is that we keep the estimates in order, as it were, or else—

**Hon. Mr. Grossman:** The hon. member does not like to look up records.

**Mr. Ben:** The hon. member is quite right. I just wanted to see how astute the hon. Minister was, and whether he could spot it, Mr. Chairman.

Interjections by hon. members.

**Mr. Thompson:** Mr. Chairman, on this point of order, would that include the building of the boys' village?

**Mr. Chairman:** I believe this would include the building, but it does not include, as I understand it, any of the programmes.

**Mr. Thompson:** It would include the buildings?

**Mr. Chairman:** It would include the buildings. It does not include the programmes.

**Mr. Thompson:** Under item 10—when I was in Fort Frances I met a prominent citizen who has a deep concern about retarded children. He approached me and said he has recently purchased a building with the idea that the building might be used for the training of retarded children, not retarded at a level where they are incapable of doing anything productive, but those who, under supervision, might be able to do domestic work or simple routine jobs.

In talking with him, he told me a responsible member of this Legislature had informed him that the government would want to go ahead on this project in Fort Frances but they were concerned that if a bill was

brought in that the Opposition would talk the bill out. I explained to him, of course, that if the government brought in the bill with a full majority then we were in no position to talk it out. And I told him that when it came to retarded children and the government giving more assistance to them, that we were vitally concerned, that it would give more assistance and we would be behind the government.

I was confused, really, with the kind of remarks he had made to me and I hope that it can be cleared up by the Minister, but the man stated that he had bought a building with the idea that this could be used by the government for retarded children.

What would be the steps through which the government could take over this building, assuming, of course, that it would be an appropriate building?

**Hon. Mr. Cecile:** Mr. Chairman, the government would not take over but if they want to come in under children's institutions as a private group or corporation, then we will certainly go along with them, but as to the government taking it over, the answer is no.

**Mr. Thompson:** In other words, an individual who would buy a building and with a deep concern for retarded children would have to incorporate a group or an association and then approach the government—

**Hon. Mr. Cecile:** A non-profit group, yes.

**Mr. Chairman:** Shall vote 1701 carry?

**Mr. Ben:** Mr. Chairman, item 10 deals with grants to new and acquired buildings, and among those buildings, I presume, are homes for the aged under The Homes for the Aged Act. There is an item there of $5,463,000.

Now, Lambert lodge is certainly a home for the aged, and it is within the limits of my riding. I would point out that it was originally a military hospital constructed sometime prior to, during, or immediately after, World War I. After the construction of Sunnybrook hospital it ceased to be a military institution and was turned over as a home for the aged to the municipality of Metropolitan Toronto.

The building was vacated by The Department of Veterans Affairs, because in the opinion of the federal government, it was not fit to house our ill and disabled servicemen. Subsequently, however, it ended up being a home for our aged citizens. I would welcome the Minister paying a visit to that institution and then perhaps we can get some money for it.

I was interested in reading his speech—I was in the House but I was interested in reading it over again—wherein he mentioned that there are only two or three old buildings left. If there are only two or three of them left, one of them would have to be Lambert lodge, and undoubtedly it must be the oldest institution, taking the age of the building, in existence.

It is located to the north of a railway track, right in the heart of an industrial area. There are a few houses to the north of it and a few houses to the east of it which shield it from another industrial complex farther to the east. The whole building is partitioned into dormitories and rooms with partitions which I can only suspect may not be of as fire-resistant construction as they should be.

The demolition and replacement of that particular institution is long overdue. It is surrounded by smokestacks of The Departments of Health and Public Welfare; it has laboratories there. It houses, I would estimate, about four times the number of persons that Hilltop Acres does, and yet Hilltop Acres, which is just a few blocks away, has probably four times as much landscape and grass area than does Lambert lodge. As a matter of fact, Lambert lodge has become almost a terminal hospital or terminal home for the aged. There is almost no salvation in that institution as far as having gardens and walks and a nice outlook are concerned.

Now, this undoubtedly must be the largest institution for senior citizens in this province. I cannot imagine there being a larger one anywhere. There are about 700 persons in there—I was going to call them inmates because what it amounts to there is a prison for the aged.

When exactly does the Minister intend to provide funds to replace that blot on the escutcheon of this province, and get a decent home for senior citizens either on that location or elsewhere?

**Mr. Chairman:** May I suggest to the member for Bracondale that this is a statutory grant, at the bottom of a page, and we have a subdivision—

**Mr. Ben:** I am not referring to the statutory grant at the bottom of the page, Mr. Chairman, I am referring to item 10 under "The Homes for the Aged Act—RSO, 1960, chap. 174, as amended, $5,463,000."

**Mr. Chairman:** Under the homes for the aged you will find that there is a division vote under 1707.

**Hon. Mr. Cecile:** I do not mind telling the hon. member, Mr. Chairman, that if Metropolitan Toronto wants to get rid of Lambert lodge and put a new building up there, I am quite willing to listen to any proposition they may make. I do not make that decision; they do.

**Mr. Ben:** Is the hon. Minister prepared to supply the funds for that purpose under capital grants, Mr. Chairman?

**Mr. Chairman:** That is what he was suggesting.

**Hon. Mr. Cecile:** That is what I said; I do not know why I should repeat myself.

**Mr. Ben:** I just wanted to make certain it was on the record, Mr. Chairman.

**Hon. Mr. Cecile:** Is the hon. member going to run for office in Toronto next year?

**Mr. Chairman:** On vote 1701:

**Mr. Racine:** Mr. Chairman, I just want to find out from the Minister about this item of $570,000 under The Child Welfare Act, 1965 which, I presume, is for new or acquired buildings. I wonder if the Minister would tell me what this amount covers.

**Hon. Mr. Cecile:** The new Act, The Child Welfare Act, 1965 provides for grants to a total of $5,000 per bed for new buildings, or $1,200 for a bed for acquired buildings to meet the special needs of children in the care of children's aid societies.

The following societies, it might be interesting to note, are planing either receiving homes for the emergency reception and observation of children, or group homes for the care of a number of children of like age and similar problems in the foster home setting:— The Metropolitan Toronto Catholic children's aid society proposed 12-bed unit, $60,000; Essex county children's aid society proposed 40-bed unit, $200,000; Hamilton children's aid society proposed 40-bed unit, $200,000.

Grants are also available to assist the societies in erecting, purchasing or otherwise acquiring buildings for administrative purposes in an amount up to 25 per cent of the value of the building and the land on which it is erected.

The following societies are planning new or additional office space: Metropolitan Toronto children's aid society, new branch office, $15,000; Frontenac county children's aid society, $40,000; Stormont Dundas and Glengarry children's aid society, addition to administrative building, $5,000; district of Algoma children's aid society, $25,000; and Perth county children's aid society, $25,000.

**Mr. Racine:** Mr. Chairman, I would like to find out from the Minister what is happening to the institutions that were built prior to this new Act. I have in mind the receiving home in Ottawa, built by the children's aid society the last two years. It seems to me that the children's aid society of Ottawa had to borrow money in order to pay for the capital cost.

In the new Child Welfare Act, will they be reimbursed the amount they have borrowed in the grants they will be getting from the government, or will that be covered by this special grant?

**Hon. Mr. Cecile:** Mr. Chairman, this has been a problem not only in Ottawa, but there are quite a few societies throughout the province in the very situation you speak of. I think it is a matter of about half a million dollars, or close to it, across the board. Right now, I can assure the hon. member that we are discussing this to see how we can get rid of the whole thing in one fell swoop so as to be of some help to these children's aid societies in things over which they really had no control, to a very large extent.

Maybe some of them were unwise in doing what they did. However, it is here and we have to look at it. We are doing that now.

**Mr. Racine:** Mr. Chairman, this is why I raised the question. I had heard that there were some problems with the Ottawa children's aid society, and I am glad the hon. Minister is looking into it, not only for the Ottawa situation, but the situation across the province, because—

**Hon. Mr. Cecile:** Ottawa has the largest debt of the whole group.

**Mr. Racine:** Thank you, Mr. Minister.

Vote 1701 agreed to.

On vote 1702:

**Mr. S. Lewis:** Mr. Chairman, I have a variety of things to raise on this vote, none of them very lengthy.

First, I would like to ask the hon. Minister, I suspect he may have a tidy little three-paragraph statement prepared, about the department's attitude towards the child-beating syndrome, the problems of reporting, the apparent inadequacy of the legislation in regard to the imposition of penalties, and whether he has had any concrete discussions with the hon. Attorney General over enforcement of the child beatings reporting?

**Hon. Mr. Cecile:** Mr. Chairman, I have some figures here of reporting.

I might say at the present time we are discussing this with the Attorney General. we have been doing that for a matter of months, ever since The Child Welfare Act has been in force.

One thing bothers me very much, and I would be interested if somebody could make a suggestion. How can you arrest and fine a person who is not reported? How are you going to find out? I do not know, and this is one question that has puzzled me very much.

So we have to rely, as much as we can, on the goodwill of the people. As you know, it is mentioned in the statutes that nobody will be prosecuted for making any report of that kind. He will be protected. It could be held confidential, or otherwise and he could have all the protection in the world. That has provoked some information. But is it a fact that there are not that many cases, or that the people will not volunteer in providing us with the information?

The only way I can see that we could really adopt that, is to punish them on second offence, if I may use that expression. I do not know it could be done, but that might be a solution to it.

However, it might be interesting to note that from January 1, 1966 to June 9, 1966, eight children's aid societies sent to the child welfare branch written reports on 26 cases of allegedly battered children. In addition, we have received some telephone calls on two or three other cases, and these will be reported in writing in due course.

Here are some figures: Society reporting —Halton, one; Hamilton Protestant, 1; Hastings, 3; Lanark, 1; Metro Toronto, 17; Nipissing, 1; Peel, 1; York, 1.

I have a note here that might be of some interest. In New York state, from The Department of Social Welfare, an official wrote in the July-August 1966 issue of *Children*, and I quote:

> In spite of a 1964 state law requiring doctors and hospitals to report cases of suspected child abuse to the public welfare department, only two referrals for protective service have been received from this source.

So you see, Mr. Chairman—and I think my friend appreciates that—it is a very difficult area, and if he has any suggestions he would make to me, I would appreciate it very much in that particular respect. As I say, I suppose we can do more on the second offence than on the first, but how are we going to find out about the first?

**Mr. S. Lewis:** Well, any suggestions I might have would arise out of the follow-up as it were, of the department. You say that between January 1, 1966 and June 9, 1966, 26 cases of alleged battered children were reported to the department. The questions then are obvious. What did the department do? Can the hon. Minister tell the House how he followed up on the 26 cases, and what was found? Were they verifiable cases of child beating, or were they in fact misguided information?

I would assume since they came from children's aid societies, they were likely more right than they were wrong, and since we know of at least one instance in the first half of 1966, of a child deaf through child beating, being sent to the sick children's hospital, what has the hon. Minister's department decided to do with the family, the 26 families involved?

Is there any special service being provided, is there any special action being contemplated? In other words, finally having had some concrete information over a six-months period, what are your intentions?

**Hon. Mr. Cecile:** The societies, naturally, will consult the Crown attorney in the area, and they will prosecute if the Crown attorney decides there will be prosecution.

I have not got these records of prosecutions with me here tonight, but if my friend is interested, I will make it a point to get it for him. But these we have to get from the different societies.

The societies report to us here and I have not the facts here on every one of these cases prosecuted. I think I can get that, and I will if my friend is interested in me doing so. But it is handled by the children's aid societies themselves in consultation with the local Crown attorney for purposes of prosecution.

As you know, there have been some cases reported in Metro Toronto. In some of these cases persons were found guilty, I believe and were sentenced. Toronto is the only place we know where there have been charges laid and a conviction. The others were reported.

**Mr. S. Lewis:** One conviction—one set of charges laid, and one conviction?

**Hon. Mr. Cecile:** Yes. I guess that came out of the sick children's hospital, if I recall correctly.

**Mr. S. Lewis:** Well, Mr. Chairman, if the hon. Minister does not mind, I think it would be rather interesting for the House to know what has happened to the 26 cases; what the course of action is. It seems to me that somehow we have to define an attitude and a policy. The attitude is fairly obvious, but the policy at the moment is totally uncertain, and only through watching the pattern of response from the various Crown attorneys, and then I think undertaking some analysis on the part of the child welfare branch, can we possibly come up with something concrete.

I appreciate the difficulty, but I would suggest it would be absurd for a report of the children's aid society to go to the Crown attorney for nothing to be done and the issue dropped, and the child welfare branch not to follow it up. That would seem to me to be an abdication of responsibility on the part of the branch. Therefore either rewrite it into our legislation or we must reconstitute our practices. I would be very interested if the hon. Minister could bring it to the attention of the House.

This may not seem immediately relevant, but it brings me to the next point, which I frankly believe to be related.

Some time ago—no more than three or four weeks ago—it was revealed in the Metropolitan Toronto press that a survey had been made of all the children's aid societies in Ontario in the year 1965, and it was found at the time the survey was taken that there were some 241 children who required special care and for whom such care was not available. I would like to ask the hon. Minister what his response is to those 241 children?

I should point out, Mr. Chairman, that in the June edition of the children's aid society *Journal*, this matter is discussed at some length. It is pointed out that another survey is underway and that the numbers of children presently not involved, are on the increase. There is a figure of 241, a conservative figure, and I would like to ask the Minister what he intends to do, or what he has done about such children?

**Hon. Mr. Cecile:** Mr. Chairman, I am sure that this was discussed at great length in other areas, and I appreciate the interest of the hon. member for Scarborough West in this matter. What caught my ear especially, is the fact of the increase in the emotionally disturbed children coming to the attention of the children's aid societies.

At one time the children's aid societies did not have to deal with as many cases as they have to deal with today. For some reason or another, the judges who deal with these delinquent children or whoever is brought before a family court do not send them to places where they used to be sent, but more to the societies. I quite agree that at the present moment, on account of this new area in which the children's aid societies are involved, they might not yet be fully prepared to meet the impact of the situation.

However, as was suggested before—I believe by the hon. member—some way or another we should find a solution on how to assess these children. He has recommended, I believe, that there should be consultations between the five departments concerned in this matter. This, I assure him, has been going on. We hope in the immediate future to have these assessments made, and I think that the hon. member will agree with me that it is more of a health matter in deciding what is wrong with these children. This search for a solution is being carried on at the present time, and we hope to have one very soon.

I wish to point out that that situation came about—and I am not blaming one Act or another—from a combination of two things. For instance, when The Child Welfare Act came into being, and the new Act that was brought about by my colleague, the Minister of Reform Institutions, was supposed to create this particular ambience for anybody to avoid having a record of having gone to a training school. I must confess, very honestly, because of having a lot of experience with a school that is very close to my home, that I know of many people who cannot afford to educate their children the way those children are educated, at least in that institution that I know. I have never known of anyone who was in that particular place who took it as a record or as an offence.

As a matter of fact, I have this very vivid recollection of one December 23 about seven or eight years ago, going down the highway and feeling good that morning—it was a beautiful day—and I thought that I would give anybody I met on the highway a ride. I picked up this young fellow and to my great amazement he told me that he was going to see the brothers at the Alfred school and was going to spend his holidays there.

In other words, it was his alma mater. He had a very good job in Montreal and I asked him if he had anything against that particular place and he said he had not

and that he had been a very lucky person to go there.

Now today we find that the judges, for some reason or another, are loath to do this, and I think those are schools which should be used instead of looked at with a very bad weather eye. I think they should be looked upon as something that could be used because I am quite sure—this is my opinion, at least—that some of those children not only need medical care or treatment of some sort, but they also need a bit of discipline, and custodial care if you wish, and need not be hurt.

Surely in this advanced age in which we are living, these institutions could not be considered on the same basis as an ordinary jail. I do not know what else I can add to this. I admit that this impact has come about a little too quickly to allow for them to be prepared. But after all, we are all human beings and sometimes when we think that we have accomplished something, we realize that we have accomplished very little.

It is not through the fact of not wanting to do well; we appreciate it and realize the shortcomings in this particular aspect. I can assure the hon. member that I hope that next year when these estimates are brought in or those of the other departments are, that we will be able to tell him an assessment centre has been created to assess these children so that they can be sent where they should be sent.

**Mr. S. Lewis:** It seems to me, Mr. Chairman, that we are getting closer and closer to the interdepartmental report every day, and I think that is salutary if the Minister is talking in terms of an assessment centre or the "immediate" immediate future, as he puts it. I find that encouraging, but I would say to him, with the greatest of respect, that The Training Schools Act and the new Child Welfare Act did not affect the 241 children who existed in the year 1965, prior to the Acts coming into effect, or have any appreciable effect on the children subsequent to their passage. That is surely the salient fact and I do not view with as much assurance as he does the prospects for solving the problem. Because, every time I speak to a children's aid society—and I have come to the point of doing it almost daily—they have a sense of complete desperation. And every time I speak to someone at juvenile and family court—and I mention that because the Minister himself raised it—they have a sense of complete desperation. They do not have the faintest idea as to how to cope with the detention homes' problems and the length of time that youngsters are being made to stay in detention homes, perhaps with very damaging effects in the absence of any facilities.

When I raised this matter, the business of the Minister's responsibility and the aspect of neglect, it was suggested that I raised it facetiously. I did not raise it facetiously. I want to call certain parts of The Child Welfare Act to the attention of the hon. members of this House and I would like the implications to be felt and I do it with no ill disposition to the Minister, but in order to emphasize the point.

Section 32, subsection 1 of The Child Welfare Act reads as follows:

> Where a child has been committed as a ward of the Crown the children's aid society having the care of the child may apply to the judge for an order terminating the—

I am sorry; I shall have to start again; I am reading the wrong section.

> The Crown has, and shall assume, all rights and responsibilities of a legal guardian of its wards for the purpose of their care, custody and control, and the powers, duties and obligations of the Crown in respect of the wards of the Crown, other than those assigned to the director by this Act, may be exercised and discharged by the children's aid society having the care of the ward.

Mr. Chairman, it seems to me that nothing could be more explicit. The Crown wards are the responsibility of the Crown which assumes legal guardianship, through the Minister of Public Welfare, and the responsibility for the care, the custody and the control of those children.

In making some inquiries about the 200-odd children for whom no proper facilities have been found, I learned that anywhere from one-third to one-half of those children are Crown wards. They are what were formerly known as permanent wards under the previously unamended Child Welfare Act. I would be prepared to venture that fully 50 per cent of the present children, for whom no place can be found in this society, are Crown wards—the responsibility of the Minister—the children for whom the Minister is the legal guardian, children for whom the Minister is, in fact, the father and responsible for the care, custody and control.

Let me draw the attention of the House to

section 40, subsection 1, of the Act, a new section of the Act, and I quote:

> Any person having the care, custody, control or charge of a child—

—using exactly the same words as those used in the previous section establishing the ministerial responsibility—

> Any person having the care, custody, control or charge of a child who abandons, deserts or fails to support the child or inflicts unreasonable cruelty or ill-treatment upon the child, not constituting an assault, or otherwise fails to protect the child, is guilty of an offence and on summary conviction before a judge is liable to a fine of not more than $500 or to imprisonment to a term of not more than one year, or to both.

Mr. Chairman, I believe profoundly, and I have actually consulted legal opinion, that an interpretation could be given to the phrase, "or fails to support the child" and, "or otherwise fails to protect the child," which directly describe the condition of the children under discussion. The deprivation of their emotional needs, the denial to them of any facilities, the destruction of the personalities involved because of the conditions under which they exist at present, constitutes within this Act a failure to support the child or a failure to protect the child and makes the Minister liable under his own Act.

This is a new section, it has not been tested, but I daresay the two sections put in together would constitute an offence as I have suggested it to the House. I want to point out that a further section in the Act says that every person having information of the abandonment, desertion, physical ill-treatment or need for protection of a child shall report the information to a children's aid society or Crown attorney. Frankly, Mr. Chairman, I am inclined to report to the Attorney General of this province the fact that a very irresponsible person in this province, namely, a member of the Cabinet, is liable under his own Act for the neglect of a very large number of children. If it were necessary to find the individual Crown wards, then they could be found and the individual cases could be used in terms of drawing up a charge.

The Minister, I suggest, has placed himself in an absolutely untenable position. He has put himself in the position whereby, under his own Act, having assumed legal guardianship and responsibility as the Crown, he is liable to a fine of not more than $500 or to imprisonment of a term of not more than one year or both—and that it would be possible, quite possible, to make a test case of this kind of legislation which, after all, is of his own creation. He knew when this Act came into the House what was implicit in it. And I want to recall to him, because I do not want this to seem a sudden intervention on the part of this party, I want to recall to him that more than a year ago, on second reading of The Child Welfare Act, we indicated to this House that these were the implications. I did not see the precise relationship between clauses, I must admit. I did not realize the extremity and the gravity of the problem, but we pointed out the implications of Crown guardianship.

Now, Mr. Chairman, I am frankly moved to take action under this Act, almost as one would take action under the responsibility laid out in section 41, subsection 1, unless the Minister has a definition of Crown responsibility or legal guardianship that is novel. Because, again if I can remind members of the House of the committee that sat—the Minister's committee on the care of such children—that sat for a considerable period of time, their first recommendation was that of Crown guardianship, and inherent in that first recommendation was the care, custody and control by the Crown of these children. Now, for whatever reason, the children's aid society has not seen fit to come to the door of the Minister and say: "Here are the children, they are yours, you handle them," although they are coming very, very close to that point indeed. But it is not really necessary for them to do so. A mere phone call elicits the numbers involved. And the Minister is the father.

I want to sit down and mull over just a little whether one is prepared to wait for vague phrases about the possibility of an assessment centre a year from now. I am not sure that it is not necessary to bring this home in the most dramatic way possible by implementing the Minister's Act, and I say to him that what we require to lay the fears of the Opposition at rest—I know the Minister shares them with us, I respect the Minister's humanity and I want him to understand that and to appreciate it—the only thing that can lay these fears to rest is the presentation of a government programme which makes no bones about what it is going to do, and lays out the financial resources to do it. Nothing less will suffice before the end of this session which is no more than eight or nine days away.

Frankly, Mr. Chairman, I think I have put the cards on the table. The Minister now

knows the situation. As I say, I have consulted legal opinion. He now sees what is before him, and I plead with him to take action on his behalf and on behalf of the total situation, to make it unnecessary to move in his kind of perverse and undesirable direction.

**Mr. K. Bryden** (Woodbine): Does the Minister have any comment?

**Hon. Mr. Cecile:** Well, Mr. Chairman, I do not know how I can comment on this. I think The Child Welfare Act was brought in in very good faith. It was looked into by lawyers who deal with these matters, and by the children's aid societies who are the employees of the different municipalities employed for this particular kind of work.

If you want to look at it that way, there is an argument to be made. The fact these children belong to the Crown, I suppose, means you could sue the Governor-General of Canada for that matter, or the Lieutenant-Governor of the province, if you want to go that far, because I am only a representative of the Lieutenant-Governor of the province.

**Mr. Bryden:** The Minister was specifically named, though.

**Hon. Mr. Cecile:** No, my name is not—

**Mr. Bryden:** The Minister's office.

**Hon. Mr. Cecile:** My office.

**Mr. S. Lewis:** The Minister is named in section 1 of the Act

**Hon. Mr. Cecile:** Now, as far as The Children's Institutions Act, 1962-1963 is amended, you will note the Act was changed last year, I believe, to a grant of a maximum of $5,000 per bed for new construction, and $1,200 per bed for any purchase of an already erected building. I have here a note on construction —carried over from 1965-1966 not yet completed—there is $616,500; boys' village residence at Downsview, $70,000; Kiwanis club, Toronto, grants for 14 proposed residences on acquired property, for teenage boys still attending school, $16,800. The Mennonite central committee at Ailsa Craig, $60,000 for 12 residences for emotionally disturbed boys, age 10 to 15; order of the sisters of Notre Dame of St. Agatha school at St. Agatha, for 75-bed cottage-type residences for 48 children, age 6 to 14 years, plus staff and isolation accommodation to replace current building, part of which is 100 years old. $187,500; St. Faith's lodge, Etobicoke, $150,000, for two further cottage-bed residences; grants towards cost of proposed acquisition of 16-bed residence at Oak Ridges, $36,000; Windsor group therapeutic project, Windsor, $19,200; grant towards cost of proposed 16-bed acquired building for disturbed children.

In other words, we have funds for 337 beds and the total of new beds up to now is 162. So as I stated before, we are ready to cooperate with any group of people who will go into this. It is not a matter of saying there are no funds available, there are funds available to go ahead with this programme and we intend to carry on with it according to the requests we shall have as they might come from any sources which prove they can do that work. But I understand this is also a very specialized field, and I suppose it is a difficult one and I appreciate it quite well.

I have no objection to the remarks that were made by the hon. member for Scarborough West, I think he was sincere in making them, especially in pointing to the fact of the great need that there is to take care of these particular children. I do not think he has anything against me or that he will attempt to send me to jail for the rest of my life or anything of that description. I think he has shown in his speech the seriousness of the situation which I think the five departments involved have seen, and are willing to go further with this. I do not believe I know of any jurisdiction in North America where the same programme is being carried on to the best of the ability of the persons concerned in this particular field.

I have travelled to many parts of the United States and Canada, and this is a field which is a very difficult one and which is being developed to the best of the ability of human endeavour. I still say that all of us are only human, we make errors. I will never live long enough—and I do not think anyone of us here will—where we will achieve perfection. All we can do, is to act sincerely, with the means at our disposition and with the goodwill of the people who deal with these matters.

I certainly will. The members of the House know I am trying to do the job as best as it can be done with the availability of the people to do this kind of work. I am sure that we will not stop trying, and I know that there is no threat in my friend's voice, because he knows we are sincere in trying to do this thing.

But the fact that this situation is mentioned shows the seriousness of it, and with that fact I have no quarrel. I can assure him that

as far as I am concerned, as far as these programmes are concerned, in the consultations I have with my colleagues who are entrusted with this matter, this is certainly not a matter which is disregarded.

Bandying with figures is always easy, and statements as to who is neglected and who is battered and who is not, is one which is a matter of opinion. It is decided by the people who have to deal with it, and this we have to accept, I suggest, Mr. Chairman, with all due consideration of those whom we deal with. I often wonder if the headlines in the press, or the great statements that are made about these things, are really of any help, or do harm because, after all, I do not think any one of us, in the field of business, in services, or otherwise, should take advantage of anything that has to do with the miseries of people to further our own progress or to misuse something that we love.

I would simply state that this work has to be done. It has to be done effectively and to be done effectively and sincerely, you must find the people who will want to do it, and the people who know something about it.

Many people have different ways of looking at this. Some have certain theories, others have others. They both achieve success in their own way, and to judge which is the best system, or which is not the best system, and which is the best place to have a certain child put into, I do not know.

I think we have discarded the idea of having the old-type orphan homes which were a disgrace, I would say, to humanity, generally speaking. Maybe we should have kept with it, and we would never have heard of these people. We would never have been able to take care of them, and it might have been a way of avoiding our responsibility, collectively and individually. I think it was a good idea to get rid of those places, even if we have these new problems.

As a matter of fact, and I have stated this before—I guess I have stated it every year I have had estimates—it is unfortunate that a certain group of people in society are alone blamed for child neglect. I think a lot of parental responsibility today is put aside and not talked about enough. I mentioned this last year, or two years ago, I believe, and I do not point my finger at anybody in particular, but we all have a duty in this particular respect, whether it is to do with the church or otherwise. A lot of parents do not take care of their children in the initial stage. I fail to see why if there is neglect and we have to deal with these children, either emotionally or otherwise, that immediately everybody runs to the people who have to govern the affairs of a country, or a province. I think this is most unfair in many cases. It is unfair certainly to the societies, who I know are doing the best they can.

I think maybe we do not consult the same people. But many of the societies that I have talked to, and I have talked to all of them—or most of them—it seems to me they are doing their best to control what they have and they are doing a pretty fair job. They are quite satisfied themselves.

Why they would say otherwise in some other places than this, I do not know. But as far as I am concerned, I am quite sure that the child welfare branch is doing its best in this particular aspect. They are not perfect, and I know they will never acquire perfection, but under the circumstances and with the tools we have to deal with, and I am not speaking of money when I say this, I think we are doing not maybe a perfect job, but a pretty fair job considering what we have to deal with. I trust that my friend will accept my words, as I accept his. I know he is sincere and I believe that he thinks I am the same way, too.

**Mr. Racine:** Mr. Chairman, I did make some remarks this afternoon about the budgets of the various children's aid societies. I think this falls under this vote, item 7.

I wonder if I could get a statement from the hon. Minister as to how many of those budgets have been approved by the department, and how many of those budgets had to go to some committee to be studied?

I know that some of the larger municipalities claimed at the start that the budgets of the children's aid societies—I have in mind particularly Toronto—were out of line and they had to be cut down, in some cases, quite considerably.

I think it would be interesting, because this represents a very large expenditure of money—$13 million—I think it would be interesting to find out from the hon. Minister how those budgets have been accepted generally.

**Hon. Mr. Cecile:** Well, Mr. Chairman, every budget has been accepted across the board. There was some discussion at first with Metro Toronto that was immediately agreed upon by the two societies of Metro Toronto. We got together and the matter was settled very quickly.

The review board has sat only on one matter. I think that is the Port Arthur district child welfare board which could not agree

on the portion of the estimates of the children's aid society to be allotted among the 12 municipalities involved. The matter is presently under review and the board should have its decision very shortly. But that is the only one, Mr. Chairman, that came before the review board.

**Mr. Racine:** Another point, Mr. Chairman, before we conclude this vote. There was some discussion a while ago about the placing of children, and I think the fact was mentioned that children were placed in some institutions, like training schools, who perhaps should be placed somewhere else.

I have an article here taken from one of the Toronto papers in connection with a recommendation that was made to the committee on youth some time ago. It was suggested that small privately run homes should handle some of the children now being sent to the Ontario training schools. These homes, with about ten or 12 children each, would best be run by agencies, such as children's aid societies, supervised by the provincial welfare department.

I wonder, has the Minister, or some of the members of his staff, studied this proposition? To me, it makes a lot of sense, and I have heard remarks from the brothers from Alfred who have told me that this was one area where there was a great weakness, particularly in Ottawa. I think the same weakness exists in other parts of the province.

I was wondering whether the Minister had any thoughts on the problem?

**Hon. Mr. Cecile:** I presume the hon. member for Ottawa East, when he spoke to the brothers, was speaking of homes for five or six in a group.

**Mr. Racine:** Or 10 or 12.

**Hon. Mr. Cecile:** Well, I must say to you that we are very much in favour of that. Did he mean to say in a home not under their care, for instance; it would be under the child welfare, or something of that kind; not custodial care in the sense that we know it? Was that what my friend had in mind?

As far as group homes are concerned, yes, we are in favour of that.

**Mr. Racine:** Well, I do not know. I think possibly that, instead of sending a child to a training school, sometimes he could be sent possibly to that type of a home, either in custodial care or not. I do not know that it matters, but I think this is what he had in mind—that the children could be kept in their own locality in a sort of a private home with some supervision of some kind. I am pretty sure, Mr. Chairman, in the case of the brothers, they probably could have one or two brothers available in Ottawa who could reside there and take care of those boys. It might be a lot better in some cases that they be in Ottawa or in Toronto, as the case may be, and be able to attend the local high schools or some sort of training institution. Perhaps in those training schools they have not the facilities of training.

**Hon. Mr. Cecile:** I am advised, Mr. Chairman, that the children's aid societies are moving in that field now and getting private homes as they can where they can harbour three, four or five children. But the problem is to find the homes like that. At the same time, I like the idea of the suggestion of the brothers. If they wish, I am quite sure that we would go along with them. They would certainly come under The Charitable Institutions Act in this matter and we could consider what they have in mind, or even other matters of that description, providing they come under The Children's Institutions Act. I think it should be very easy to do something. I would be quite willing to entertain some discussions with them in this respect if they would be interested.

But I am advised that as of now, sir, the children's aid societies are looking for homes of the type the member mentioned, to place these children.

**Mr. Bryden:** Mr. Chairman, I would like to revert for a couple of minutes to the matter that the hon. member for Scarborough West was discussing with the Minister.

I must say that I listened with mixed feelings to the last statement that the hon. Minister made on the matter. At one point it appeared that he wanted to make it clear that he was very conscious of the problem and was calling for the support of everyone in trying to solve it. In the next breath it sounded as if he was inclined to the view that if we pretend it is not there the problem might go away.

**Hon. Mr. Cecile:** Oh, no.

**Mr. Bryden:** I do not know, the Minister struck me as just a little ambivalent on the whole matter and certainly lacking in decisiveness. This is what worries us in this group; we do not think there is a decisive will to solve this problem. I will agree with the Minister that he is concerned, but I am not sure his concern has reached the point yet where he is prepared to take the sort of

action that is necessary. For example, when he implied a criticism of the press for reporting cases of what to me seemed to be the most outrageous treatment of children, suggesting that there was something wrong in that—

**Hon. Mr. Cecile:** On a point of order, Mr. Chairman, I do not think I was criticizing the press. I just stated it was unfortunate that it came out sometimes in headlines which would attract people's attention to wondering what is really happening. But, I was not criticizing the press for reporting, that is their duty. But it seems to me that some publicity creates the impression that the situation is worse sometimes than it really is, although I admit that the situation is not a very good one in many instances. However, that makes it worse in the minds of the people and sometimes it is interpreted to be over a very wide area.

**Mr. Bryden:** First of all, I do not think it it a bit unfortunate the press has given substantial prominence to some of these cases. If the public is ever going to become alive to the fact that the problem exists, then they certainly have to have some of the dimensions indicated to them. I think it is true to say that most human beings understand a problem better in terms of an individual case than in terms of statistics.

So often human misery is dismissed in statistics. A million people are starving somewhere and that does not make much impact on most of us, unfortunately. But if one individual is suffering, then we begin to understand it because we as individuals can somehow identify with him. Even though we can never fully understand his problem, we at least can see ourselves to some degree in that person's position.

I am glad the press has been calling attention to this type of problem and I do not agree with the Minister that it is not a problem that is pretty widespread. I am not suggesting that the majority, or anything like it, of the children of the province are being mistreated, but certainly an alarmingly large minority, in my opinion, are. It certainly runs into one or two or three per cent or something like that, being mistreated in one way or another.

Even if only one is being mistreated it is bad enough. I am sure the Minister will agree with that. But it is a lot more than one. It is a serious problem and my impression is—I admit I am no authority in these matters, my friend from Scarborough West has been in contact with children's aid societies while I have not—but it is my impression that the children's aid societies are simply unable to cope with, for example, the problem of emotionally disturbed children.

The Minister has pointed out that magistrates are no longer willing to send such children to what are really nothing but punitive institutions. I am glad the magistrates are not willing to send them to such institutions.

I cannot think of anything that could be worse for the children concerned, but the point is they have nowhere to send them. It is high time we started to develop some kind of treatment facilities so that we would not leave the magistrates in the position where they cannot make an intelligent choice as to the sort of treatment the child concerned requires. We are just not providing it. We have some facilities in this province for treating emotionally disturbed children. They are clearly grossly inadequate and I think it is high time this was shouted from the housetops at every conceivable opportunity.

There is one thing the Minister said that I will agree with, I do not think we should blame any particular individual or group of individuals for this situation. I think that we as people of Ontario have ourselves to blame. We have tolerated this situation. We have been so preoccupied with watching television and enjoying our motor launches up in the lakes—creating hazards for all sorts of people up there—and every sort of luxury that we could pursue, that we have not had time to think about some helpless child who may be sadly in need of treatment. We complained in the past frequently about the taxes that had to be paid or might have to be paid to provide adequate treatment for that child.

Mr. Chairman, we can all take a share of responsibility, but I still am of the opinion that the public is now much more prepared to accept its responsibility than it may have been even two or three years ago, partly because the press has brought the problem home to the public in a way that most people can understand. I think the public is willing to support the Minister if he would take a lead and get out and really do a job on this problem. Although I do not hold him personally responsible, I do not blame him. I do not hold him culpable, let us put it that way, and I think it is a problem for which all people must share responsibility. But nevertheless, the legal responsibility for a substantial number of these children rests with him.

I am not a lawyer. The Minister is, I believe, I am not, but the thesis that the member for Scarborough West was presenting to this House is an intriguing thesis. There

are legal sanctions for failing to protect children or neglecting children, if one is responsible for them. The Minister is responsible for a substantial number who are inadequately protected. It strikes me that he may very well be legally liable. Maybe, as the hon. member for Scarborough West says, to really bring this thing home then maybe someone is going to have to lay an information against the Minister, not because we want to see him in jail even for one year, much less 100 years or 150 years, but just so that the failure to face responsibility in this matter can be brought home.

After all, how else can society as a whole act except through the government? We can hold society responsible for the situation that exists but it can only be rectified by action by the government. Society really has no effective way of operating otherwise. Therefore, the government has to accept that much responsibility. It is probably quite true that it cannot get too far ahead of public opinion—especially if it hopes, and I have no doubt that this government fervently hopes, to continue as the government—but I do not think that at this point the Minister would be striking out far in advance of public opinion.

The problem now is that public opinion has passed him by. He is still holding back; he is still talking in terms of the responsibility of the parents. I am certainly not going to suggest that parents do not have responsibility for their children, but let us bear two things in mind. Some parents abdicate their responsibility, but what are we going to do? We cannot leave the child abandoned because a parent has abdicated his responsibility. This is no answer to say that the parent has abdicated his responsibility. Take whatever action you consider appropriate against the parent but you must still look after the child.

The second point I think we should bear in mind is that in some of these cases the parents are far from having abdicated their responsibility. But they are faced with problems with which they do not know how to cope. I know of cases myself of parents of children who, not very long ago, would have been called incorrigible or unmanageable or what have you—these are the terms we always use when we fail to understand a problem. We compensate for our own sense of guilt by trying to place blame on the person who is suffering. I know of persons with children whose condition is such that the parent is incapable of coping with it. They would do anything, anything at all—and some of them have spent sizeable amounts of money—to try to find some way of helping their child. It certainly is a little too much to suggest in a situation like that that the parent has abdicated his responsibility. It seems to me that we have abdicated our responsibility; we have failed to give the parents the help they so desperately want.

Mr. Chairman, I get a little tired of the reference to the parents when we talk about children who may be neglected or disturbed or suffering in a number of different ways. I think we should look at it first of all in terms of the child. It is not his responsibility even if the parent is culpable. Perhaps the parent had an unhapy childhood himself. Who are we to pass judgment on these people and slough the problem aside by pointing to them as inferior? Thereby, of course, we build up our own egos and make it clear, as the Pharisee made it clear, that those people are not as we are? Perhaps it should be put that we are not as those people are.

I think we should forget that sort of approach. There are laws to deal with parents who neglect their children, and there are laws to deal with guardians who neglect their children. Perhaps the Minister, before pointing a finger at the parents, might bear in mind, as the hon. member for Scarborough West pointed out, that he himself is the guardian of a lot of these children. If he wants to point the finger at anybody, let him point the finger at himself. Let us start at that point if we are going to try to attribute culpability to anybody in the situation.

**Mr. Chairman:** The member for Riverdale.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, I would like to echo the remarks of my colleagues, the hon. members for Woodbine and Scarborough West, on the question of the maltreated child, the battered baby. I am disappointed in what the hon. Minister has said because he obviously has no sensation of any initiative about steps he could take to investigate and improve the procedures under the statute. I do not think that it is an easy problem; it is just as difficult a problem as the hon. Minister has stated it is. But if he comes here and tells us that since January there have been 26 reported cases in the province and only one prosecution, and there is no evidence that the Minister is forthcoming about any revamping of the procedures—as the hon. member for Scarborough West said—to follow up on these cases, then I think that there is something seriously wrong in the intentions of the Minister to do anything about the problem.

I do not think that it is all that difficult. I think it will not be the first time that a penalty has had to be imposed in order to

legislate morality in the province of Ontario. It is done all the time. Now, this does not mean that you substitute a penalty and a punishment for the inducement which is now provided in the Act.

As I understand the statute, and the Minister will correct me if I am wrong, there is a grant of immunity from suit for a person who advises the proper authorities that a child has been hurt, that a child has been badly treated. Now, it is not too difficult to say that that is the "carrot" part of the statutory provision. But the statute does not say anything more, and I think the statute could very well go on to say that the other side of that coin is that if within a period of, say, 15 days after the matter has been brought to the attention of the adult, or ten days or five days after, and the adult fails to report, then the immunity from punishment is withdrawn. At that point, the person is liable, if the matter is brought out and disclosed by proper investigation, to some punishment.

I think that it is possible to work both aspects of the inducement and the punishment under some such statutory provision in a way which obviously, in my opinion, would be well worth trying, and I suggest it would produce better results.

There is another matter which I am certain that the Minister could do in the field of investigation. I think the Minister should be aware that we are not here talking about finding the parents and punishing them; what we are trying to do is to locate the parents in order to provide, first of all, protection for the child in the future, and, second, to provide whatever care and treatment the parents require in order to assist the child and to assist that family. It may be in certain cases that it will not be possible for any assistance, and the child will have to be separated from the parents. But in many of these cases, as the Minister well knows, there is a deep sense of frustration involved on the part of the parents of the battered baby.

I think one of the things that the Minister should do is direct his attention toward those persons other than the parents in the society, and make a formal obligation on them by granting them, as he has in the statute now, an immunity from suit if it is brought to the attention of the proper authorities. But coming back the other way and saying: "If you do not do so within a certain number of days, and if the matter indicates that you did know that this did take place, then you will be subject to prosecution and to punishment," I think by my method it would be possible to at least improve the procedure.

I think that another area that the Minister could well deal with is to make certain that the reporting of these instances is an automatic, daily reporting to his department from wherever in the province it occurs, that he has an immediate up-to-date report available to him as to the number of cases which occurred in the province of Ontario on that particular day. If there were none, fine. But if every day he would know exactly in the province where such a report had taken place, I think it would then be possible for the Minister in direct consultation with his colleague, the hon Attorney General to discuss the matter so that the Attorney General could direct by telegram or telephone call the Crown attorney in the particular area to make an immediate investigation or to cause an immediate investigation to be made of the incident to find out what has been done, what did take place, what were the time factors involved in it.

I think these are things which the Minister can do. I disagree, as my colleagues do, with the proposition that we are going to get anywhere by pulling a cloak of secrecy over it. We are not going to get it this way. What we are attempting to do, and what the Minister has to fact up to, is that we are engaged in imposing a public obligation on the people of the province of Ontario, apart from the parents of the child who is hurt, to report. If they will not report and take advantage of the immunity from suit, and the Minister can prove it in the course of investigations by improving his investigative procedures, then I think there is a very good chance that a punishment would work to produce the kind of results that he wants.

I would suggest that these suggestions at least merit some consideration. I do not presume that they are going to solve the problem any more than the Minister does, but surely we are entitled to have some debate with the Minister about what he thinks can be done. Surely we can join together to decide that the procedures are not working now, and that there is some way in which the procedures can be made to work.

Going to the other point that my colleagues, the hon. members for Scarborough West and Woodbine, raised: this question of the number of disturbed children and the question of the responsibility of the Minister. Forgetting all the gobbledygook about whether there is a legal procedure by which in some way or other a Minister of the Crown or the Crown could be held responsible in the court for a default under its obligations in that statute, the fact of the matter is that this Legislature

passed a statute which imposed that obligation on the Minister. Whether he can be punished or not is immaterial, the obligation is there. I think the Minister tells us that he accepts that responsibility, but what the Minister has to do in conjunction with his colleagues, is to raise such a row about this problem in the province of Ontario that the whole force of public opinion will become directed on it.

We are not interested in reading day after day or week after week the cases, the individual cases, that appear in this province because it seems to be an endless task as far as we are concerned. We want the Minister's commitment to join with us in accepting some of the things that we want in the province and I think the Minister can do so if he will bring his energy and drive and initiative to bear on the problem.

**Hon. Mr. Cecile:** Mr. Chairman, I must say that I do not dislike this discussion at all. As a matter of fact, regarding the suggestion of the member for Riverdale about asking the societies to report immediately, I think I will issue a directive right now to my people that the children's aid societies be advised of exactly that. Anything they know or should know or they find out should be reported immediately to the department. I will take that suggestion of the hon. member right now, I think it is a very good one.

Having this discussion as we are having it now, if it does nothing else, Mr. Chairman, does show the problem as it is and serves to advise the people of Ontario what is what. I am willing to join forces with anyone to arouse the consciences of the people as such, because as the hon. member for Woodbine has very well put it, it is a matter that cannot be controlled by one person or one group of persons, but it is a responsibility for all of us.

**Mr. Bryden:** The Minister has to give the lead.

**Hon. Mr. Cecile:** I appreciate that, and I think maybe what has happened over the years is that very kind of discussion we have been having about this problem has never taken place in this House and we have been maybe a little complacent. That is why I say I have no objection at all and I appreciate the discussion regardless of what it might do to me, I am an unimportant person in this respect, I am just one person trying to do a job and trying to do the best I can and knowing how to provide people with some of the money to go ahead and do these things. As members know, there is a great shortage of people interested in that particular kind of work because it is a very difficult work. I know very well if I should approach these 108 members that we have here and ask how many of them would like to undertake that sort of job, we might find about a handful, if any. It is a very difficult job to do and we all know that, especially those of us who have raised a family.

We know the difficulties that arise there. I have had that experience, I belong to a large family and I have raised not such a large family, but I have a family of two so I know what the problems are and what the parents have to put up with if they want to make a good job in raising their children. That is why I bring the parents into this discussion because I think after all if there are these children the parents certainly have a role to play in this thing. They must help us a little bit in this matter; they are the people who have the moral obligation. I am always thinking of the child because if we were not thinking of the child, there would be a lot more of them who would be neglected. All the dedicated people in this province who are doing a job in one field or another for child purposes I think deserve a lot of commendation.

I agree with the member for Woodbine and the two gentlemen who have spoken, the members for Scarborough West and Riverdale, that this problem cannot be brought to the fore too often. There are never enough hours or maybe minutes or days in which we can talk about this. We may not make it an issue that would be world-shaking in the sense that it has to do with the destruction of our people or anything like this, but, the question is so important that I appreciate the discussion. I am very sorry to have to say what I said about the newspapers a moment ago, that a lot of people do not take it in the sense that you and I take it, they take it in another way. Perhaps I am making a very bad speech in trying to express what I really feel in this matter.

However, I think a discussion has some value and I think it shows where the problem exists. In my humble way I hope I am making a contribution in this respect in trying to help, in providing guidance and providing funds to help people to give service. At the same time, with the co-operation of The Department of Health, as I stated a moment ago, which will be the assessing body in this, and The Department of Education which will provide us with more facilities to educate people, going into this particular field of endeavour and so on, I think, when we put our contributions together

we will have accomplished something that is worthwhile.

Vote 1702 agreed to.

On vote 1703:

**Mr. Thompson:** Mr. Chairman, on vote 1703 I recall last year during these estimates that there was quite an outcry from the other side when we were discussing the role of day nurseries in the modern industrial society. Frankly, I still have a suspicion that this department and the Minister have, I would say, apprehension about providing day nurseries. I say that because in his previous remarks, his remarks about the role of parents, and of course we all accept this, that there is a responsibility and an obligation for parents to look after their children. But just as the hon. member for Woodbine said when he talked of children who needed care which the parents alone could not provide out of their own pockets, he also spoke of the role of society. I suggest there are parents—and I am speaking of mothers—who want nothing more than to be able to stay with their children but because of the number of compelling factors—and it is not for us to judge—but because of a number of compelling factors they have to go out and work. And they have to think of the child, that should be our concern and particularly the concern of the Minister. I would hope this day nursery branch is more than just the policing of services but rather that it is a branch which is looking into areas where there is an obvious need for the development of a day nursery. I hope that after I have finished these remarks the Minister will be able to explain to me just what kind of surveys he does in order to develop day nurseries where they are needed. I remember several years ago pointing out to him that it would be of great help to the Minister of Health if he started a day nursery in a hospital and got back married women, and there are a large number of them, with a professional nurse's background. I understand you have started one in Riverdale hospital now.

But let me emphasize this point to the Minister. Let us just give the amount of the problem of working people in our labour force. There are nearly 800,000 working women in Ontario today. At this point, I think it is 763,000, and they represent about 30 per cent of the work force of the province.

Two-thirds of them are either married, that is 59 per cent, widowed six per cent, separated one per cent, or divorced one per cent. The remaining third are single.

A high percentage of the married women have children. I do not know if you have the facts on the number of married women who have children and are in the work force. But I do know that in the United States, which has a similar work force to Canada, the eight million working mothers with children under 18-years-of-age, make up almost one-third of all the mothers in the United States.

I state that, because no matter what your sentiments about the home, and about the parents in the home, the reality of the situation is this, there is a very large number of women, of mothers, who are working. And what about their children?

I suggest that what we should be looking at now, in view of the magnitude of married women in the work force and the question about their children, is the number of nurseries in Ontario. As I understand, in the whole of the province of Ontario, there are only 184 all-day nurseries. Only 16 of these are operated by municipalities and receiving 50 per cent reimbursement of net costs by the province. I think it has been estimated at half a million dollars they get.

I think, sir, that this is a shabby record of providing for children, particularly of providing day-care services. I know that last year, the provincial grants to the municipalities were based on this basis; that the municipalities would have to pay only 20 per cent of net costs. That is a step forward. But my objection is that this adjustment, I suspect very sincerely, is not coupled with a comprehensive programme that would attack the problem on all fronts.

We have seen, Mr. Chairman, first of all, the magnitude of the number of married women who are in the work force, and we have seen the scarcity of day-care centres. Let me back this up with some authorities who are well known to the hon. Minister.

Lillian Thompson, on *Resources in Ontario Today*, delivered at the annual Ontario welfare council conference. She stated:

> Day-care is said to be one of the underdeveloped services. The failure to provide effectively for this service is identified in reports of the Ontario welfare council. At the same time, there is disturbing evidence that private arrangements, or the absence of arrangements for day-care, are exposing children to neglect and danger, sometimes resulting in disease and even loss of life.

Your own annual report for 1965 says, and I quote:

> Efforts have been made to explore the possibilities of nurseries being operated by

> industries employing large numbers of women. It might well be that at some future time the provision of nursery care will be considered as essential to a large industry, as is cafeteria service for its employees.

I would like to ask the hon. Minister if he would make note of this statement in his report, and perhaps he would be good enough, when I have finished these remarks, to tell me what industries have nurseries set up through the invitation of his department, in view of the fact that he felt this was something that he said should be developed when he made it in his report in 1965.

The next question I have is to ask what kind of survey the Minister has done to establish that there is need for day nurseries? I asked this, I think, the first year that I came into the Legislature. You told us that you had some provision with municipalities that would set up day nurseries. But I am not interested in that kind of blanket approach. There may be areas where you do not need day nurseries, some municipalities. But I say very sincerely that in this city of Toronto, for example, I know there are areas that are crying out for day nurseries; where you see children left in small homes with all kinds of very haphazard arrangements made for looking after them.

I think of my own riding and of some of the children left in homes while the mother has to get out to work. I want to emphasize that she has to. She leaves with trepidation and apprehension, worrying about her child, and will have an arrangement to phone the home to find out if anything has happened to the child. She will slip off during shifts, to phone the home. This is wrong. Surely we should be providing the kind of service that will look after these children if the mother has to work.

I was looking this morning at a study of low-income areas made by another department of government, and the housing conditions in this city. We know where they are. Now what about day-care centres in those low-income areas? How have you gone about it on a systematic basis, setting up day-care centres?

I do not want just to emphasize the day-care centres in the cities, because I think that there could very well be a need for day-care centres in some of the low economic rural areas of this province. I am thinking, for example, of a report which again was made by your own welfare department which suggested that day-care nurseries would be valuable in areas of rural poverty and deprivation.

I think of, for example, Indian reserves. You are going to be moving into that area, I understand, and here is a very real opportunity that you could develop.

Let me take my own personal experience in this. I was down at an Indian reserve last year, and there was a dedicated couple, a United Church minister and his wife, who are looking after children in an informal day nursery setting in a small house in which they live on the reserve.

They were doing more than just looking after the children. They were giving them standards and values to live by, they were encouraging them so that when these children, whose parents wanted them, when they moved out into the community school, at least they were not apprehensive and nervous, but had been given some interpretation of what it was like moving into the school. I think here again of a day-care centre for young children. It will be an opportunity for a head-start for them, in the sense of not only physical care, but also for the emotional warmth they can get from it in learning to live with a group and perhaps getting some elementary training.

I come back, sir, to my two questions.

My first deals with a concern that your day nurseries branch is simply a policing branch. You are policing, setting standards, and I question if that is being done satisfactorily. I believe it is there for the purpose of setting standards, rather than for the purpose of searching out systematically with surveys, using a sociological survey, to find out where there is a real need for day-care centres to be established; what kind of industry should be encouraged to have day-care centres; and whether in Indian reserves and in certain rural areas you should not be developing these ideas. Then with this information and with a conviction that this is for the best interests of the child you should go after the development of these ideas.

I am concerned that they are only interested in policing, and I am also concerned that this is not a branch which is given forceful leadership and direction from the Minister.

Why do I say that the Minister does not give forceful leadership and direction? I say it because last year when this was debated, we listened to jeers and laughter from all sides of the hidebound Conservative ranks when we mentioned that there are women who have to work and leave their children, and that it is essential for them that there should be provision for them through nurseries. I suspect that the hon. Minister himself

is probably influenced by that kind of jeering and lack of recognition of a changing approach in the working conditions for women and for mothers, a change that has already taken place. Unfortunately, the tradition is that woman's place is in the home and that she must stay there. There are compelling reasons which decide whether she would like to stay or not. She has to leave the home, and because you, sir, are the guardian of the children of this province I believe that you should be doing more than policing. Rather you should be developing, on a knowledgeable basis, day nursery branches.

**Hon. Mr. Cecile:** Mr. Chairman, I appreciate the words of the hon. leader of the Opposition on this matter. I know that it is a subject dear to his heart. However, I must tell him that The Department of Public Welfare does not conduct day-care centres or nurseries. Municipalities or private groups do that sort of work.

Now, to say that we are only policing as far as the day-care centres and nurseries are concerned, is not entirely correct. Miss Stapleford and others who know their jobs very well are in consultation with municipalities very often, and I am sure that they do not wait for requests to come for instruction but go out into the province inspecting and looking after these different nurseries. I am sure that the suggestion is made—maybe this is wrong, I do not know—the suggestion has to be made to the municipalities where there is a need. However, the municipalities do not always want any suggestions; they are running their own nurseries and it is very difficult for us to impose our views upon them. The same thing applies to private nurseries. I understand that in some parts of Mertopolitan Toronto private nurseries are not even allowed to operate in some areas because of bylaws or otherwise.

However, I think that one move that was made this year toward the betterment of the situation was the 80 per cent factor, which I think was mentioned by the leader of the Opposition. He noted, no doubt, that we are now contributing to the payment of the day cost in private nurseries. The municipalities can use those facilities, and at the same time it might be an incentive to bring them up to date.

The Canada assistance plan will be a great help along that line when it comes about.

As a matter of interest, the hon. member asked me a moment ago if there were any of these nurseries in industries. I must confess that there are none, not because we have not tried to encourage them. We have suggested that many times—but so far industry has not seen fit to oblige. I think it would be to their best interests that they should move in this direction.

As you know, the proof is the Riverdale hospital where there is a day nursery. They have been able to obtain a lot of very valuable professional help in that respect, and I think it has proven something very worthwhile which should stand out as an example to people in industry and in other businesses of that description; or even to chain stores, for instance, where they could do the same thing for the employees.

I can assure the House that we have looked into this matter. Perhaps not forcefully enough, I do not know, but as far as I know this has been done. Maybe we have not done enough, or maybe we have not completely sold them on the idea that it would be to their advantage, but I have reason to believe that this might come about, and I am sure that the remarks of the hon. leader of the Opposition, as they have in the past, will have some echo across the province where they will be read and heard and it will be seen that this is a necessity.

When I mentioned a moment ago, the family, I did not mean it in the context that you might appreciate. We are living in a modern world and we have to look at these things. I hope I never forget and I hope that it never slips anybody's mind that here is a great moral obligation that should never be forgotten that we are living in another world. We are living in a go-go world, if you wish. We are also living in a jet world, so we have to take that into consideration, and determine what has to be done.

Again I say—and this I do not brag about—our experience outside of areas south of the border is very difficult because Canada, as you know, had all these nurseries during the war. Now everybody has gone out of the business except Ontario, and I am not speaking of Ontario as a province, but of Ontario as a people. In some of the cities and municipalities it was thought that these were a good thing to keep and they have kept them. I can assure the hon. member that we are not sitting down and watching the world go by, but we are trying to influence people in this.

I remember the hon. member for Scarborough West mentioned last year the fact that in his own area there were none and he asked if anything could be done there. Well, if the municipality does not want to co-operate then I am in very deep difficulty in this respect.

However, I note this year that the projected public nurseries as they are before me now show that Toronto is looking for three additional ones. It does not mention exactly where, but Toronto is looking for three additional nurseries; Toronto township wants one; and a resolution has been passed in Etobicoke favouring a day nursery. London, Hamilton and Windsor are investigating the feasibility of making payments to private nurseries on behalf of selected families in which we will participate in the payments to these nurseries.

In the following municipalities there are committees studying the need for local nursery services: Long Branch, Mimico, New Toronto, East York, Kingston, Belleville, Ottawa, Oakville and Parry Sound, and I can assure you that we are in discussion with them and trying to show them the necessity that there is for these particular programmes. Our department is actively interested in those that I have just mentioned.

Of the 350 nurseries not in receipt of public funds, some 88 are geared to serve children of working mothers. These nurseries give necessary supplementary service to that of the public nurseries. In many cases, where both parents are working, they are able to pay the full nursery fee.

I mentioned Riverdale a while ago, which is a very good example of what can be done, and what could be done in industry and other places of that sort.

Now, Mr. Chairman, I appreciate the fact that Ontario could have many more of those, especially in the larger centres like Toronto, Hamilton, Windsor and Ottawa, where there is real need. At the same time, I do not suppose that I can do any more than continue to press, and continue with our efforts in consulting with these people. But if they do not want to have any nurseries then I have to rely mostly on the people who will attempt to do this privately, and this was why the Act was also amended to bring forward these people who will possibly be interested, so as to make the field much larger in taking care of these children.

**Mr. Thompson:** Mr. Chairman, the Minister says that he has tried very, very hard to get industry to have day nurseries. Now, surely an example is better than advice by word. Has the government, any government department—it employs an awful lot of women—has any government department got a day nursery programme?

**Hon. Mr. Cecile:** I am not aware of any service. You have a point there.

**Mr. Thompson:** It is the same old thing. Now you drive it home.

May I turn to another aspect. Following on the previous remarks I feel that this could be an area that you should look at, where in some area you are using a number of married women, and where you are using married women because there is a need to be using them—in hospitals, in a whole variety of places—the need for a day nursery. I think of universities where there are many women because of the shortage of teachers.

I do not think we are using married women enough, frankly. There are many thoroughly capable married women who would be glad to go back as lecturers into universities, but they have the problem of children.

**Hon. Mr. Cecile:** It all depends how you feel about it, naturally.

**Mr. Thompson:** Well, I know that, for example, Simon Fraser University is using married women who have gone through university, have graduated, or have taken postgraduate work. They would come back again for a couple of days, but they might have a young child. Provided there is some accommodation for the child during the day they go, once a week or something, they would go back and you could use this enormous resource in the province.

I am concerned again, coming back to the kind of approach that you take to decide, whether there will be a day nursery. I am not sure that a municipality, in some ways, when it has to pay 20 per cent of the costs even though you pay 80 per cent, might be a bit reluctant about setting up a day nursery, even when it is greatly needed. On the other hand, a municipality may not think it is needed, because there has been no study done. I am looking over at the Provincial Treasurer, and I think that, in his riding, he was probably shocked at the findings of ARDA; at the poverty which existed in his riding. I talked to some of the people there who said that we did not know these conditions existed.

I think that with municipalities, children are vitally important. Municipalities look at physical aspects, doing surveys as the province does, in order to encourage work on sewers or water pollution and so on, and in other areas. Surely the province could be doing some kind of survey in order to show the need for day nurseries.

I am prepared to say with the greatest conviction that you and the Minister of Labour have never got together on statistics

about married women in the work force; about the allocation of married women in the work force; about what kind of industries they go into; and therefore what kind of industries you should be approaching in order to see about the establishment of day nurseries.

I do not know why the Minister of Labour, for example, if there is a shortage of labour in some particular area where married women might be used, has never talked to this day nurseries branch. Why do they not consult in a committee with industry in order to consider setting up day nurseries?

In other words, I think that this day nurseries branch, with all respect to its dedication—I am sure they are, I do not know any of the staff, but I would feel that they are probably very dedicated people if they are in this kind of work—I would say they are probably operating in a vacuum. They are also operating with a regulation book. They are visiting the municipalities and are saying: "Look, 80 per cent is what you will get if you set up one of these day nurseries, or if you get someone to set it up." But they are not getting down to what I call the grass roots, having a study of the kind of industries where mothers are working, and then trying to get some survey, through some such method as asking the mothers: Would it be helpful; are you concerned about leaving your children at home, or somewhere else, when you go to work; would you want a day nursery?

I am not sure, for example, in the national employment service that you should not be using them. They are supposed to counsel women when they go to work. Perhaps they could have one question asking if one of the reasons why a woman wants a certain kind of work at a certain time, is because she has apprehension about her child? What about if there was a day nursery provided somewhere?

I am convinced that this kind of fact-finding is not being done. All that you are doing is waiting on a municipality until it has been pressured by some wonderful nuns or sisters, or some other group who got concerned; or a voluntary group pressured the municipality in some way, and told them they have to set it up. Then this gradually drifts upwards to the day nursery branch, they come out and their job is to say: "Look, 80 per cent from us, 20 per cent from you, certain standards set up."

That is not enough. What they have got to be doing is to have a survey to see where there are the weak spots; where day nurseries are obviously needed because there are many working mothers. Then they must get out and through a survey gathered by talking to the working mother herself, get the facts and then try, through the working mothers, and through the industry, to get something developed, rather than waiting in grandeur and isolation for the municipality to come and say: "We would like to start one of these things." I think you have to promote this much more than just policing it, or just giving grants.

**Mr. S. Lewis:** Mr. Chairman, I want to add a few thoughts on this subject, because I feel equally strongly about it, and I am much more willing in this instance to impute blame. I really think the basic problem of the incredible slowness in the field of establishing day nurseries lies in the attitude of this government, and this government reflects an attitude towards women about which there should be no mistake. It is part and parcel of all their legislation; it is condescending; it is 19th century; it is full of the prejudices of a male-dominated society, and one should make no mistake about it, Mr. Chairman.

Whether it is, in fact, in the minimum wage legislation differentials we make, or whether it is in fact that there is still discrimination on the basis of sex in all kinds of jobs, or whether it is in the fact that there is a raucous uproar in this House, as there was last year, when day nurseries were vigorously put on this side of the House, the essential outlook of the government is revealed. Frankly, that is our fundamental problem. That is probably the hon. Minister's fundamental problem.

**Mr. Thompson:** That fellow—

**Mr. S. Lewis:** Well, there are many fellows over there. There are some very reputable Cabinet Ministers who feel the same way, who still parrot the quaint but destructive saw that the only place for women is barefoot and pregnant in the kitchen, and it just does not—

Interjections by hon. members.

**Mr. S. Lewis:** Just let us put it on the table. I do not care how sophisticated one becomes in the rationales that are devised, but the basic intent is essentially that.

**An hon. member:** Not barefoot.

**Mr. S. Lewis:** Not barefoot? My hon. friend corrects me. The basic intent is essentially that, and it is not easy to masquerade it by saying that there are a certain number of women in the work force and having the Deputy Minister of Labour, as has happened

on occasion, make speeches about the numbers. Let it be said that I am really not saying anything that is particularly provocative when in the Metropolitan Toronto area within the last few weeks day nurseries have been branded as totalitarian by some of the more progressive Neanderthals who have these outlooks.

Mr. Chairman, I have been reading a little about the field, and one of the articles that struck me most forcibly was a very excellent paper called "The Philosophy of Day Care," put by Miss Barbara Chisholm of the Victoria day nursery. She had a couple of paragraphs dealing with the hypocrisy of government in society, which I would like to put on the record of this House when asking why is it that we have this impasse; this very serious need which has not been filled and of which there is no evidence that it will be filled.

> There are many reasons why the situation exists which we have not the time to explore in depth. These reasons find their rot in our heritage of values which place a high premium on independence and self-reliance, and attach a penalty, hidden or otherwise, to adult dependence. We extoll motherhood and carefully build our myths around its shrine, but we shy away from really seeing a reality which may invest the idol with feet of clay.
>
> We believe that a mother's place is with her child, then carefully establish a priority list that allows for legitimate or unacceptable sharing of that responsibility. The English or Scots nanny is acceptable, sometimes secretly considered preferable. Aunts and grandparents are all right, and so is the dear family friend. Privately arranged, the fact of sharing the parental responsibility for the safety and wellbeing of small children is viewed as responsible. Sought from the community on the same basis, the very same parent may find herself subjected to hostility, criticisms and accusations of parental irresponsibility.

Mr. Chairman, the criticisms, the hostility and the accusations derive essentially from the antiquated attitude and the refusal to recognize three or four fundamental things, and I want to put them on the record.

First, the question of the figures. The figures are available, there is no reason why they should not be put before the House. There are 350,000 children in the province of Ontario under the age of 15 whose mothers are working. This is according to the DBS, 1961 census; 70 per cent of those mothers are earning something less than $3,000 a year and the fathers of the same family are earning less than $4,000 a year, which indicates without any equivocation the economic reason for the mothers working.

There are 95,000 one-parent families in this province where the parent is a woman, and there are 95,000 children under 15 who are in those one-parent families. That is a pretty large number of youngsters for whom provision has to be made, if in fact the mothers choose to work and many of them do. I want to say that I do not intend to participate in this argument about whether or not they should work, I consider that a dead issue. I assume the Minister accepts, as most reasonable people do, that the mothers are working, that the children have to be provided for, and that is what this branch deals with.

At the end of 1964—I have not yet looked at this new report—there were 356 licensed day nurseries in Ontario, 132 of them in York county, and there were between 12,000 and 13,000 looked after.

I want to put the figures for Metropolitan Toronto as they stood in the middle of this month on the record, because I think it is interesting. For all of Metro Toronto, everything, there were nine public nurseries, four operated by a united appeal agency, ten under other auspices, the church, etc., and 30 under private profit-making auspices, for a total of 53 day nurseries. In the same area there are over 200,000 children, to be explicit 203,000, who are four years of age or under.

One could quote the percentage of the mothers who would be in the working force and work it out statistically, but it is pretty obvious that 53 day nurseries in a metropolitan area of this kind, over half of them privately run for profit, cannot possibly provide the services required for large numbers of children who definitely need it, and who are forced, or by perforce as it were, placed in neglect because the parents do not have the facility available.

The second point that I want to raise, Mr. Chairman, is that the attitude also derives from the fact that I do not think government recognizes the possibilities inherent in day nurseries, not simply as a receiving home for children to be dumped during daytime hours, but in its much more creative and exciting interpretation which is as a place for pre-school nursery education, and for intensive counselling if that is required. The Victoria day nursery is an excellent example of that. Day nurseries are for the purpose of keeping entire families together when services are extended to parents as well, some of them on

a part-time basis to provide morning care or afternoon care or lunch-time care or after-school care for the so-called latchkey children. In other words, conceptions of day nurseries which incorporate very exciting educational concepts as well as concepts of care and, if necessary, of services to children and to parents, and the effort to maintain a family unit.

This simply has not been true in terms of our conception of day nurseries in the past. Our conceptions have been rather brutal, a sort of temporary consignment unit for kids whose mothers have to work, and that is also antiquarian in the extreme.

The third point I want to make, Mr. Chairman, is that no matter how the Minister puts it to us, he cannot persuade this House that the branch is taken seriously. I do not know who is working with Elsie Stapleford at the moment, but I suspect that it is not an overwhelming staff, I suspect that if she were asked as a person in the field, she might like the assistance of one or two other people. I would be inclined to say that she should have a staff of a minimum of 40 to 50 field people beating the bushes in the province of Ontario, promoting this programme as though their very lives depended on it.

Let me ask the Minister at this point how many there are—I frankly am not familiar—who actively promote the programme?

**Hon. Mr. Cecile:** Eight.

**Mr. S. Lewis:** Eight. Right! Well, I would say to the Minister without any hesitation that that is running at about 20 per cent of the required level. You cannot pretend to persuade municipalities, or to have the people in the day nurseries branch—whose motives I would not challenge for a moment—do a reputable job, beyond that of purely servicing and licensing, unless you give them a real staff fillip, an injection of personnel such as you gave the rehabilitation branch last year, that can in effect revolutionize one of the governmental services.

There is no longer any time to indulge ourselves in second sex attitudes in this province. We should now take day nurseries seriously, go out and promote them in the way we have any other government programme. It is not simply a question of money, it is a question of, if necessary, directing that day nurseries be established in certain areas, because as much as municipal autonomy is of overwhelming importance in this province, so the care of children is of some serious consequence in this province.

Again, I suggest to the Minister that one of the reasons we had this extended debate over children whose situation has deteriorated in society because at the very early preschool levels we had very little care available. One of the reasons why grade 1 and kindergarten is such a traumatic experience to children in this province is because at the very early preschool level, creative education programmes and day nurseries have not been available. So the whole thing is interlinked, and it is time I suggest, as the leader of the Opposition has also said, to stop the absolute nonsense about the government's interest in day nurseries.

Your day nursery programme is creeping from year to year; it is not progressing. Your actual addition in terms of numbers can be counted on the fingers of three or four hands, if I may put it that way. And, frankly, Mr. Chairman, it is an affront to the Legislature to suggest there is a concerted effort in this field. The field has been neglected; the field has been abused; the field has been derided; and no one comes to its defence, least of all the government.

That time should now pass. Nothing is of as great importance, and I really urge the Minister to persuade his Cabinet colleagues in the Treasury board that there are thousands of people concerned; the pressures are great; the resistance is equally difficult. But he should succumb and his colleagues should succumb and let us get a little move on in this area.

**Mr. Ben:** Mr. Chairman, I do not find myself in a position where I can be critical of what the hon. member for Scarborough West has to say, but in this particular instance I must be critical when he speaks of the Minister and his department having the wrong concept in the female concept. I strongly suggest that they have no concept.

In the first place, Mr. Chairman, had they had any concept, then I strongly suggest that this item would not be under welfare. If they had any concept at all, I would suggest that they would not deem day nurseries to be a welfare facility, whereas they are not a a welfare facility and should never have been a welfare facility. They should either come under—as my hon. friend has suggested—The Department of Education or The Department of Health, but the provision of adequate day nursery facilities is not a sop given to the destitute, but a right to which every child in a modern, civilized society should be entitled.

At the present time, these day nurseries which are operated by the city of Toronto—most of them were operated by the city of Toronto and now I presume they are going

to be operated by Metropolitan Toronto—they were operated on the basis of financial qualifications, and in December of 1964 90 per cent of the children in those day nurseries were there because their mothers were their sole financial support.

When I looked into the matter of these day nurseries, I found out that you could only get your child into these nurseries if the family—in most instances there was a sole breadwinner who was a female—had a certain maximum income. Now, there are many people who come into this country, Mr. Chairman, who desperately require day nursery facilities for their children, but who do not qualify because their combined incomes are more than the maximum allowed. But the maximum allowed is only such income as will satisfy their current needs.

These people who come into this city or into this province, either from outside of Canada or from other provinces, have other costs to meet besides current operating costs in the day-to-day operation of a family or of a home. They must save to acquire the capital purchases. If they come into this province to live, they have to save money to buy a refrigerator; they have to save their money to buy a stove; they have to buy tables, chairs, beds, bedding, crockery and, eventually a house. But these capital costs are not taken into consideration, or the acquiring of this capital is not taken into consideration.

As far as this department and this government are concerned, day nurseries are a welfare function—relief, it used to be called—it is now welfare.

In 1964, I believe, there were only 6 municipally operated day nursery centres in the metropolitan area—I am sorry; I think there were 7 or 8—one was in York township. Now there is more to a day-care centre than has been indicated in the debates tonight, and what surprised me, Mr. Chairman, is that there seems to be a total lack of knowledge of the existence of a survey which was conducted as to the need for day-care centres, except it was not conducted by the Minister's department but, if my memory serves me correctly, by the hon. gentleman sitting next to him. It was conducted by the female or women's division of The Department of Labour at the Canadian national exhibition—at least to the best of my knowledge, it was the department of the Minister of Labour.

A new department set up in The Department of Labour conducted a survey at the Canadian national exhibition and it was a pretty good cross-section survey. They issued a report and I have that report, although I do not have it here. It showed a crying need for day-care centres, and how many women would avail themselves of the services of such day-care centres.

I am surprised that the Minister of Labour did not transmit this survey to the Minister of Public Welfare, or perhaps the Minister of Public Welfare did not ask the Minister of Labour for this report. A report of its existence was carried on a trans-Canada network. I know, because I made it. So there is a report showing a need for day-care centres, and not simply from a financial aspect. There were many reasons given by women as to why they would avail themselves of the use of day-care centres if there were such things available. Some of them would have gone back to work; some of them would have returned to university to upgrade their level; some of them would have gone back to teaching—they gave a multitude of different reasons and not all necessarily financial.

There is still a third aspect that without day nursery centres or child day-care centres —whatever one wants to call them—we are making the street and the gutter, the schoolroom of too many of our children. I think the hon. member for Scarborough West referred to them as latchkey kids—that is what we used to call them during the war. The street is the only place parents can leave those children unless, of course, they want to take them up the street to a neighbour who has about six or seven of her own and cannot even look after them.

What kind of care are they going to get there? Not even a minimum physical care. I was surprised at my hon. friend talking about his concept of day nurseries being used to educate the child. That concept is so far over their heads that he is wasting his time absolutely.

They think that day nursery centres are a welfare service, so how are you going to convince them that there is more to it than merely the custody of some children for a number of hours a day?

This is something that is essentially needed if we are ever going to wipe out The Department of Reform Institutions of which the Minister sitting behind the Minister of Public Welfare is in charge.

It is the lack of proper nursery centres, the lack of proper day-care centres—

**Hon. Mr. Grossman:** Have you got it wrong!

**Mr. Ben:** Have I got it wrong! I am afraid, my friend, that I have not got it wrong! I

am surprised that you admitted that you have no knowledge of this. It is the fact that we let the gutter and the street educate these children and teach them the so-called "facts of life" which lead them into your institutions, and subsequently into the federal government's institutions.

I think it is about time that the government got some kind of a concept other than the welfare concept of day nurseries. It is not enough to send somebody down to Toronto, or to any municipality in Greater Toronto, or some place else, and suggest to them that perhaps they should have a day nursery. Frankly, I think it is farfetched to suggest that this department staff go anywhere and try to induce people to set up day nurseries. This government should pass legislation which would compel—

**Hon. Mr. Cecile:** You know what happened on a Sunday afternoon here when people compelled others.

**Mr. Ben:** —they should compel other municipalities to supply these needed services; that is the hon. Minister's job because he has the money for it. This Legislature gives to the municipalities whatever powers they may have and which govern these municipalities. They have to come here for permission to do anything at all, so, therefore, the government is in a position to dictate to them—if I may use the word. It dictates to them that they must provide certain mandatory services under The Welfare Act. Why should day nurseries not be a mandatory service, particularly if day nursery services are going to be maintained under The Department of Public Welfare? In my opinion, this is the last place that this item belongs.

Day nurseries are an essential item these days, and I take strong exception to the statement made by the hon. Minister that the United States may have discontinued these things.

**Hon. Mr. Cecile:** I never said that.

**Mr. Ben:** That was the implication that you gave, that Ontario is one of the jurisdictions where they have these. I would suggest to you that in California they are going all out for day nurseries.

**Hon. Mr. Cecile:** Mr. Chairman, on a point of order, I never said that. I said the other provinces of Canada, not the United States.

**Mr. Ben:** The Minister has made a statement, I am not going to quarrel with him, but I would point out that in California, and Illinois, and in Pennsylvania, they are making great strides with child day-care centres, and they are not welfare services.

**Hon. Mr. Grossman:** California is a very bad example. It has the largest rate of juvenile delinquency in the world.

**Mr. Ben:** That is why perhaps they started the day-care centres.

The point I was trying to make, because it is a recent innovation, was that as a result of these studies they decided they needed child care centres.

**Mr. L. M. Hodgson** (Scarborough East): Are you suggesting, or do you know?

**Mr. Ben:** I know.

**Mr. Chairman:** Is vote 1703 carried?

**Mr. Ben:** I am very sorry, I offended you, Mr. Chairman. I stopped to take a breath.

Now, Mr. Chairman, I will sum up, the hour is getting late. I would suggest strongly that first of all, day nurseries be taken out of Public Welfare and put either in The Department of Health or The Department of Education.

Secondly, that this province pass legislation making day nurseries compulsory where they are required because of the circumstances in the community, and that the province supply the necessary funds to establish these nurseries, not as a welfare function, but either as an educational or health function.

**Mr. S. Lewis:** Mr. Chairman, what does the Minister say to day nursery services?

**Mr. L. Letherby** (Simcoe East): He did not say anything.

**Mr. S. Lewis:** I did not ask the member for Simcoe East; he says enough in this House. I am asking the Minister.

**Mr. Chairman:** Order, order!

**Mr. S. Lewis:** What does the Minister say about the propositions that where the need is evident, the service should be made mandatory? You do compel, under The Child Welfare Act, under The Children's Institutions Act, certain standards of service; certain services which must be provided; certain conditions which must be met; and they all deal with the welfare of children. Now, what about day nurseries?

**Hon. Mr. Cecile:** I do not think my friend can make a comparison of that kind between The Child Welfare Act and the dealings of children in nurseries. These children that are

in day nurseries are nothing like these children, and are not children that need the same care. I do not know. For some reason or another, I do not agree with the members opposite in this sense, that I hate compulsion, and when I have to impose compulsion of that description on municipalities, Mr. Chairman, then it will be quite a day, because I think the people that are in municipal offices in the city of Toronto, Metro Toronto, or any other city of Ontario, are just as smart as we are. They know their problems. I am sure that if we take it up with them, in the proper manner, they listen to us, and we always find a way of discussing it and arriving at a solution. The suggestion that I, myself, as a Minister of the government, or a member of the government, should go and tell the city of Toronto that you must do this because of this condition, because you have a factory there, and there are some people working in there is not attractive, and the idea of having 95,000 or so many women at work, does not give the picture exactly. There might be a lot of these women who have children—one, as was mentioned, or two or three—and have next-door parents who will take care of them, or some other neighbour. They do not all need help. That is not putting the picture exactly.

**Mr. Thompson:** You do not know, that is the point.

**Hon. Mr. Cecile:** Well, we have a pretty good idea, because I was informed just a moment ago that there is a very active committee of my department and The Department of Labour, and we also know the statistics they have in Ottawa.

**Mr. Thompson:** You were saying, "I was informed a moment ago." You should be up to date all the time, and I say that is what is wrong, you really do not know.

**Hon. Mr. Cecile:** The committee that my friend spoke about—

**Mr. Thompson:** The tragedy with you is you do not know your department.

**Hon. Mr. Cecile:** All right, if my friend wants to play with words and try to degrade me by playing on words, that is fine. I leave it up to him.

However, to answer my friend from Bracondale, I would say that I am quite sure —he has sat on council—and I do not think he likes the idea of any other government trying to dictate things to him. We really discuss them and see if there is any way of doing it.

**Mr. S. Lewis:** Mr. Chairman, we are getting down now to fundamentals. The entire welfare structure in the province of Ontario is hamstrung because of the permissive approach. You destroy your administrative apparatus, because you will not move on the county system with mandatory features written into the Act.

**Hon. Mr. Cecile:** That is a matter of opinion.

**Mr. S. Lewis:** You think that tentative and friendly cajoling will do the job. But the job is not being done, and the greatest possible inequities exist from one part of the province to another, as will be shown in subsequent grants under this department. To suggest that the same situation needs prevail in the day nurseries branch, I suggest to you is simply inexcusable, and the parallels are direct, because day nurseries, which conceive of their role as the holding together of families; of the provision of preschool education; of extra counselling services for the children when required; that kind of day nursery—and it should be the standard model—is a mandatory component of child welfare in this province, and make no mistake about it.

The refusal to move in that fashion is reprehensible in the extreme. Let us not pretend that we try to discuss and negotiate everything. This government legislates from compulsion on one issue after another. The whole educational system, much of the welfare apparatus, much of the health apparatus, it is all compulsory. Only in certain areas affecting this myth we constructed of municipal autonomy do we withdraw, and invariably it has damaging effects on people.

We always submit when it has to do with inanimate structures, or tangible objects that are vote-getting, but we never submit, we always play games with people, because it is so much more difficult to make a case in public terms, and the government gets around it by abdicating responsibility.

Let us not have the mandatory argument, because the whole welfare structure has been wrecked in several important places because of the permissive legislation.

**Mr. Ben:** Mr. Chairman, let me point out one other point, another fact to the Minister. I frankly believe that day nurseries should not be a welfare function, but a health function, because I recall the need for many mothers of a place to take their children, even though they do not work, even though they stay at home. A mental need. They have four or five or six young children running

around, which makes it impossible for them to cope with family living. Perhaps they are not mentally equipped for family living, or maybe they are not equipped enough for family living, but they have to wash these children, they have to wash their clothes, they have got to sew the clothes, they have got to prepare meals and everything else. Finally they cannot take it — they have a mental breakdown and they end up under the department of the Attorney General in the family court. The family breaks up, they just cannot take it.

Would it be a help in preserving these families if these mothers who do stay at home could, for a day, or two, or three, just get a vacation right in their own homes, during the day at least, by taking their children down to day nursery, to let the mothers get their wits together? They may not be able to afford to go away, north, south, east or west, but they could have their holiday at home if they just had some place to put their children during the day for a space of five or ten days.

**Mr. Chairman:** Is the vote carried?

**Mr. Thompson:** Mr. Chairman, I do not want to be unfair to the Minister of Public Welfare. I made a statement that "you do not know." In order that the Minister may clarify to the House that I am inaccurate in that, I therefore ask him these questions.

**Hon. Mr. Cecile:** Maybe it is my mistake. Instead of saying I just learned I should have told you I had just been reminded a few moments ago.

**Mr. Thompson:** Fine. I appreciate the words that were used and the semantics in it, but I think that what I really prefer as well as the semantics, are some concrete answers.

What industries in Ontario employ the most women? Of the 90,000 women, how many of them would want to use day nursery service? What proportion of them—I do not want an exact figure?

**Hon. Mr. Cecile:** I have not got these figures here, Mr. Chairman. I cannot tell you which industry in Ontario employs the most women, I do not know that.

**Mr. Thompson:** How would you get the figures? You say you have not got them here. Have you got them somewhere?

**Hon. Mr. Cecile:** That would be The Department of Labour, would it not?

**Mr. Thompson:** Oh, no! He talked about setting up day nurseries in the industries where women are employed.

**Hon. Mr. Cecile:** I do not know if I have them in my department, Mr. Chairman, but I know I do not know this myself personally, and I have not this information here.

**Mr. Thompson:** Of the 90,000 working women with children that were mentioned, how many of them would use the facilities of day nurseries if they were available?

**Hon. Mr. Cecile:** I do not know how I can answer that one. I would presume there would be a fair percentage. Really, I think my friend is asking me a rhetorical question. I do not think I could give that figure. I do not know how you could do it, there would have to be a survey made in that respect.

**Mr. Thompson:** Exactly! If I could say so, sir, I think there has to be a survey made so that you have some facts on which you can base the need for the services. And I restate what I said, the Minister does not know and that is what is wrong. The Minister does not know what need there is for services, and if he knew what the need was this might push him more towards getting on. Surely that would be the way any government should operate—to find out what the needs of the people are; what are the needs of this large force of working mothers; and then establish services.

I suggest that in this whole area the Minister does not know where they are needed, he does not know the industries. He should go to them and talk to them about establishing day nurseries, because he cannot answer the question about what industries employ a large majority of working mothers. The Minister went to one hospital—I do not know if the Minister went—to Riverdale hospital, probably through the Minister of Health, and he said: "Look, I have got to get some of these married women who have professional training in nursing. I have to get them back to help in Riverdale." Has the Minister tried any other hospitals to help set up day nurseries which are short of nursing staff?

**Hon. Mr. Cecile:** I may state this fact, that another hospital now under construction will follow a similar plan. My statement of this fact is that I think everybody in the city of Toronto who looks after matters, and certainly the city fathers and the industries locally and the hospitals locally as well as the stores, know of the venture of Riverdale hospital. Surely they must realize that it is

working very well. I am sure the city of Toronto does, and surely they can take an example from that.

My friend thinks I should have a very large staff of very excellent people to go across the province and promote his idea of having either the municipalities entertaining the view of doing that, or promoting public and private groups to do this. Well, I suppose he has a point there. But at the same time it seems to me—I may be wrong in this—but it seems to me that maybe that is contrary to some of the thinking on the other side, that the municipalities know of these oportunities now, and they have that kind of responsibility which I am quite sure they do not shirk, and that they could come forward and establish the service.

As I stated a moment ago in another field, it is not a question of our refusing help, we encourage this, and we have helped and we will produce more help. What more can I do other than forcing people to do it? This I am at a loss to answer at the present time.

**Mr. Thompson:** With due respect, Mr. Chairman, I would like to say to the Minister that I am sure Riverdale has been successful. But I would say there are many hospital boards throughout the province which, unless the Minister has actively interpreted what is going on in Riverdale—and probably you would have to do that through the Minister of Health—I would say they have never heard of Riverdale. I feel that the Minister has a job to do to be looking at areas where there is a need for married women with professional training to get back in again. And where you have had one success, which the Minister states he has had at Riverdale, then I think that message should be sent out to other hospital boards so that they become aware of this, and of the grants which they would get if they started such a project.

**Mr. S. Lewis:** Mr. Chairman, I just want to add one small point. I want to say to the leader of the Opposition, I repeat a contention made earlier, it is not a question that the government does not know. The government does know, the government does not care, it could not care less, about this area of social need.

I have in my hand a study paper called "Women in Ontario's Economy" based on an address presented by T. M. Eberlee, Deputy Minister of Labour. On page 5 is an analysis of the expansion of the female labour force, and on page 7 is an analysis of the occupational concentration and the ten occupations in which the greatest concentration of female workers exist, and the percentage of the female labour force—the precise answers to the questions asked by the leader of the Opposition. On page 9 is an analysis of the composition of the female labour force in the province of Ontario. On pages 11 and 12 the need for day-care services, and the important revelation that there have been studies done.

One of the most recent, for instance, they refer to, is in Guelph, done by the head of the department of home management at Macdonald institute, demonstrating that over three-quarters of the women polled said they required day-care centres, and 82 per cent of the part-time workers said they required day-care centres. One page after another of material already available to the government documenting the need, the composition of the labour force, the women's role in the economy and what the requirements are.

So let us not talk in a smokescreen sense about not having the material and not having the knowledge. It is all there, it is all statistically documented, it is all evident. It is now a question of will or of resolve, that is what is absent, and for that there is really no solution except the pressure of public, and one does not know when that will meet results.

**Mr. Thompson:** I would just like to emphasize that this shows the appalling need in this government for various Ministers to get together. What the member for Scarborough West has said points out so blatantly the fact that the Minister of Public Welfare has not the slighest idea of the studies that are being done by his colleague, the Minister of Labour, who sits next to him.

I have another document which I would like the Minister to look at. Then I think that if you get together on an approach, we might be able to tackle problems. But it is apparent that the government has its own little isolated ghettos. Obviously there is a relationship between one department and the other and I think this is a startling, glaring example of inefficiency in government, a lack of knowledge, a lack of concerted effort, and therefore, children suffer.

**Mr. E. P. Morningstar** (Welland): Mr. Chairman, I suggest the Minister take this recommendation under advisement. I am sure it will be the right one.

Vote 1703 agreed to.

Hon. Mr. Robarts moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, tomorrow we will go to the order paper to deal with second readings, and then House in committee of the whole, and then we will resume these estimates.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.45 o'clock, p.m.

No. 150




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Fourth Session of the Twenty-Seventh Legislature

## Wednesday, June 22, 1966

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JUNE 22, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: in the east gallery, Agnes G. Hodge public school, Brantford, and SS No. 15 Beverly township, Galt; and in the west gallery, Vittoria public school, Vittoria; and in both the east and west galleries, Hillcrest public school, London.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

## THE COUNTY JUDGES ACT

Hon. A. A. Wishart moves first reading of bill intituled, An Act to amend The County Judges Act.

Motion agreed to; first reading of the bill.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, this increases the maximum number of judges, county court judges, from 81 to 82.

Mr. Speaker, I beg leave to present to the House the following reports:

The Ontario police commission fourth annual report for the year ending December 31, 1965; and the annual report of the commissioner of the Ontario provincial police for the year ending December 31, 1965.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I wonder if I could ask the hon. Prime Minister whether the order of business will be as we understand it, that is that after The Department of Public Welfare estimates, The Department of Agriculture estimates will follow?

**Hon. J. P. Robarts** (Prime Minister): There is no change.

**Mr. Thompson:** Thanks, Mr. Speaker.

**Mr. G. Ben** (Bracondale): Mr. Speaker, I have a question for the hon. Attorney General, of which notice was given. I might interject here, Mr. Speaker, to say that I have checked the reports which the Attorney General has just tabled and the answer is not there in this form.

The question is: How many unsolved homicide cases have occurred in the province during the past two years and how many of those are under investigation by the Ontario provincial police?

**Hon. Mr. Wishart:** Mr. Speaker, the question in its present form would be impossible to answer, since homicide includes any death. Murder, manslaughter and infanticide are culpable homicides and as such are reported to the police for investigation. The Ontario police commission, as a result of an amendment to The Police Act in 1963, now maintains a system of statistical records and research studies of criminal occurrences to assist the police forces in Ontario.

From the report which has just been tabled, the statistics relating to certain of the information will be found contained therein. The report indicates that in 1965 there were 44 charges of capital murder; 33 of these arose in jurisdictions policed by the municipal forces and 11 charges in jurisdictions policed by the Ontario provincial police. Of the 33 charges in the municipal jurisdictions, 25 resulted in charges being laid, 5 were cleared otherwise; and one must turn to the explanatory note in the report to get the definition of "otherwise."

There appear to be 3 unsolved cases which do not fall into any other category. That is out of the 44 cases, there are 3 unsolved.

In the 11 capital murder cases in the Ontario provincial police jurisdiction, 8 resulted in charges, sir, and 3 were cleared otherwise.

There were 17 non-capital murder charges; 12 in municipal jurisdictions and 5 in the Ontario provincial police jurisdiction. Twelve non-capital charges resulted in 11 charges being laid and 1 was cleared otherwise.

In the Ontario provincial police area of

jurisdiction, Mr. Speaker, of the 5 cases, 4 were cleared by charges and 1 was cleared otherwise.

The report indicates that there were 11 manslaughter cases in Ontario in 1965; 8 within the jurisdiction of municipal police and 3 within the jurisdiction of the Ontario provincial police.

In the municipal cases, 6 were cleared by charge and 2 were cleared otherwise.

In the 3 Ontario provincial police cases of manslaughter, they were all cleared by the laying of charges.

Mr. Speaker, at this time I am not able to give the hon. member a detailed answer for the year 1964, but if he will afford me just a little time I will have it for him very shortly.

**Mr. J. P. Spence** (Kent East): Mr. Speaker, I have a question for the hon. Minister of Agriculture, notice of which has been given him. The question is as follows: Would the Minister inform the House if his department intends taking any further action to help to alleviate the serious problem existing for farm and process labour for cash crop areas of Ontario due to the apparent failure of the importation of Jamaican help into the country?

**Hon. W. A. Stewart** (Minister of Agriculture): Mr. Speaker, The Ontario Department of Agriculture and Food anticipates assistance in the farm labour programme through the federal-provincial agricultural manpower committee. Through an agreement that has been negotiated on an annual basis between the two governments, responsibility for the recruitment and placement of labour is with the national employment service. Our department co-operates with national employment service in providing information on labour needs, paying 50 per cent of transportation costs of labour recruited in Canada and assisting growers in providing satisfactory housing.

We are advised by national employment service that the estimated requirements for 1966 in Ontario will be approximately 15,000 workers. National employment service are endeavouring to secure these workers in the Atlantic provinces, in the province of Quebec and among the Indian population in northern Ontario and Quebec. In addition, United States workers will be brought in for the tobacco harvest.

This year the Canada Department of Citizenship and Immigration authorized the contracting of workers from Jamaica. This was a pilot project in 1966. It was estimated that approximately 200 would be brought in this year. To date applications for approximately 125 have been received from growers.

An addition movement of up to 600 Jamaican workers has been authorized by the Canada Department of Citizenship and Immigration for work in processing plants. To date we have no figures on the number of applications received for these workers.

I would point out that the major portion of the needed workers are recruited in the province of Ontario and our advice to date is that applications for workers by growers are being met. Officials of our department are in constant contact with the national employment service, the immigration branch and The Department of Indian Affairs with regard to farm labour needs. We are assured that every avenue will be explored to meet our needs.

One of the greatest difficulties experienced is to get growers to place their orders with the national employment service. Local farm labour committees, organized by the federal-provincial manpower committee are urging their growers to do this, with some success. Unless the recruitment agencies receive the orders early it is difficult to secure the workers when they are needed.

**Mr. F. Young** (Yorkview): Mr. Chairman—

**Mr. Speaker:** Before the member's questions, I do not see either Minister in his seat. Does he wish to give them as notice?

**Mr. Young:** Yes, I think if I might give them as notice, Mr. Speaker, I would appreciate it.

I have two questions, one of the hon. Minister of Energy Resources and Management.

Will the hon. Minister now make funds available to the Metropolitan Toronto and region conservation authority in order that they might buy ahead of development, the valley land necessary to prevent future disasters of the type which occurred yesterday on Notley Place in East York?

And a question of the hon. Minister of Municipal Affairs:

In view of the fact that the hon. Minister of Municipal Affairs is ultimately responsible for approving subdivision plans, what action does the Minister plan to take in view of yesterday's tragedy on Notley Place in East York?

**Mr. E. Sargent** (Grey North): Mr. Speaker, would the hon. Attorney General accept a question at this time regarding this report?

**Mr. Speaker:** I am afraid it would be out of order at this time.

**Mr. Sargent:** I think he knows I am going to ask it. Will he accept the question?

**Mr. Speaker:** The hon. member is out of order!

**Mr. Sargent:** Owen Sound is the only city and town left out—

**Mr. Speaker:** Order, order!

The member will have plenty of opportunity to ask the Minister questions on the report when his estimates come before the House, which will be in the very near future.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, my question is to the hon. Prime Minister.

In view of the current situation on the farm front, is the Prime Minister prepared to replace his Minister of Agriculture?

**Hon. Mr. Robarts:** Mr. Speaker, I see nothing in the current situation to warrant this question, but I can only express to the House that I have complete and absolute confidence in the hon. Minister of Agriculture; and therefore the answer is no.

**Mr. K. Bryden** (Woodbine): The hon. Prime Minister is one of the small number.

**Mr. V. M. Singer** (Downsview): It is fascinating that that question can come from the leader of the group that did not want to discuss it.

**Mr. Speaker:** Order!

**Mr. Bryden:** Mr. Speaker, I would like to direct a question to the hon. Minister of Transport.

Did the Ontario government representatives at the meeting in Ottawa on automobile safety agree to the inclusion in the proposed new federal automobile vehicle safety code of recommendations that: (a) Implied consent laws should be enacted in the provinces regarding breathalyzer tests and; (b) Such tests should be made mandatory under the criminal code?

If so, does the hon. Minister support his representatives in this matter?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, we are represented at the Dominion-provincial conference on automobile safety in Ottawa by the Deputy Minister of the Ontario Department of Transport, Mr. Alan MacNab, and no one at the conference has more experience or knowledge in the field of motor vehicle administration than he.

As I intimated to the House yesterday, I am not prepared to make any comment on newspaper stories until my Deputy Minister returns and reports to me on what transpired at the closed sessions of this conference.

**Mr. Bryden:** Mr. Speaker, may I ask a supplementary question?

Since I, like the hon. Minister, also do not want to have to—

**Mr. Speaker:** Order, order!

The member should ask the Minister if he will accept a supplementary question.

**Mr. Bryden:** Will the Minister accept a supplementary question?

Since I, like the Minister, do not want to have to rely on newspaper accounts, would the Minister at least answer the question of fact that I asked: Did his Deputy agree with these proposals?

**Hon. Mr. Haskett:** Mr. Speaker, the answer to that was implied in my report. I have not heard from my Deputy yet, and so I said I did not want to make any comment until my Deputy returned and reported.

Interjections by hon. members.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, before the orders of the day I would like to make an announcement.

Hon. members will recall it was announced in the Throne speech that a trades and industries advisory committee for The Department of Reform Institutions would be formed. It is my pleasure to announce that all appointments have been made to this committee, which is now ready to begin its duties.

The composition of the committee will be as follows:

Chairman is Mr. Ford G. Brand, commissioner of the Toronto transit commission. Mr. Brand served as secretary to the Toronto district labour council from 1947 to 1951, was a member of the Toronto board of control and the council of the municipality of Metropolitan Toronto. He was formerly chairman of the labour management committee of the united appeal and was recently appointed to the board of directors of that organization.

Mr. Henry Weisbach is executive secretary of the Ontario federation of labour. He has also acted as welfare director with that organization and was previously regional

director of education for Ontario in the Canadian labour congress.

Mr. Alex McKinney is director of the Ontario plowmen's association and an outstanding farmer. He is a registered seed grower and a purebred Holstein breeder. Mr. McKinney will advise the committee on agricultural matters.

Mr. Ralph E. Sewell is president of the Coca-Cola Company Limited.

Mr. John D. Fienberg is president of consolidated building corporation. He has acted as adviser on home buildings to various governments in the east and Europe. Mr. Sewell and Mr. Fienberg will advise the committee on areas connected with manufacturing and industry.

Mr. Paul M. Kent represents the national employment service. He is an employment specialist at the Ontario regional office where much of his work deals with the rehabilitation of ex-prisoners and the young offenders.

The committee membership includes from The Ontario Department of Labour: Mr. W. F. Davy, director of the industrial training branch and Miss Jo-Ann Poglitsh research officer of the women's bureau.

Mr. Oakah L. Jones, president and general manager of the consumers' gas company, represents the Ontario economic council.

Mr. S. A. Norton, administrator of technical centres in the applied arts and technology branch, represents The Department of Education. Mr. Norton was appointed adviser on the development of a national apprenticeship plan in India by the United Nations and has served in many other similar capacities.

Representing the Minister's advisory council on the treatment of the offender—MACTO—is the chairman, The Reverend Martin Pinker.

Mr. Douglas Penfold, my assistant Deputy Minister and Mr. V. F. Ott, director of maintenance and industries, will represent my department on the committee.

It will be the function of the trades and industries advisory committee:

1. To evaluate the existing vocational training and industrial and form production in reform institutions.

2. To examine general trends in industry, trade and vocational training, labour market, production and sales; and establish their import for the aims of The Department of Reform Institutions, as outlined in the Ontario plan.

3. To investigate upon and to advise the Minister regarding: (a) The desirable operations of industry within reformatories, training centres, and other correctional institutions, so as to achieve the best results in terms of rehabilitation of offenders, compatible with the economy of the province of Ontario; (b) vocational training in reform institutions and its continuation after release from institutional care; (c) equipment needed for production and vocational training; (d) employment of offenders released from correctional institutions; (e) the feasibility of using the products of institutional labour in Canada's foreign aid programme; (f) possible changes in the structure of industrial training and production in reform institutions to permit an expansion of markets for the products of these institutions.

Mr. Speaker, the work of this committee will enable our department to assist the offender to receive the best possible training while incarcerated; to continue in this training upon release; or to aid him in finding suitable employment that will allow him to make full use of the training he has received and return to the community able to take a positive and productive role.

I wish to thank each of these highly qualified people for consenting to assist my department in this very important endeavour. It is a great satisfaction to know there are people in our community prepared to give of their time and energy in order to further our work of rehabilitation.

**Mr. H. S. Racine** (Ottawa East): Mr. Speaker, I have a question for the hon. Minister of Education. I will put the question and perhaps will get an answer tomorrow.

The question is this: Would the hon. Minister advise if he is prepared to accept the offer of the director general of cultural affairs in the French foreign ministry to aid French-Canadian groups in provinces other than Quebec in the preservation of French culture through teachers, books and television films?

**Mr. Speaker:** Orders of the day.

## THE CHILDREN'S INSTITUTIONS ACT, 1962-1963

Hon. L. P. Cecile (Minister of Public Welfare) moves second reading of Bill 166, An

Act to amend The Children's Institutions Act, 1962-1963.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, just before the motion carries, I have one very simple observation to make. I think it is invidious and unfair for the division of funds to continue to be less than 100 per cent. I think there is just simply no question that in this field the government should be prepared to pay 100 per cent of the cost.

I find the implication of the present principle pernicious. It suggests that large numbers of parents can afford the outlay, or should be forced to pay the outlay, in order for the services to be rendered. The fact is that in almost every single instance, parents have paid everything they can and are willing to pay what they can; but the primary responsibility rests with the government and in this field the level should be 100 per cent.

I realize that the Minister is unlikely to be persuaded, but I think that principle is important to state at this time.

**Mr. H. S. Racine** (Ottawa East): Mr. Speaker, I do not have much to add, except to second the remarks of the hon. member for Scarborough West, because our party feels also that 100 per cent of the cost of those institutions should be borne by the government.

Motion agreed to; second reading of the bill.

## THE DISTRICT WELFARE ADMINISTRATION BOARDS ACT, 1962-1963

Hon. Mr. Cecile moves second reading of Bill 167, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Motion agreed to; second reading of the bill.

## THE HOMES FOR RETARDED CHILDREN ACT, 1962-1963

Hon. Mr. Cecile moves second reading of Bill 168, An Act to revise The Homes for Retarded Children Act, 1962-1963 and to extend its scope.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, I have one brief comment on this bill. In the power to pass regulations there is in fact a substantive provision which is not reflected anywhere else in the bill; and that is the power contained in item (j) of section 12 to provide for recovery by an approved corporation or the province from individuals of the cost of such care. It would appear to me that this is not a matter which should be covered by regulations, in the absence of a substantive provision in the bill granting this right to require repayment.

Motion agreed to; second reading of the bill.

## THE DEPARTMENT OF PUBLIC WELFARE ACT

Hon. Mr. Cecile moves second reading of Bill 176, An Act to amend The Department of Public Welfare Act.

Motion agreed to; second reading of the bill.

## THE DAY NURSERIES ACT, 1966

Hon. Mr. Cecile moves second reading of Bill 177, The Day Nurseries Act, 1966.

**Mr. G. Ben** (Bracondale): Mr. Speaker, on Bill 177, first of all I am sure that every hon. member of this House is pleased to see that the grants to be given under this legislation will be 80 per cent instead of 50 per cent.

I am sorry, however, to see this bill entitled "The Day Nurseries Act" because I think that the use of the word "nurseries" is an indication that perhaps the department the Minister administers is not fully cognizant of the scope of the problem with which it has to deal; or if it is cognizant of that problem--certainly it refuses to recognize it.

I think it would have been more proper and in keeping with modern trends had the Minister entitled this bill, "The Child Day Care Act," because it would have at least indicated to the public that the Minister was contemplating enlarging the scope of the legislation to include complete child day care.

Now, in order to completely discuss child day care, Mr. Speaker, I think that we must first know what child day care should include.

First, Mr. Speaker, good child day care is not a nursery school as many people suppose it to be; it is not a baby sitting service and it is not a playground activity. Good child day care—or nursery care if the Minister so wishes to entitle it—is part of a well-rounded service programme. It should be run by trained professional people who could offer counselling and dependable guidance for families that need it.

The centre should be a large settlement house or housing project, a small church or

even a converted home. The child should be one of a group of from 10 to 15 young children who paint, paste, build, run and climb, under the attention of a trained teacher. Playtime for them should be a time of learning. At a large centre housing more than one group, there should be a director to supervise the complete staff. There should be a pediatrician available, a dietitian, a nurse and special consultants. The centre should offer an after-school programme for older children guided by group workers who like and understand young children.

Second, it should give care that reinforces the family's own care, thus helping parents to shoulder their own responsibility to give children needed attention, affection and stability. In fact, its prime function would be to hold the family together and to insure that the child's total health, education and welfare needs were being met. If we are to give recognition to this second need especially, we would need trained professional care workers.

Now the Minister indicated yesterday that there was difficulty in obtaining these trained workers, but he did state that with the University of Windsor now offering degree courses for social workers perhaps that problem would be solved.

Mr. Speaker, from reading this bill I hardly think that this is what the Minister contemplates. Frankly my own opinion from a perusal of the bill is that he is still looks upon day care centres or nursery centres as baby sitting services.

There is no doubt that baby sitting services are needed. I pointed out yesterday that even as baby sitting services, a day nursery has a therapeutic effect on the family. The ability of a mother to park her children at a day care centre for a few days often enables her to compose herself and better face the vicissitudes of life.

Mr. Speaker, during August, 1964, the women's bureau of The Department of Labour carried out a survey at the Canadian national exhibition on the subject "What do women think about working?" Thirty-five hundred women who stopped at their booth were given a questionnaire which included questions dealing with child day care.

One question was: Do you think low-cost day care for children should be supported by the community? The answer showed 54 per cent in favour, 34 per cent opposed and 12 per cent undecided.

Working mothers of children under the age of 14 years were also asked what arrangements they made for the care of their children while they were at work. Four per cent said they used existing day care centres, 16 per cent that they left them at another home and 80 per cent of the children were left at home with some other member of the family. One cannot but wonder who that other member of the family might be—hardly the father for he would be or should be working. If he were too ill to work the chances would be that he was too ill to look after the children. In all probability these children were left with another child in that household.

At any rate, these figures show that while 54 per cent of the women surveyed favoured community-supported day care centres and 30 per cent would avail themselves of such centres, only 4 per cent in fact did. In spite of this demand, figures given to me by The Department of Public Welfare in 1965, which are 1964 figures, show a pitiful lack of facilities.

In the metropolitan area there were only 9 community-supported nurseries or day care centres and 31 privately operated centres. Yesterday the Minister gave us more current figures. Of those, 24 were in the city of Toronto, Toronto operated eight centres and financially assisted four others. Again I state that these are 1964 figures. York township had one community-supported centre but no other community in the municipality of Metropolitan Toronto had any community-supported day care centres.

Figures show that many mothers were compelled to move to Toronto because their community lacked proper facilities, or the facilities it had were too expensive. Yesterday the hon. Minister said he could not see the province forcing or coercing municipalities into establishing day care centres or nursery centres.

In the bill before us today there is a provision that the Minister may establish nursery centres in an unorganized municipality. Now if the Minister may establish nursery centres, why should he not be prepared to compel municipalities which can afford to establish them to establish them? I fail to see the consistency in the hon. Minister's remarks.

In 1964 the city centres accommodated 802 preschool and 324 school-aged children. During December, 1964, 80 per cent of the preschool-aged children and 94 per cent of the school-aged children at these centres came from families where the mother was the family's sole support. These mothers paid from 10 cents to $2.50 per day for this care, depending on their income.

These figures show that these services were and still are totally inadequate. We do not

place the emphasis properly in this field. Too much importance is placed on the service to the working mother and not enough upon the physical and mental requirements of the child.

Many children have needs which proper day care cannot supply and which have nothing to do with the employment of the mother. The mother may be dead or seriously ill, or may have deserted the father leaving the children to his care. The child may be emotionally disturbed or may be living in slums with no place to play. These children are being almost totally ignored at the present time, and it appears to me will be under this bill. If we are to look after the physical and emotional need of our children, we must institute a community-supported day care service; a service that could be used to strengthen family life, sir, and which would do much to ensure the raising of our children is not left to chance.

This in my humble submission is too nebulous a bill. It does not set out in unambiguous terms exactly what we are trying to accomplish. I believe that the hon. Minister is doing nothing more here than trying to set up a provincewide system of baby sitting centres. As I pointed out, these baby sitting centres would have a good effect on a certain segment of the community, but we need more than just baby siting centres and I would suggest that if the Minister wishes to do something to make this particular bill worthwhile, he has to ensure that the regulations that he will be passing under this bill will make these truly day care centres for the children of this province.

**Mr. Speaker:** Shall the motion carry?

**Mr. S. Lewis:** Mr. Speaker, on second reading of this bill, we had so much of this so thoroughly last night, I do not want to repeat excessively. But I would like to make one point that is absent in the principle of this bill as it comes before the House.

All the submissions in the field of day care services over the last two or three years have made three basic contentions, and this bill covers only one of them.

First, that the subsidy increase be extended beyond the 50 per cent. This bill does that and it is an important step.

Second, the day nurseries be regarded essentially as educational agencies providing creative preschool education at the age of two, three, or four for children. This bill does not do that. It maintains day nursery in The Department of Public Welfare and does not really add much to the qualitative nature of day nurseries.

Indeed, there is no suggestion in the regulations that there will be a change, for instance, to alter the fact that it is the institute of child study which sets the standards. The standards are now obsolete and recognized by most people in the field as obsolete.

But third, Mr. Speaker, and rather more important, is the primary principle that so many of the agencies requested: There should be government subsidy for counselling procedures within day nurseries. I think it is fair to say that those submissions were made to the select committee on youth, and the committee felt strongly about them, just as they have been made to government. There is a refusal—for whatever reason—on the part of the government to incorporate them into the Act.

The bill is greatly weakened by the refusal to recognize that this is a service day nurseries can provide and provide in very large measure. I would urge the hon. Minister to consider an amendment along those lines in the very near future.

Motion agreed to; second reading of the bill.

## THE ELDERLY PERSONS CENTRES ACT, 1966

Hon. Mr. Cecile moves second reading of Bill 178, The Elderly Persons Centres Act, 1966.

**Mr. Speaker:** Shall the motion carry?

**Mr. J. B. Trotter** (Parkdale): Mr. Speaker, I would like to ask the hon. Minister a question and it is this: On the order and notice paper back on June 7, 1966, the Minister gave his intention to introduce certain bills. I am wondering if this bill now called The Elderly Persons Centres Act was the one referred to on June 7 as An Act to assist in the establishment and expansion of social and recreational centres and in the establishment of low-rental housing units for elderly persons. Is this the same Act, the hon. Minister means?

**Hon. L. P. Cecile** (Minister of Public Welfare): I do not know how the addition that was made got there, but it was wrong. The Act itself is only called The Elderly Persons Centres Act.

**Mr. Trotter:** Is there any intention of the government to introduce legislation to assist in the building of low-rental units?

**Hon. Mr. Cecile:** Not by this department at the present time at least.

**Mr. Trotter:** There must have been some reason for that notice going in.

**Hon. Mr. Cecile:** Well, I do not know—

**Mr. Trotter:** I anticipated that the hon. Minister would be doing something about low-rental housing. They probably thought, well, maybe it is going to be in two bills instead of one. This is all we are going to get, is it?

**Hon. Mr. Cecile:** That is right.

**Mr. Trotter:** It is something but not much.

**Mr. Speaker:** Shall the motion carry?

Motion agreed to; second reading of the bill.

## BENEFITS TO PERSONS AND FAMILIES IN NEED

Hon. Mr. Cecile moves second reading of Bill 179, An Act to provide benefits to persons and families in need.

**Mr. Speaker:** Shall the motion carry?

**Mr. K. Bryden** (Woodbine): Mr. Speaker, I take it that the policy the Minister is adopting with regard to the legislation he has before us this afternoon is that, "he ain't talking." He has not said a word about any of these important bills other than to move second reading.

I am hoping he will not continue with that attitude with regard to the bill now before us. There are important matters of principle involved in this bill which are by no means clear, and certainly were not clarified in the brief and cryptic explanation the Minister gave on first reading. Perhaps as a stimulus to the Minister, and also to help other members of the House, I will raise some of the problems that appear to be involved in this bill.

A few years ago an eminent authority stated—I am not quoting exactly, but the effect of his statement was clear—that Canada has many expensive welfare programmes and no coherent welfare policy. Actually, as far back as 1950 the international labour office, in a study of social security programmes throughout the world, was able to report that the worldwide trend was towards co-ordination and integration of income maintenance and other welfare programmes. This was the worldwide trend.

In Canada however, the trend was then and continued to be in the exact opposite direction. After 1950—I am now talking about Canada in its totality, including both the federal and provincial governments—Canada introduced and implemented a substantial number of new categorical income maintenance programmes. So we were bucking the trend throughout most of the rest of the world and we have continued to do so up until very recently.

In the last year or so the federal government announced its intention to introduce what it called The Canada Assistance Act, and most of us welcomed that announcement as indicating at long last the beginning of a reversal of the 50-year trend in Canada towards a multiplication of categorical welfare programmes. It was suggested though we never did get too clear exactly what the federal government had in mind, that there would be the beginnings of consolidation and co-ordination of existing programmes.

This bill that is now before us, Mr. Speaker, arises out of the federal government's intention to enact this Canada Assistance Act. It still has not passed the federal Parliament and I am not criticizing the Minister for his failure to anticipate precisely what the federal Parliament will ultimately produce. On the contrary I commend him for bringing in legislation which at least attempts to anticipate the effect of federal legislation so that action in this province will not in any sense be delayed when the federal legislation comes into force.

However, Mr. Speaker, I cannot help but note that the bill now before us is misnamed. Like so much government legislation its name implies that it will accomplish far more than the government has any intention of even trying to acomplish. It is again the business of a fine-sounding name that holds great promise with much less than the promise being actually implemented within the terms of the bill.

This bill is described in its long title as An Act to provide benefits to persons and families in need. Well, it does not do any such thing, Mr. Speaker. There will be a great many persons and families in need who will not receive any benefits under this Act even after it is fully in force.

If I am wrong in that I trust the Minister will correct me. But I have read the bill very carefully, I have read the Minister's statement on first reading of the bill and it seems abundantly clear to me that this bill will take a number of small categorical programmes

and turn them into a categorical programme "writ large," if I may use that expression.

That is all it does. It does not really move away from the principle of categorical programmes at all. It takes a few relatively small ones and puts them all in one bundle; but it will still be a categorical programme. I am not even sure that there will be very much difference for the people concerned as a result of this legislation. The categories affected all consist, to begin with, of people in need, and that is a point I want to deal with in a moment or two. Subject to the basic condition that all the persons concerned must be in need, the categories include blind people; people who can meet the extremely rigid requirements the federal government lays down with relation to total and permanent disability; people on mothers' allowances; people who have been getting the dependent fathers' allowances; people we have loosely described as being in receipt of the widow's pension and people who have getting old age assistance, although the old age assistance programme is being phased out in any case.

These are the categories. They have all actually been on essentially the same basis as far as the recipient is concerned. Intergovernmental relations have varied somewhat with respect to the different categories concerned, for example in the case of people receiving pensions for blindness. In that category the provincial government has been getting 75 per cent assistance from the federal government rather than the 50 per cent which is common in the others, but that does not make any difference to the blind person. I am sure he could not care less whether his inadequate pension comes from the federal government or the provincial government. What he would like to see would be a more adequate pension. Also, the provincial government is going to cash in, in that at least the federal government has been bludgeoned, shall we say, into assisting with the mothers' allowance programme.

So, as far as inter-governmental relations are concerned, there will be some change in the sharing of costs. In regard to the recipients of allowances, as they were previously called, and of benefits, as they will be called in the future, it is by no means clear that their position will change significantly at all.

I do not know, but it seems to me that, if there is going to be a significant change as far as recipients are concerned, it is high time the Minister indicated just what he has in mind. Essentially, however, it is still a categorical programme; a number of small categorical programmes rolled up into one. There is still no suggestion whatsoever that the people on general welfare allowances will in the future be anything other than they have been in the past, namely, the people at the bottom of the heap, the forgotten people, the people to whom we give the most miserable and most niggardly allowances of all. There is no suggestion that there will be any change for these people.

If they cannot fit into the categories enumerated in this bill, then they are still going to be in an inferior position, regardless of their need. Their need may be just as great as the need of a person who until now has been on mother's allowance, but they will still receive no relief as far as this legislation is concerned.

So, we should not in any sense of the word give voice to unlimited rejoicing at the fact the Minister has brought this bill in. It is an extremely cautious move, it is as much as anything an attempt to take advantage of extra federal money, rather than an attempt to rationalize and co-ordinate our welfare assistance programmes in this province. I would like to know from the hon. Minister why the general welfare assistance is to be continued as a separate category, why there are to be these two classes of recipients of assistance. On the other hand, there is the preferred group who will come under this legislation when it comes into full force; and on the other hand, the neglected group who will continue to be covered by The General Welfare Assistance Act.

There is no reason in the world why, even on the basis of the existing federal Unemployment Assistance Act, the government could not have brought in legislation that would have removed that invidious distinction altogether and would have genuinely provided legislation to furnish benefits to persons and families in need. I mean all persons and families in need; there is no reason for maintaining this distinction.

As I understand the federal Unemployment Assistance Act, the federal government attaches no strings whatever to the aid that it gives to the provinces in respect of residual assistance, what we call general welfare assistance. The only conditions laid down in that particular federal Act are what one might call accounting conditions. In other words, the province has got to be prepared to demonstrate to the federal representatives that the money was actually used for welfare assistance, but as to the amount of the assistance and the conditions under

which it will be made available, the province has had a completely free hand.

That has not been true with regard to these categorical programmes that are now being covered by this new bill. In the categorical programmes the federal government has laid down pretty precise conditions about eligibility, and although it does not say the provinces have to accept its conditions, it does say that they will not get federal money unless they accept the federal conditions.

As I understand it, the federal government is wiping out those special conditions for special categories. This is the significance, as I take it, of the Canada assistance programme. At least if that is not its significance, I cannot imagine what significance it does have.

Why do we continue though to maintain these categorical distinctions? The federal legislation now in existence would permit us to bring the general welfare assistance people under any provisions that would become available under this legislation. It seems to me that either the hon. Minister should have in mind replacing The General Welfare Assistance Act by this bill, or at least completely revamping the whole approach to general welfare assistance so that the programmes will be identical.

I know there is one little fly in the ointment. It may be a fly in the ointment as far as the hon. Minister and the government are concerned but in my opinion it is an additional argument for removing this categorization altogether and having one overall programme to assist people in need. The fly in the ointment from the government's point of view, of course, is that it still insists on charging back 20 per cent of the cost of general welfare assistance to the municipalities.

In the hon. Minister's introduction to his estimates he made quite a noise about how he was relieving the municipalities of certain rather minor costs in this field, but he did not say a word about the important cost that he still imposes upon them, against their will and without them actually having any discretion in the matter at all; and that is charging them 20 per cent of the cost of general welfare assistance.

The province itself, it should be noted, actually pays only 30 per cent of the cost of general welfare assistance. The hon. Minister makes a point from time to time about how the senior levels pay 80 per cent of the cost of various programmes. His government only pays 30 per cent. The federal government pays 50 per cent and he soaks the municipalities 20 per cent.

We have taken a long time to overcome, and have not even yet entirely overcome, the 19th century attitude that assistance to people in need is really the responsibility of the municipalities; if indeed it is a government responsibility at all. I think we are getting to the point, by 1966, that we accept the major responsibility in this area is governmental, but this government still clings to the 19th century notion that fundamentally the responsibility resides with the municipalities.

For years in this province, and in all provinces, provincial spokesmen patted themselves on the back about how generous they were to municipalities because they assumed part of the cost of income maintenance programmes for people in need. They made it sound as if they were relieving the municipalities of a burden.

What they were doing, of course, was imposing burdens on the municipalities that the municipalities were unable to carry. They are still unable to carry them, yet we still impose this 20 per cent burden of general welfare assistance on municipalities.

In my opinion this is a factor which holds down levels of welfare assistance below what is possible even under our present regulations. There are some municipalities in this province, indeed there are some municipalities right here in Metro Toronto, whose attitude is the attitude of the 1930s, that the major aim of the municipal administration should be to keep welfare costs at the lowest possible level regardless of the misery that may be caused for large numbers of people in desperate need. This attitude continues to exist, and you can see it coming out in welfare administration in some offices in Metro Toronto. Let me say not in the city of Toronto welfare office, the attitude is quite different there, but in some of the others.

This will be inevitable as long as we continue to insist on imposing this arbitrary assessment on the municipalities, because that is all that it is. They simply cannot afford it and so they protect the mill rate. They try to hold the mill rate down at the expense of the weakest people in the community, the people who are in need of welfare assistance.

I personally believe, I have been convinced by reading many articles by experts in the field, that there is a real merit in the face-to-face administration of welfare assistance. I

am all for that and I am prepared to believe that administration in important areas can very well be through municipal representatives, but I think we are long past the time when we can expect the municipalities to accept any financial responsibility. This merely holds down standards, makes fish of some people and flesh of others, discriminates among people who otherwise are in exactly the same position and whose needs are exactly the same. I know there is an old saw that had some merit in it that no level of government should spend money that it is not responsible for raising, and this may be used as an argument for continuing this 20 per cent levy on the municipalities for welfare assistance.

But in actual fact, Mr. Speaker, the municipalities have very little discretion in the administration of welfare assistance. I do not think the 20 per cent levy is a relevant factor in that type of theoretical consideration. I believe that we can quite reasonably work out systems of control whereby a great deal of the servicing of people in need of assistance will be done through county units of administration, if we ever get them set up, while at the same time the provincial government, with the assistance of the federal government, foots the bill for the expense of the income maintenance programmes. The income maintenance programmes, if they are to be even within striking distance of being adequate, are simply too costly to be financed at the municipal level of government, they must be financed in total by the higher levels.

Now over the last 50 years we have made substantial progress in shifting the cost of income maintenance programmes to the higher level of government. I should not say "shifting the cost", I should say we have made substantial progress in getting the higher level of government to assume responsibility for income maintenance programmes. Any programmes that we got, essentially, were undertaken at the initiative of the higher levels of government, and in the overwhelming majority of cases at the initiative of the federal government. In fact the overwhelming majority of expenditure on income maintenance programmes in Canada now is out of the federal Treasury.

So let us eliminate this remaining anachronism, this remaining vestige of the 19th century, under which we assess municipalities for 20 per cent of the cost of general welfare assistance. If we get over the 19th century thinking then I think we will have overcome the hurdle which undoubtedly is inducing the Minister to continue the discrimination between certain categories of people in need and the balance of those in need who do not fit into any of the categories. This discrimination surely should be eliminated.

I would like to hear any philisophical justification at all from the Minister as to why two families with identical needs should receive different levels of assistance because they happen to fit into different categories that were arbitrarily determined by government bureaucracy. I defy the Minister to justify that situation, and yet he plans even after this legislation comes into effect to continue it.

There is one final point that I want to raise with regard to this bill. It relates to the question of needs test and means test. There has been a great deal of talk, an increasing amount of talk, in the past few years as to the desirability of a needs test in substitution for the means test that has been the order of the day for all of the categorical programmes.

Obviously one does not have to search very far to find the reasons why there should be growing talk about a needs test. The means test was so unjust and so degrading that I do not think any humane and forward looking person would attempt to justify it at all. So it is proposed that we should substitute for it a needs test and in general principle I agree entirely with that. In my understanding of the broad meaning of the term it means that we should try to develop a programme of benefits and assistance which will be related to a realistic assessment of the recipient's needs.

What I am afraid of however, is that all that is happening is that the old means test is going to be called a needs test and we are still going to have the same old means test. Maybe not quite as brutal and degrading as it was, but still essentially a means test. I think it is time, Mr. Speaker, that the Minister stood up in this House and outlined for our information, and for the information of Ontario at large, what his conception of a needs test is. What are the basic principles involved in it, what are the basic mechanisms through which those principles will be implemented and how will both the principles and the mechanisms differ from those of the old means test? Unless we have some clear definition of that kind we are in no position to judge whether or not anything is going to be done.

I am a little worried after reading both the Minister's statement and the bill. For example, in the Minister's explanation on first

reading I read this on page 4781 of *Hansard*:

> The establishment of a mutually acceptable means test and other qualifications will be the responsibility of the government of Ontario.

Now, are we going to have a needs test or are we going to have a means test? The Minister says, "the establishment of a mutually accepted means test." It is time the Minister clarified this matter. Is he carrying on with the old means test, or in fact was that just a slip of the tongue? It came from a written statement so it is hard to believe it was a slip of the tongue, but if it was, sir, then let us hear about it. Let us hear what he meant to say, but with a little more elaboration than appears there.

Then also, I read the bill and I begin to wonder: I will not go into detailed clauses at any length, we can consider them in committee of the whole, but I read, among the multifarious powers given to the Lieutenant-Governor in council in this as in most bills, one whereby it will be possible to prescribe the maximum amount of benefits. That is under clause k of section 13 of the bill—the maximum amount of benefits.

Now, that terminology to me smacks of the means test. It is hard to think that the government could have had anything else but a means test in mind when they put such a provision in the bill. Is it envisaged that there will be a maximum, and regardless of the need of the person he is cut off at the maximum? Will he be cut off just below the chin, if that is where the maximum is reached, regardless of his need? If so then there is no needs test; we are just back at the old means test.

If the government has in mind a genuine needs test, then it does not require any power to set maximum benefits. The upper level of benefits will be determined by the test itself. The basis of the test, I would hope, will be that the person's basic needs will be covered. I will certainly vigorously object to any maximum which would prevent a person's basic needs from being covered.

Therefore, Mr. Speaker, when we see before us a bill entitled An Act to provide benefits to persons and families in need, let us take those words with a large grain of salt. This bill is not going to do any such thing. It is going to enable the provincial government to get a bit more money from the federal government. It may be—although this is by no means clear—that it may improve the position of some of the categories of the people listed here. It will not solve the basic problem of the categorical programme, we will still have a categorical programme with us. That means that we will continue to have discrimination and we will not have a unified programme that will in fact provide benefits to all persons and families in need.

In my opinion that is what we should have. I think it is now possible under existing and pending federal legislation to go ahead with that and I do not know why we do not go ahead with it. I do not see why we cannot have one overall programme that will provide for all people, other than those on shall we say workmen's compensation, unemployment insurance and some of the special insurance programmes. In fact I would hope that the day may come when we may eliminate all those special insurance programmes too, which have many snares and delusions in them that it would not be in order for me to discuss here. I hope that we can look forward to the day when we will have a general programme guaranteeing a basic income to all people of the province, and then we will be able to eliminate all categorical programmes.

That is something that we can look forward to in the future; but as a very minimum I think we should at this time be taking at least as large a step as is possible. It is now possible to take the step of wiping out all the special categorical programmes, including the general welfare assistance programme. That, technically, is not a categorical programme I know; it is a residual programme. In other words it is the catch-all for all the poor devils who cannot fit into the categories and therefore get the short end of the stick on everything. This, I think, we should eliminate. We should have an overall programme that is designed to guarantee that the needs of persons and families will be genuinely met. This bill does not promise that, it does not even take a significant step towards it in my opinion, Mr. Speaker.

One naturally has no option but to support the bill, I suppose some minor good will come of it. If nothing else we will get more Ottawa money and I am always in favour of that. But it is a most disappointing performance in view of the possibilities that are now being opened up to us in this country.

**Mr. Trotter:** Mr. Speaker, in most of these bills it is often difficult to tell just how far the principle has changed, particularly when you come to a welfare bill.

To illustrate the principle of this bill, and while I am hoping that the principle has expanded, I would like to cite one case before the Minister, and then ask him if this new bill that we have before us has any broader

principle to improve the law. I have a particular case in my riding that is shocking.

At the present time there is no way under our welfare legislation to help the person that is in need. It is possible that under section 8 of this bill, and under the regulations as set forth in section 13, the principle can be expanded, but I personally doubt it. However this is the case.

A man in my riding was with the army for three years. He is now about 24 years of age. He signed up for another three years. Two of his brothers were killed in an automobile accident and when he was coming back home to be with the family, he himself was involved in a very serious accident as the result of which—the accident took place in 1963—he is completely incapacitated, completely disabled.

The army would do nothing for him because he was coming back home; he was not on duty at the time, therefore there is no pension, there is nothing from the army. It does not speak very highly of how we take care of our men in the armed services. So this man who is a citizen of Parkdale and a citizen of Ontario has now turned to look for help to the Ontario government because he is completely disabled and because he has hardly any assets.

He is given $75 per month. Small enough as it is his girl friend, who had known him over the years, even though he is disabled agreed to marry him. Because she had an income of slightly over the $2,260—I believe for a married couple the minimum is $2,260, she was just over the line—his disability pension is cut off. In fact they said you owe us one month's pension because you did not tell us about getting married.

This is a stupid regulation. Here are people trying to help themselves, trying to get along and yet the way our law is at the present time we can do nothing to help this man. They would be far better off, that family, to sit back and do nothing. The father is helping to keep them and now just recently, since the time I have tried to do something for these people, the father has had a heart attack. No wonder, when two sons have been killed and the third is now completely incapacitated in a second accident.

Surely there must be other cases in the province of Ontario that have been similar to this over the years, and yet the government has done nothing. Before I say anything more on this, I would like to ask the Minister this question: Does this new bill in any way help Mr. Robert Hannah in my riding?

**Hon. Mr. Cecile:** As far as I can gather from what we know of the Act as it is to be discussed in Ottawa, and what we knew and learned in the conferences we had, this category of $75, or whatever it might be, will be eliminated. It would be based on the need of the person in question.

I do not know what specifics Ottawa will provide us with or will impose upon us. I would assume at the moment that allowances would be on a needs test basis and that is about as much as I can say. They would be based something similar to a mother's allowance case, where you would have a calculated budget, covering shelter costs and all these matters, which include whatever fringe benefits there might be existing in the way of OMSIP or OHSC. As we discussed yesterday, I think in a very interesting discussion, this is a step forward in providing the income that would be necessary in that particular area to cover whatever services are necessary to furnish a proper living for the person.

So the restriction of $75 would be lifted. Now what conditions there would be put in its place I cannot say, because we will have to wait for the Act and the regulations to see what they are. Then I will be able, I think, or anybody in the House will be able, to talk about this matter more intelligently than I can do today because of the fact that we do not know many of these things. But it certainly will change the picture. The fact of having the amount the hon. member mentions of $2,200 or thereabouts for two people, being able to earn that much comprising the pension itself, I can assure my friend that that is one of the restrictions we have, over the years, discussed.

We have always felt that amount was rather low for the person, or two persons in the case in point that he brought up. This regulation I can assure him, and I do not want to take any responsibility from my shoulders or the shoulders of the administration as a whole, but this was a federal regulation. As was stated, if we agreed to go over and above that we would have no participation with the Ottawa government. As a matter of fact, we have had occasion to cancel many of these remittances that are asked for for the simple reason the people cannot afford to pay it back nor could ever pay it back.

We always try to arrange some way or other, if it is possible within the regulations at all, that a remittance is made, however small, so that whatever fringe benefits that might exist will not be lost. I suppose you have seen some of these cases in your general every-day work. I can assure hon. mem-

bers that the category itself and the set amount will, in my understanding of the federal Act, be taken away. I think under the circumstances there is help that will be forthcoming.

With respect, if I may ask at this time before the hon. member gets up again, if he has anything to ask me while I am on my feet?

The General Welfare Assistance Act is another matter, it is under an agreement that we have with the Ottawa government. As hon. members know, it covers for the most part short-term cases. This will not be brought under this bill, but as we go along, or else as the Act in Ottawa is developed, it might be quite possible to incorporate it. But, at the same time, they are two different matters and it could not be brought under this at the present moment because the Act in Ottawa does not consider this. It comes under a special general welfare agreement that we now have with Ottawa.

**Mr. Bryden:** May I ask the hon. Minister a question?

**Mr. Speaker:** I am of the opinion that the debate at the present time is developing into a question-and-answer sort of procedure which I do like to discourage on second reading. So, unless it is most important, I would rather that the member would wait until we get into committee stage of the bill.

**Mr. Bryden:** This is a question of principle, Mr. Speaker, if you would—

**Mr. Speaker:** We will allow the Minister to complete his remarks at the present time and then if he will answer a question on principle I shall allow it.

**Hon. Mr. Cecile:** Now that we are discussing this Act, Mr. Speaker, I would say, through you to the hon. members of the House, that all this does is allow us to use the new opportunities to best advantage. I am not saying that what my hon. friend said in his speech has not a lot to it; and I do agree with quite a bit of it, naturally. The philosophy is different, my friends, than it is here possibly. But on this basis we have no quarrel.

However, the main purpose of this Act is to enable us to take advantage of the legislation which will be passed in Ottawa, very shortly, I hope, so that we will be in a position to do, instead of being put into this position in which we find ourselves. I prefer to do it this way instead of having to call a special session to deal with this. It will be ready, and I further understand that there might be some retroactive features in it, but this I do not know. Right now I do not know anything of the specifics at all, and furthermore, I still do not know if the bill will be passed or what will happen, so I am dealing with something unknown, more or less, but I am preparing myself to deal with it if it should become a reality. That is the main purpose of the bill.

My hon. friend has said—and with this I do not disagree—it would be very foolish on my part to think that any programme, regardless of what it might be, would meet every need of any kind—even in your own particular home you have need. We call it "need" instead of using the word "means," which is a different matter. Instead of going there and saying, "Well, you have so much money and then we cannot give you a certain thing."

I think this a step toward what we might call relative as against absolute need. I suppose the only way we could meet every relative need would be to say that a family might be able to live in one place on $100, where another family in the same place under the same conditions would need $150. This is one of these things.

I presume that what my hon. friend said —and with this I cannot quarrel—is that there perhaps will have to be a ceiling established some place, but this is a matter of discussion. That ceiling could be put at a place where it could be completely flexible. If that is what the hon. member calls a means test, then I suppose that is what it is, but at the same time there is flexibility in dealing with a certain amount, at a certain ceiling. After all, there is only so much money available to be spent in all these programmes and I suppose that there is some use in putting restrictions on it. Some place we have to put restrictions on it. We do that in our everyday life. Hon. members have their own budgets that they have to deal with. Some people live very easily with $5,000 a year and there are others who need $25,000. So there you are, generally speaking.

**Mr. Bryden:** You are not now talking about people covered by these programmes.

**Hon. Mr. Cecile:** I appreciate that, but at the same time this will have to be considered. And I suppose that I have always been one to suggest, possibly, and I have no disagreement with this, that the cost of living should be looked at either from an escalating point

of view or the other way, if you wish. I know this has been discussed through the years with the labour unions and management in that particular respect as far as wages are concerned.

We are looking forward to improvement and I think this is one thing that we have to look at very seriously in the future. But at this time, I maintain, this is a step forward in that direction. The categories that are brought in here are the only categories that could be brought in at this time, because the other one was a complete separate agreement in this respect. And I am saying that it will not be brought in here. But it is very difficult to combine both these programmes and the general welfare agreement we have with Ottawa. We are dealing with it in very large measure—maybe 75 per cent of it. It is a short-term matter, so it is a different story altogether.

What more I can say at this time, Mr. Speaker, on this matter, instead of going into the general philosophy and discussing the principle of the matter, I do not know. But the main purpose of this Act is to allow us to at least pass some enabling legislation to enter the fray immediately. What will happen after that we will have to look at very seriously, but I have appreciated the discussions we have had and the opening remarks that were made in this particular respect because I think we are thinking along that line. Maybe our philisophy as to how far we should go is different, that I appreciate, but I think we are going toward that goal in common by different routes or by different means of transportation, but I think our goal, generally speaking, is in the same direction.

**Mr. Trotter:** Mr. Speaker, as usual it is very hard to get a straight answer from the Minister of Public Welfare. There are too many ifs, ands and buts, and as I was reading over this bill I immediately thought of the case of Robert Hannah and then to read the title of it, "An Act to provide benefits to persons and families in need." All I can say is that by going by that title it is a lot of window dressing, because at this point there does not seem to be any particular improvement in the principle of the bill and to what we are already providing.

**Mr. Speaker:** Order! The member is now speaking twice to the bill.

**Mr. Trotter:** I asked the Minister a question and he got up and answered it, and I said that before I continued, I would like to ask the hon. Minister a question.

**Mr. Speaker:** I see, and the Minister got up to answer it—

**Mr. Trotter:** He got up and he kept talking.

**Mr. Speaker:** So I take it then that you are on your first speech.

**Mr. Trotter:** I am on my first speech, Mr. Speaker, but—

**Mr. V. M. Singer** (Downsview): The questions are rather long, but then the answers are longer.

**Mr. Trotter:** I did stipulate before I sat down that I wanted to ask a question. I will be very brief in any event.

This matter of welfare gets down to the individual cases and to me, Mr. Speaker, it is embarrassing, as a man in public life, to have the Hannah family come to me and say; "What can you do; the army will do nothing." We in this province who are responsible for the welfare of an individual allow ourselves to become completely hamstrung over ridiculous regulations. It is shocking that a province of this size in the administration of its wealth, can sit by and allow individuals to be trampled on and steam-rollered by regulations that today are completely outdated.

Now in answer to my question, the Minister has really given me no indication that there is going to be much improvement. There are too many ifs, ands, and buts, but this particular case is on the record, the case of Robert Hannah, and I would hope that the Minister and his staff would read it in *Hansard* and when they are discussing these matters with the federal government, they will see to it that such a case is not allowed to happen again. It would be well worth the Minister's while, and certainly his duty, to look into this case and see if something cannot be done now and not wait until some future date when regulations may be changed and when various governments iron out their various problems. This is a case that calls for urgent attention and it is a disgrace to all of us as long as it goes on unattended.

**Mr. Racine:** Mr. Speaker, I think I would like to make a few remarks on the principle of this bill and I will be very brief. I would like to say, as I mentioned in my speech yesterday, that my party hopes that with the event of The Canada Assistance Act, benefits to persons and families in need would be increased and that the services supplied by this government would not be reduced in

any way and that the share to be paid by the provincial government, if anything, could be increased and that we should not take this $50 million or $60 million from the federal government in order to reduce the cost to this government of welfare benefits. I think that my friend from Woodbine has made a point and that this should be an occasion to really do better for the people in need in this province. So I think our party will insist that better services be supplied in this department with the event of The Canada Assistance Act.

**Mr. S. Lewis:** Mr. Speaker, I have some observations that I would like to make. Let me first say that this party is supporting this bill exclusively because it provides more money to the province of Ontario for these plans, and for no other reason. The bill as it now stands is a bitter, bitter disappointment and I want the Minister to understand that is the way we feel. We think it is a betrayal of the people it is designed to serve and it can be described in no other terms.

There are several repugnant features. The first is that the Minister cannot possibly give any adequate justification for his refusal to include general welfare assistance within the principle of this bill. The general welfare assistance programme is separately negotiated, but it gives the provincial government carte blanche as to its application. If the provincial government wishes to operate it on a needs test basis and incorporate it under this bill, then that is completely within its prerogative to do so.

Mr. Speaker, all we have revealed here today is the insistence on the part of this government that there shall be two classes of citizens in Ontario, that they will perpetuate the class distinction in social allowances, come what may, that they are absolutely incapable of removing this kind of brutal attitude from their own collective consciences towards the large number of people involved Now that is the first point.

The second point is that the mothers' allowance programme cannot possibly be presented to this House as a needs test programme. It is a means test programme. This preposterous business—that because there is a pre-added budget which takes in shelter and other factors it is somehow a conversion to a needs test—will not hold any water. Let me rhetorically within the context of the principle of this bill, ask the Minister a question. Under his present mothers' allowance programme, a mother with four children, all of whom are under the age of four years, receives $118.15 a month. That is a total of $1,417.80 a year. Can the Minister stand in this House and say that $1,417.80 a year is appropriate to the needs of a mother with four children under four? Is he seriously offering that contention to this House?

That is not a needs test programme, that is a crude and arbitrary fixing of people at a poverty level, nothing more, nothing less. There is no use having mothers' allowances masquerade in that fashion, except in this regard: that the willingness to suggest that mothers' allowance is a needs test programme reveals just what the government has at the root intent of this Act. The root intent is that there will continue to be arbitrary categories, that it will continue to fix people in totally untenable economic positions; and that the government has not acquired so much as one ounce of compassion in the application of social security at the provincial level.

The third point I want to raise within the principle of this Act, Mr. Speaker, is that the Hannah case—and if the member for Parkdale were here I am sure he would agree even more sensationally, of recent vintage—the Freeman case demonstrate that the severity of the disabled persons allowance operates perhaps with greater vigour than any other of the allowances. But whatever the Hannah and the Freeman cases demonstrate, I am sure could be corroborated under blind persons allowance and under general welfare assistance and any other of the categorical aid programmes. They could be demonstrated with just as much pain, as it were, in the recitation of individual instances. It is not simply confined to one allowance or another.

The final point I want to make, Mr. Speaker—and I think it is important it be made and it reverts back to something the member for Woodbine said—is that there is a contradiction in this Act, in the writing of this Act, which completely nullifies its intent. I think it is important that all members recognize that. The Act says that the allowance will mean an allowance provided on the basis of need. It then goes on to say that the benefit means a benefit provided on the basis of need. Then under the regulation it prescribes maximum amounts of benefits. Now Mr. Speaker, it is absolutely impossible, it defies all the rules of logic, to say on one hand that you will base an income on need and then on the next hand that you will prescribe the maximum needs allowable. It cannot be done.

What it does in fact do is to declare the Act as a sham; it is a fraudulent front for some suggestion of extended benefits. In fact we

will continue to fix arbitrary maximums, in fact people will continue to be placed at a subsistence level or less, but we are going to rephrase the title so as to endeavour to connote something entirely different.

Well it cannot be done, Mr. Speaker. The principle of this Act is not the extension of aid to needy persons but the refusal to provide social security to needy persons. That is the principle of this Act. The principle of this Act is a maintenance of social deprivation and nothing more, nothing less.

I feel the Minister and many of his colleagues have been too easily taken in by the glamour surrounding The Canada Assistance Act. It is glamourous in other provinces, but not in the province of Ontario. In those provinces which have a social aid programme and which for many years have been giving supplementary benefits by provincial grant alone without any federal complement or subsidy, for those provinces The Canada Assistance Act will mean a revolution in social security. For this province it means a very modest interim increase which does not even keep pace with the cost of living, and that should be thoroughly understood by government spokesmen.

Motion agreed to; second reading of the bill.

## THE CHILD WELFARE ACT, 1965

Hon. Mr. Cecile moves second reading of Bill 180, An Act to amend The Child Welfare Act, 1965.

**Mr. Racine:** Has the Minister any explanation to make before the comments of any members?

**Hon. Mr. Cecile:** Mr. Speaker, I do not think I can add anything to the statement I made on first reading. The three main features here are changing the ratio of 40 provincial to 60 provincial and 60 municipal to 40 municipal. There is a clause also under which the time of preparation of estimates of expenditures is advanced until the close of the previous year to permit the inclusion of deficits or surpluses.

Further, the amendment includes a section relating to care of children of Indian parentage, including preventive services. This section is not contingent on the Canada assistance plan. It will come into effect under the Indian welfare services agreement which we recently signed with the federal government.

These are the three features in it.

Motion agreed to; second reading of the bill.

**Clerk of the House;** The 7th order; committee of the whole House; Mr. L. M. Reilly in the chair.

## THE CORPORATIONS INFORMATION ACT

House in committee on Bill 67, An Act to amend The Corporations Information Act.

Sections 1 to 7, inclusive, agreed to.

Bill 67 reported.

## THE MENTAL HEALTH ACT, 1966

House in committee on Bill 78, The Mental Health Act, 1966.

Sections 1 to 9, inclusive, agreed to.

Bill 78 reported.

## ABANDONED ORCHARDS

House in committee on Bill 115, An Act respecting abandoned orchards.

Sections 1 to 11, inclusive, agreed to.

Bill 115 reported.

## THE ARTIFICIAL INSEMINATION OF CATTLE ACT, 1962-1963

House in committee on Bill 118, An Act to amend The Artificial Insemination of Cattle Act, 1962-1963.

**Mr. K. Bryden** (Woodbine): Mr. Chairman, may I ask which Minister is sponsoring this bill in the House just now?

**Hon. H. L. Rowntree** (Minister of Labour): I think this bill might be sponsored by all of us, but I will speak to it if necesarry.

**Mr. Bryden:** You are an authority on this, are you?

Sections 1 to 6, inclusive, agreed to.

Bill 118 reported.

## THE PLANT DISEASES ACT

House in committee on Bill 119, An Act to amend The Plant Diseases Act.

Section 1 agreed to.

On section 2:

**Mr. Bryden:** Mr. Chairman, the explanatory note on this section says that the amendments—I am quoting it:

The amendments amplify the authority of municipalities to pass bylaws to control diseases of plants and to enforce such bylaws.

I wonder if the factum factotum who is now sponsoring the bill will explain exactly how the authority to pass and enforce bylaws is being amplified?

**Hon. Mr. Rowntree:** My understanding of this bill is that there was apparently an ambiguity in the Act dealing with the position of the inspectors and in relation to certain bylaws of the municipalities. In order to make sure that the authority existed for the inspectors to act and to clarify the whole picture, this amendment was advanced.

**Mr. Bryden:** You pass with flying colours.

Sections 2 to 4, inclusive, agreed to.

Bill 119 reported.

## THE HIGHWAY TRAFFIC ACT

House in committee on Bill 121, An Act to amend The Highway Traffic Act.

Sections 1 to 9, inclusive, agreed to.

On section 10:

**Mr. Bryden:** I wonder if the Minister could explain to us what the change is from existing legislation? What is the purpose of section 10 of the bill?

**Hon. I. Haskett** (Minister of Transport): The purpose of section 10 is to give the Lieutenant-Governor in council authority to mandate any equipment or device in an automobile that would contribute to the safety thereof, and put us in a position to act promptly in the event of the showing of need for such further equipment, and also to enable us to carry out proper and needed tests as to the usefulness and the standards of quality of any of the equipment so mandated.

**Mr. Bryden:** Well, I think we can all agree it is quite a complex section. One of the matters affected is the weight of vehicles on the highway.

Subsection 3 of section 10 of the bill, repeals a provision that has until now been contained in the legislation.

**Hon. Mr. Haskett:** Just a moment. We are talking about what?

**Mr. Bryden:** We are talking about section 10 generally, and I am now calling specific attention to subsection 3.

**Mr. D. C. MacDonald** (York South): Were you speaking to section 10?

**Hon. Mr. Haskett:** Yes. But I think the member is dealing with section 11.

**Mr. Bryden:** Well, I now would like to refer the Minister's attention specifically to subsection 3 of section 10, which repeals a certain section of The Highway Traffic Act, as amended, and the explanatory note says the provision prohibiting combinations of vehicles having a gross weight of more than 84,000 pounds on the highway:

**Hon. Mr. Haskett:** Is the member reading from the bill, as originally introduced, or the amended bill, as reprinted? I think he is actually dealing with what is now section 11.

**Mr. Bryden:** I am sorry. I had gone to the next page and did not see—

**Mr. Chairman:** We have the reprinted bill in front of us.

**Mr. Bryden:** Well then, it is subsection 3, section 11, right?

**Mr. Chairman:** Does section 10 carry?

Section 10 agreed to.

On section 11:

**Mr. Bryden:** Mr. Chairman, the provision is still here, but because of a rearrangement made by one of the standing committees, of which I am not a member, it now appears in the new section.

Subsection 3, according to the exploratory note, removes a prohibition that has existed up until now on combinations of vehicles having a gross weight of more than 84,000 pounds. I would like to know from the Minister precisely what that means. Does that mean we are going to have even bigger freight trains on the highways than we have had up until now? Are we going to pound the pavement and destroy it at an even greater rate than at present, or is this being handled in some other way?

**Hon. Mr. Haskett:** The studies on gross weights being conducted jointly by The Department of Highways and The Department of Transport have proceeded to the place where it is known the proposed 84,000-pound limit will not be applicable when the new limits are recommended. It is possible now with allowable units, with the proper number and location of axles, to go well beyond 84,000. So the section as it stands today is at variance with other sections

or with regulations and its purpose will be eroded when the new limits are brought in under the joint sponsorship of The Department of Highways and The Department of Transport.

**Mr. Bryden:** Mr. Chairman, I am still a little concerned about the ever-increasing growth in size of vehicles which are permitted on the highways. I should say they have not only greatly increased the wear of our highways, but they are hazards to us poor little people who just drive in ordinary cars when these huge monstrous vehicles bear down on us at 70 and 80 miles an hour notwithstanding the speed limits.

I know that the truckers' association has great influence with this government but I think the influence is going a little too far. There is no reason at all that I can see why any larger vehicles should be permitted than are now being permitted on the highways. Indeed I think they are too large already. The taxpayers of Ontario, in the construction of highways and through the payment of their gasoline tax and other taxes, are subsidizing trucking companies to undercut the railways, so then we have to subsidize the railways, too. I think there has to be a limit to this.

Failing a more adequate explanation than the Minister has now given, I object to the repeal of this section in the Act. If it is inconsistent with other sections then I think the other sections should be looked at, but this overall limitation which heaven knows allows excessively large vehicles as it is should be retained.

**Hon. Mr. Haskett:** Mr. Chairman, I would simply correct the member's observations by saying that it does not increase the size. Vehicles are all limited to an overall length of 60 feet on highways in Ontario which is in line with vehicles' overall length in all the other provinces except I think Prince Edward Island, which allows them longer. It does correct the—

**Mr. Bryden:** How do they get them on the island?

**Hon. Mr. Haskett:** Well, that is what I wondered myself. This amendment is intended to correct the anomaly with regard to weight because there are several allowable arrangements of tractor units, semi-trailers or full trailers that can now go over the 84,000 pounds and furthermore this is with the full concurrence of our colleagues in The Department of Highways who inform us that vehicles of that weight, if the axles are of sufficient number and of proper spacing, are not damaging to the highways.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, I do not think the explanation is good enough. The Minister said that this was dependent on some further investigation and the report from another committee and this was to put this Act in line with their findings. I do not think it justifies the complete repeal of the prohibition of the kind of weight that a trucker is allowed to carry. This now allows him to carry some 42 tons on the highway. In my opinion, they are now using the lengths of their trucks to their fullest capacity. How in the world they are ever going to get more weight into the restricted lengths that are now provided is beyond me, without raising the height of the truck or damaging the highways.

I would like to ask the Minister to explain what is meant in subsection 2 of section 11. As it now reads the explanatory note says:

> The period in which three axle semi-trailers and full trailers with a gross weight of 40,000 pounds may be moved on a highway is extended from March 31, 1966, to June 30, 1966.

I checked the present Act and it seems to me that this date has been advanced, this will be the fourth time. The last time it was advanced to December, 1965. Could the Minister explain just what the extension of these dates means in regard to this type of equipment?

**Hon. Mr. Haskett:** There have been extensions of the time during which the use of the tri-axle trailer would be allowed as the studies were being made and had not been completed. It now appears quite certain that tri-axle units will not be ruled off the roads because they have been found by studies to be not damaging to the highways, as was anticipated, providing the load be properly distributed. For that reason instead of postponing the effective date of this section with regard to the use of tri-axles for another year, it has been postponed for—I think—a year and three months to bring the period coterminal with the expiring of licence plates. So that is why it is postponed now for a period of 15 rather than 12 months, so that there will be an orderly move into the new limits when they are brought down.

The studies indicate that the 84,000 pounds is not a maximum within a reasonable understanding of the use of the roads or reaching a place where such loads will do damage to

the highways, so that is why these changes are being made in the full belief that the reports of The Departments of Highways and Transport, when they are completed, will approve of figures in excess of 84,000.

**Mr. MacDonald:** Mr. Chairman, so often we are given from the government side of the House the excuse that they cannot move on a certain piece of legislation because the matter is under study. Today we have got precisely the reverse. The matter is under study and the government is moving, and I hope when they are finished the study will justify the things that they have done in this move.

Now, if I may ask a silly question: Who is pressuring the government into moving before they have completed their study? Why this unseemly haste? I sometimes wonder whether this government is completely without shame in its willingness to bow to the trucking lobby, because by your own admission you are hoping, presumably, that when the study is completed it will justify something that you are now putting into the law.

Well, I will not spend a great deal of time belabouring this issue. We have dealt with it in many contexts and many times down through the years, but I do want to clarify one point if I understood the Minister correctly earlier. Did the Minister indicate that the weight per axle, in the view of The Department of Highways, can be greater now than it has been in the past without damage to the roads?

**Hon. Mr. Haskett:** The weight per axle may not in all cases be allowable at a higher figure than it is now, but the total number of axles and the distribution of the load will allow a greater load being carried on a multiplicity of axles provided they be properly spaced and the load properly distributed. These are the things that are being rearranged and the studies have advanced to the place where we are satisfied, at least the highway department's part of the study tells us that they are satisfied, that the maximum weights formerly contemplated in those respects can be exceeded.

**Mr. Gisborn:** I am not at all convinced that the restriction should be lifted. There is no maximum decided and certainly we have not applied the safety factor to the addition of extra weight on the highways at this point. When weight is increased certainly the stopping power of the vehicle is reduced also, and I cannot find any reason for increased rates from what is now being allowed on the highways in this province and particularly in the built-up areas. Therefore, Mr. Chairman, I move that subsection 3 of section 11 be struck out.

**Mr. Chairman:** I think under the circumstances this would be tantamount to the same thing we just voted against.

**Mr. Bryden:** No, we just want this one subsection out, Mr. Chairman.

**Hon. Mr. Haskett:** If you are going to put the motion may I just add this further note, that the gross weight on the overall unit is not being increased beyond what has been allowed for the total permitted individual units.

But when the individual units were formerly counted up and the 8,400 pounds was a maximum, it does not apply now because there is a redivision or redistribution of loads in each unit, as such. It keeps within the load allowable for each unit. The over-all load on a complete train, if you will, goes beyond the figure.

**Mr. MacDonald:** Good use of the term "train."

**Hon. Mr. Haskett:** Proper.

**Mr. MacDonald:** Very proper.

**Mr. V. M. Singer** (Downsview): Mr. Chairman, I do not know if you are accepting the amendment—

**Mr. Chairman:** It is a subsection, so we will accept the amendment, I thought it was the whole section here, it is subsection 3.

**Mr. Singer:** Very briefly, having listened to this discussion on this section, it would seem to me that the group moving the amendment is objecting to bigness by reason of bigness. The Minister has said certain studies are going on which have satisfied him if the weight is properly distributed over a proper number of axles, the problem is not there. I would think that because of the resources available to the government in a matter of this sort that a mere suspicion is not sufficient to upset this sort of thing. The Minister has said studies have satisfied him and his advisers that this is not—

**Mr. MacDonald:** Not complete yet.

**Mr. Singer:** Well, if I heard his words correctly, this is what he said: that there is enough information at present available to them to justify this section being in the Act and on that basis we cannot support the amendment.

**Mr. MacDonald:** It is not the first time the hon. member responded to the truckers' lobby along with the government.

**Mr. Singer:** Mr. Chairman, the remarks of the hon. member for York South certainly impute motives, and impute base political motives; I would ask that he be ordered to withdraw them. Any time you do not agree with them they turn nasty.

**Mr. Chairman:** I think it is understood by the members of the House that we must not impute motives to other members of the House.

**Mr. MacDonald:** There was no imputing of motives at all.

**Mr. Bryden:** Mr. Chairman, perhaps I could say what I want to say without being accused of imputing motives. I would say that I find this government is very easily satisfied by representations or studies that will have the effect of putting bigger and bigger freight trains on our highways for the benefit of the trucking industry and regardless of the welfare of the public at large. I am inclined to say, they are very easily satisfied.

Now if the hon. member for Downsview is satisfied by the fact that the hon. Minister of Transport, for the thousandth time has been satisfied to make still another concession to the trucking industry; then that is fine, let him be so satisfied. But we are not. We think the steady growth in both the size and weight of the transports appearing on the highway is undesirable, that it creates hazards for other drivers as well as reducing the life of the highways.

I am certainly not prepared to accept a vague assurance from the hon. Minister of Transport. To be honest about it, I do not have enough confidence in his capacity as a Minister to accept a vague unsupported assurance that everything is lovely in the garden. He gives us such assurance on almost everything that we ever raise—matters of safety and everything else—so I can assure the hon. member for Downsview that we are not satisfied to accept the type of assurance we have had.

The only assurance is that the Minister says he has looked at the matter and he is happy. It takes practically nothing to make him happy. If it is a matter that is going to benefit certain vested interests in the province and if the member for Downsview is similarly happy, then that is his responsibility. But we do not accept the assurance. It is not adequate, nothing like sufficient information has been put before us to justify the proposition before us.

Therefore, we at least will vote in favour of the amendment. We want the existing section of The Highway Traffic Act retained, at least until such time as we have much more adequate information before us than has been presented to us this afternoon.

**Mr. Chairman:** The member for Renfrew South.

**Mr. Bryden:** Fancy seeing you here; where did you come from?

**Mr. Chairman:** Order, please!

**Mr. P. J. Yakabuski** (Renfrew South): Mr. Chairman, the hon. member for Woodbine, who never can see any further than his metropolitan nose—

**Mr. Bryden:** You would not know, you are never here.

**Mr. Yakabuski:** —does not know what goes on in the rest of this province. He is not aware that many railway spur lines have been discontinued and the need for larger and larger trucks and trailers is becoming more necessary all the time.

**Mr. Gisborn:** Now we are getting the real story.

**Mr. Yakabuski:** Also, not only the hon. member but his party seems to have a bone to pick with the Ontario trucking association. It seems that the Ontario trucking association has got in their craw some time or other. However, I might say that the men who wheel those large vehicles on Ontario highways are the most courteous drivers to be found anywhere in the world.

**Mr. Bryden:** The drivers would have to be good drivers to handle those vehicles.

**Mr. Yakabuski:** Not only do they—

**Mr. MacDonald:** That is the third irrelevancy.

**Mr. Yakabuski:** They do not present to my knowledge, and I drive some hundreds of miles each week across this province, they have never to my knowledge presented any hazard. We already have on our longer hills, and I know more are being put into use all the time by the Ontario Department of Highways, such things as passing lanes.

Mind you, in my book the Ontario trucker does not in any way slow down traffic on our highways—

**Mr. MacDonald:** That is the fourth.

**Mr. Yakabuski:** —because I have said he is courteous, he allows lines of traffic to pass him. We do have passing lanes, but I am concerned about the puddle jumpers that go along at 30 and 35 miles an hour. These are the boys or ladies that present a greater hazard than the Ontario trucker.

**Mr. MacDonald:** That is the fourth irrelevancy.

**Mr. Chairman:** Yes, I would ask the member if he would stay with the section please.

**Mr. Yakabuski:** Mr. Chairman, I want to go on record as being for this legislation that the hon. Minister of Transport is bringing in.

**Mr. MacDonald:** That is the fifth irrelevancy.

**Mr. Yakabuski:** I want to say again that I was very discouraged to see the members of that metropolitan party so concerned about this legislation.

**Mr. Chairman:** There is a motion before the committee by Mr. Gisborn that subsection 3 of section 11 be struck out.

All those in favour, please say "aye."

Those opposed, please say "nay."

I declare the motion lost.

Call in the members, please.

All those in favour of Mr. Gisborn's motion, will please stand.

All those opposed, please stand.

**Clerk of the House:** Mr. Chairman, the "ayes" are six, and the "nays" 57.

**Mr. Chairman:** I declare the motion lost and section 11 carried.

On section 12:

**Mr. A. W. Downer** (Dufferin-Simcoe): Mr. Chairman, I know I am out of order, but if I could have the unanimous consent of the House, I would like to offer felicitations to one of our hon. members who is celebrating his birthday today. Do you think I could have it? Then I am in order.

**Mr. Chairman:** Yes, no one has denied it.

**Mr. Downer:** I would like to break in sir, to offer congratulations and good wishes to the hon. member for York East (Mr. Beckett), who today is celebrating his birthday.

For 15 years the hon. member has been in this House and has been a very valued and respected member. I am sure it is the wish of every hon. member that he may have many more years of health and happiness and continue to serve in his genial and dedicated manner.

The member for York East has brought distinction to this House and brought distinction to his constituency.

You have many friends here, sir, and we count it a privilege and a pleasure to offer our good wishes today. You have those attributes of heart and mind which endear you to not only the members of this House but to a multitude of friends outside the House.

With all due respect to Dr. Goldenberg, we still look upon you as the father of the borough system of the metropolitan municipal government. You have made a great contribution to the political life of Ontario, in fact you are looked upon as an expert in municipal law in this province.

May you have a long and happy life and may you enjoy every minute of it.

**Mr. Chairman:** I think we can assume that the member did not abuse the privilege of the House.

Sections 12 to 19, inclusive, agreed to.

On section 20:

**Mr. Bryden:** Mr. Chairman, section 20 covers a number of matters. I think that one of the matters covered is rather an important one, and I think it is subsection 2 that deals with it. This is the question of the right of a gratuitous passenger to recover damages from the driver of the vehicle for injuries suffered in an accident. He has been debarred from any such action in the past and the section now provides that he may recover damages where there is gross negligence on the part of the driver.

At second reading, as I recall it, my friend from Riverdale raised the question as to why it was limited to gross negligence, and I was wondering whether at this stage the hon. Minister could give an explanation of that.

**Hon. Mr. Haskett:** Mr. Chairman, it is not my intention to argue the relative meaning of negligence and gross negligence—that was discussed rather fully when my colleague, the hon. Attorney General's Bill 170 on The Negligence Act was before the House—other than to say this to the House that in all the provinces of Canada, save only in the province of Quebec, the Act reads either "gross negligence" or the equivalent. I have the language here, I think.

In Manitoba, New Brunswick, Prince Edward Island, Alberta, Newfoundland and Nova Scotia action is open to the passenger where there is gross negligence or wilful and wanton misconduct on the part of the driver.

In British Columbia the language would be the same as ours, gross negligence. In Saskatchewan, wilful and wanton misconduct, and only in Quebec is ordinary negligence ground for action.

**Mr. Bryden:** I do not think that is any explanation at all, Mr. Chairman. One could say that a few years ago the law in all the provinces was to the effect that the gratuitous passenger could not recover at all from the driver, so I suppose if we had raised the matter then the Minister would have said that is the way it is in all the provinces.

Now, he tells us that the way it is in all the provinces that have acted on the matter—and I take it we are one of the last to act from what he said—in all the provinces it is now limited to gross negligence; but it does not seem to me to make any sense at all.

There are certainly cases of people who have suffered substantial injury and loss of income and financial loss in other ways because of automobile accidents in which the driver of their own car was partly responsible. I know of a case myself where the person was a passenger in the back seat of the car and managed to recover only 25 per cent. The driver of the car concerned was adjudged to be 75 per cent responsible, I would take it, although how these determinations are made is beyond me.

There is a better answer to this problem that we have talked about in this group from time to time. I will not talk about it now, but it seems to me that a gratuitous passenger should be able to recover from whomever is negligent; and if it is partly one driver and partly the other, then that passenger should be able to recover in part from each driver. What it boils down to of course essentially, is that the recovery will be made from the insurance company that underwrites the insurance for the drivers concerned, or if the driver has no insurance then there will be a claim against the automobile accident claims fund.

There has been a serious gap in our law up until now, in my opinion, and we are only partly plugging the gap. In fact I have no doubt that we are now creating a new basis for litigation. I am certainly no expert on the law relating to negligence or gross negligence, but I am willing to make a substantial bet that the distinction is by no means easy. It will often take substantial litigation in individual cases to determine whether or not there was gross negligence.

Now, why do we continue to tie victims of automobile accidents more and more into the courts? I am not criticizing the courts, but some of the leading jurists of this province have said that the courts simply are not equipped to handle this type of thing at all. So let us not make the situation any worse than it is.

The Minister refuses to make the insurance picture any better than it is, but let us not make it any worse. Let us at least provide that there will be protection and compensation for all victims of automobile accidents. If the driver of the car is merely negligent, and the person suffers injuries that cost, say several thousand dollars and suffers the loss of income of several more thousand dollars, should that person not have compensation? Should that person be entitled to compensation only if the driver was grossly negligent? In terms of equity, what conceivable distinction is there?

The Minister of Transport says this matter was well discussed with the Attorney General when the bill relating to negligence was before the House. Mr. Chairman, there was no discussion at all. The hon. member for Riverdale put forward an unanswerable case and the Attorney General made no effort to answer it. It would seem that the Minister of Transport has now taken his cue from the Attorney General. He just is not trying to answer the question at all. He just says that this is the way he is going to do it and that is it.

Mr. Chairman, I move that the proposed new subsection 2 to be added to section 20, be amended by striking out the word "gross" in the last line.

This amendment actually affects subsection 2 of section 2 and it relates to the proposed new subsection 2 of section 105 of the Act.

**Mr. Chairman:** The member for Halton.

**Mr. G. Kerr** (Halton): Mr. Chairman, is the hon. member for Woodbine also referring to subsection 2 of section 19 of this bill, or is he just referring to subsection 2 of 20?

**Mr. Bryden:** There may have been something that I missed in section 19, Mr. Chairman.

**Mr. Kerr:** Section 19 deals with gross negligence as far as I can see.

**Mr. Bryden:** I think the hon. member for Halton may have fallen into the same trap as

I did. There is a revised version of the bill and the numbers are all moved along one.

**Mr. Kerr:** Thank you.

Mr. Chairman, in speaking to support the bill as it is now drafted, I think that one thing we have lost sight of in dealing with the degrees of negligence is that courts in recent years have been able to distinguish between gross negligence, ordinary negligence and slight negligence. There is substantial case law dealing with it. I think if a person today picks up a passenger or has some other passenger who is considered a gratuitous passanger in his car, with driving conditions as we have them today, it may be imposing an even greater responsibility in making him liable for what may be considered ordinary negligence.

In dealing with contributory negligence, for example, it is important that we distinguish it. Certainly, in many serious charges under the criminal code the courts have to distinguish the degree and decide the degree of neglect.

Now, if a passenger, Mr. Chairman, is willing to ride with a certain driver, he must be willing to some degree to accept the driving ability of that driver. If the driver appears to lack sufficient ability or is unaware of the rules of the road or has no sense of safety, then I think the passenger naturally should refuse a ride or should quit the vehicle.

I do not think that it is an exaggeration to say that if a driver picks up two or three passengers who happen to be hitchhikers and he is involved in an accident that may involve two or three other cars, contributory negligence is involved in some way. If those passengers are injured there could be some sort of a conspiracy whereby the driver would be made liable for much more than should be the case.

I do not think we would want to inhibit the convenience of hitchhiking and I do not think this is necessarily an exaggeration or an improbable suggestion.

I do not think, Mr. Chairman, that gross negligence means a human error or misjudgment, particularly, as I say, under today's driving conditions where under certain circumstances the courts may expect more care, but the degree is not such as would classify the driving conduct and the mental attitude as gross neglect.

Then we have the question of insurance. I realize that this may not seem important to many members of the House, but I think that with this amendment those in the business will point out to people that there is a change in The Highway Traffic Act and will then recommend coverage accordingly to protect them against the possible claim of passengers.

However, if there is an even higher duty imposed on the driver this means, naturally, that the insurance rates will be even higher than they are now, and certainly they would be if the provision is just gross negligence.

I think, Mr. Chairman, that this provision is a substantial change. If we are moving back into this type of liability under The Highway Traffic Act it should be done in stages.

As the hon. Minister pointed out, certain provinces that he named have this type of provision, except one, and it seems to be working. There do not seem to be the criticisms and apprehensions that have been put forth by the hon. members who wish to amend this Act.

I understand that a gentleman by the name of Hepburn took this provision out of the Act some 20-odd years ago and now we are just putting it back.

**Mr. Chairman:** The member for Downsview.

**Mr. Singer:** Mr. Chairman, really I suppose one must chuckle when one hears the defences of the government when they take a niggling, halting step forward in a reform.

I have already commented in this House on the inclusion of the word "gross" insofar as negligence is concerned. We have also commented upon it in the amendments to The Negligence Act. The Negligence Act is before us the same way that this is, and perhaps we will get to it later today when we come to Bill 170, and the same arguments apply there.

The arguments of the hon. member for Halton, as a lawyer, really are surprising. He knows as well as any other lawyer in this House that the use of the word "gross" in these various cases has been a play on semantics. It complicates the law and it provides one more excuse for a subjective rather than an objective type of decision in these cases.

If we are going to move into any advance at all, Mr. Chairman, why is the government afraid of taking the full step? What great magic is there in this word "gross" negligence? Why should the government not really accept the responsibility for protecting those people who are injured as a result of the improper use of the roads? This is the issue, and

the government hesitates, hides its head in the sand, refuses to face the problem—really does not want to face up to it.

Chief Justice McRuer, Mr. Justice Haines, almost any member of the negligence bar, will tell you the decision as to who is at fault in an accident, the attempt to try and reconstruct months, years after the date, what happened in the accident is so illusory it is almost impossible to arrive at. And what does the government do? They put in another word that is tied up in some of the most complicated verbiage that you can read in the reports—

**Mr. Kerr:** It works both ways.

**Mr. Singer:** Certainly it works both ways. It adds to the confusion, doubles the confusion, that is what is done. The answer is obvious; let the government face up to a system of compensation without fault. Let them go as far as the lawyers and the insurance people recommended they go. Let them go as far as the select committee of this House said they should go.

**Hon. Mr. Rowntree:** That is the principle and we have already debated the principle.

**Mr. Singer:** I recognize that we have already debated the principle, but I am speaking to this amendment, Mr. Chairman. There is no excuse for putting in this word "gross" at all insofar as negligence is concerned. We are going to support the amendment in the vain hope that it is going to have some impression on those people over there who decide these things, I am sure it will not; but perhaps repetition, constant repetition, and I say this particularly for the benefit of the Minister of Labour, constant repetition might get some of these ideas through. We hear so often from the Minister's colleagues that this province leads the world in such a great number of fields. The best the member for Halton can do is say this afternoon, "If everybody else does it, why do we not?" It is a poor excuse for a frightened step forward.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, I will not prolong the matter. There is no reason for the word "gross" in the section at all. I would like to just comment on what the member for Halton had to say, because as I understand his argument it was that because the government took a step backwards 30 years ago that it has now progressed in order to reinstate what was done 30 years ago.

The conditions on the highways now are just not comparable to the conditions that existed in the 1930s in the province of Ontario. The member for Halton also stated that the real concern is collusive actions on behalf of passengers in automobiles. This has been the perennial argument that was made for a long period of time by the insurance companies to prevent actions by gratuitous passengers.

As for the member for Halton saying you assume a risk if you drive with someone in an automobile, I would suggest to the member for Halton that by and large the great bulk of passengers in automobiles are members of the same family. Surely it is most unrealistic to suggest that a five- or six-year-old child or a 15-year-old child or a wife is assuming some risk because she drives with her husband or vice versa. It is just such a ridiculous argument for the government to put forward, that the word "gross" has any real place. Why there should be a distinction in insurance law when a person is injured in an automobile accident as to where he happens to be sitting and who happens to be covered by insurance, is something which defies us here. I would suggest the government seriously consider voting for the amendment for a change.

**Hon. Mr. Rowntree:** There was a vote on a similar amendment a couple of sections back. Would the members be content if we took the same count?

**Some hon. members:** No.

**Mr. Chairman:** All those in favour of Mr. Bryden's amendment will please say "aye."

All those opposed will please say "nay."

Call in the members, please.

In the opinion of the chair, the amendment lost.

All those in favour of Mr. Bryden's motion will please stand. All those opposed, please stand.

**Clerk of the House:** Mr. Chairman, the "ayes" are 21, the "nays" 36.

**Mr. Chairman:** I declare the amendment lost and section 20 carried.

On section 21:

**Mr. Bryden:** Mr. Chairman, I noticed at the time this bill was introduced or perhaps when it got second reading that the chief of police of Toronto raised a point in relation to this section which appears to me to have considerable validity, not only as it affects the specific point in the section before us but as it affects the whole area that is covered by this section. The basic principle

as I understand it is that a charge cannot be laid against the owner of a car for certain violations of The Highway Traffic Act. It must be laid against the precise driver—if that was the owner, okay, if it was some other driver, then it must be laid against that driver. This all arose, of course, as a result of the point system. When a driver was in danger of losing points the government at the time, I think quite rightly, took the position that you could not have an owner of a car lose points because some other driver of his car had committed a violation. The only problem is that it puts the police in the position where they must flag down and stop every car that commits a violation in order to identify the driver. The effect of the section now before us is that this provision is being extended not only to offences against The Highway Traffic Act but also offences against municipal bylaws, more specifically against turning offences, I think.

**Hon. Mr. Haskett:** Moving offences?

**Mr. Bryden:** Moving offences? Well, it could involve illegal turns against municipal bylaws and whatever other offences are covered by municipal bylaws. Chief Mackey points out, which I think is sound, the serious difficulties that the police are going to encounter. They have already encountered difficulties as a result of the section as it stood in the past and now their difficulties are to be compounded. A car makes an illegal turn, shall we say, at the corner of Yonge and Queen street—I do not think it is legal to even make a turn at all there—but anyway let us say a car makes an illegal turn—an officer on foot is completely helpless in such a situation. Even if he is mounted on a motorcycle or in a car he is going to have to pursue that driver in extremely congested city traffic. And the driver learning that he is being pursued may very well increase the speed and one could have a wild chase along downtown Queen street or downtown Yonge street in Toronto, creating a great hazard not only to the vehicles involved but to the public at large.

This does not seem to me to be reasonable. I never felt satisfied when the police were put in that position with regard to offences under The Highway Traffic Act. I think the thing is now getting really quite unreasonable when they are in the same position with respect to offences against municipal bylaws. I do not believe that anybody should lose points unless he is specifically identified as the driver of the car, but I do not think we should exempt the owner from liability for violations of the law committed by someone driving his car, either himself or some other person driving the car with his permission and knowledge.

If he is going to lend his car to somebody else, then I think he should be required as he was in the past to accept liability for any breach of the law that the driver of that car might undertake. I do not think he should suffer loss of points unless he has personally been identified as the driver of the car, but I think he should certainly be liable for any penalties that can be imposed under municipal bylaws, and indeed I would say under The Highway Traffic Act. Otherwise the enforcement problems that we create for our police forces are quite unreasonable. Surely if a driver makes an illegal left turn it should be possible for a police officer stationed on foot at an intersection to jot down the licence number and the description of the car and the owner of that car should have to pay whatever fine the court may see fit to impose for that violation.

There are too many illegal left and right turns as it is now. There are too many illegal turns of a great many descriptions that create hazards for other people. In fact, sometimes when I see some of the things that go on on the city streets in a city like Toronto, I often feel that the police are not half tough enough—with some of these jack-rabbit left turns, for instance, where a fellow jumps out ahead of the traffic to beat everybody else and cannot wait ten seconds. He has got to get his left turn in first before the regular traffic moves.

And some people do not adequately signal their turns. I think the hon. member for Bracondale noted how some people signal their turn after they start to make it. I feel that the police are not tough enough as it is, but why make their job more difficult?

I do not think, Mr. Chairman, that we should go along with this section that is now before us. In fact, I think we should change The Highway Traffic Act as it now stands to protect the owner of the car only against having points charged against him. As I say, in that case there should clearly be an identification. Otherwise, as far as paying the penalty for the violation as it takes place with his car, then he should be prepared to do it. After all, let us bear in mind that in most cases the owner himself is the driver. He is the man who has violated the law but it is not feasible or safe

for the police to chase him to specifically identify him as the driver.

I am not going to move any amendment on this occasion. I merely want to raise a word of protest against the section because it does not give the owners of vehicles a protection that is necessary to them, but on the other hand it makes it more and more difficult for our police forces to carry out their already difficult duties of enforcing the traffic laws on what are relatively minor violations. If they are allowed to multiply as they are, they can become quite a serious problem.

**Mr. Singer:** Mr. Chairman, I cannot find myself in agreement at all with the views expressed by the hon. member for Woodbine. He makes a valid point when he says the traffic laws should be more strictly enforced, and they should be more strictly enforced for the benefit of all those people who are on the road. But he sort of discards completely out of hand that sentiment with the idea of what is now happening.

What is now happening, whether legally or illegally, is in my opinion quite illegal although it has never been tested in the courts. This is because the extent of the penalty is a few dollars, two or three dollars, and to date it has not been worth anyone's while to take a municipal bylaw prohibiting turns, which allows the owner of the vehicle to be summonsed, to the point where its validity in face of certain provisions of The Highway Traffic Act has been tested and adjudicated upon. It is cheaper to pay the $2 than to argue the validity of the municipal bylaw.

But what happens, and this is directed only to turning bylaws, is that a policeman can note the number of an automobile. He then searches the records and finds who is the owner and he sends out a summons and the summons arrives a week, ten days, two weeks after the event. I defy anyone who has been in this position to really remember—his wife drives, his son drives, his daughter drives—if he or any other member of the family happened to be at that spot at that time. The policeman may have transposed two numbers and the licence and the owner does not know whether he properly saw the whole event at all. In other words, there is no opportunity at all to defend yourself against this type of a charge.

The whole scheme when we brought in the point system—which I think was a step forward, and I think the Minister of Labour brought it in when he was Minister of Transport—was to penalize the person who had committed the offence. It may be difficult for the police in all cases to catch the offender, but surely this is their job. We do not want persons who have not committed an offence to be penalized, and I do not think by allowing what is a present illegality to continue that we are getting it.

The other point of more particular note is that Ontario is the only jurisdiction in Canada that even allows this sort of thing and I do not think there are any other jurisdictions in the United States, there may be one or two, but certainly there is no other province in Canada which allows the owner of a motor vehicle to be penalized for a turning offence. It is the person who commits the offence and if the owner happens to be the driver, yes. This makes very little sense at all.

There is one other aspect as well, Mr. Chairman, which I think should be borne in mind. There have been certain substantial discussions in this House about insurance rates. The people who determine insurance rates have a habit of frequently drawing from the files of The Department of Transport a record of convictions. When they find convictions against a particular person, be he the owner or driver, and it could be very easily for this type of offence, by their mysterious sliding scale which the government does not want to examine very carefully, they add to the premium. It could well be and it does in fact frequently happen that people who as owners of cars have been summoned for improper turns under municipal bylaws are having their insurance premiums increased and they have no way to combat this at all. To my mind even though the police are concerned about an easy way of enforcing the law, I think the law is fairer if it is enforced fairly and properly. I think if people commit offences they should be caught and charged and tried on proper evidence, and that any other system is a poor alternative to a proper system of law enforcement.

Section 21 agreed to.

On section 22:

**Mr. Gisborn:** Mr. Chairman, section 22 provides the dates of the coming into force of the amendment in this Act, and subsection 2 provides that subsections 2 and 3 of section 11, shall be deemed to have come into force on the April 1, 1966.

I just cannot envisage how this can take place and someone can maybe explain it to me. Subsection 3 of subsection 11 is the one we dealt with and voted against, of course,

but it provides for the prohibiting of a combination of vehicles having a gross weight of more than 84,000 pounds on a highway. And this amendment in Bill 121 repeals this provision. I understand that is now a provision—a statute—in the laws of Ontario, and a violation of that provision would be an offence of the Act.

Here we are on June 22, dealing with the repeal of that section and yet the coming into force section tells us that it is deemed to have come into force on April 1, 1966. Would the Minister explain just how this can happen?

**Hon. Mr. Haskett:** Mr. Chairman, the section dealt with in 11(3), namely, the deletion or the repealing of section 52(2) (b) reads thus:

> After March 31, 1966, no combination of vehicles having gross weight of more than 84,000 pounds shall be moved upon a highway;

It was expected when that section was originally put in and the date advanced year by year that we would have the resolution of the study by the highways and our department and that would have been the limit, and that was why it was being carried forward. Actually, despite what was said on section 11, on which we had division, the section does not make provision for any larger vehicles than are being used now nor for any heavier combination of loads than have been allowed, but that provision advanced year by year was to run out on March 31, 1966, and we would normally have provided for the extension of that date. Actually, repealing the section of the Act merely is approving what is law and what is being done now. It would normally have come up before March 31, but the bill was not in. This amendment does not increase the size or the gross weight that has been allowable up until March 31, 1966.

Sections 22 and 23 agreed to.

Bill 121 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

> the moneys required for the purposes of The Ambulance Services Act, 1966, including moneys necessary for grants referred to in clause d of subsection 1 of section 6 of The Ambulance Services Act, 1966, shall, until the 31st day of March, 1967, be paid out of the consolidated revenue fund,

as provided in Bill 137, An Act to promote ambulance services and improve their standards.

Resolution concurred in.

## AMULANCE SERVICES AND STANDARDS

House in committee on Bill 137, An Act to promote ambulance services and improve their standards.

Sections 1 to 9, inclusive, agreed to.

Bill 137 reported.

## RULE AGAINST PERPETUITIES

House in committee on Bill 131, An Act to modify the rule against perpetuities.

Sections 1 to 20, inclusive, agreed to.

Bill 131 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

> the amounts required for the purposes of section 6 of The Vocational Rehabilitation Services Act, 1966, shall, until the 31st day of March, 1967, be paid out of the consolidated revenue fund,

as provided in Bill 148, The Vocational Rehabilitation Services Act, 1966.

Resolution concurred in.

## THE VOCATIONAL REHABILITATION SERVICES ACT

House in committee on Bill 148, The Vocational Rehabilitation Services Act, 1966.

Sections 1 to 13, inclusive, agreed to.

Bill 148 reported.

## THE HOMES FOR THE AGED ACT

House in committee on Bill 149, An Act to amend The Homes for the Aged Act.

Sections 1 to 9, inclusive, agreed to.

Bill 149 reported.

## THE SECONDARY SCHOOLS AND BOARDS OF EDUCATON ACT

House in committee on Bill 150, An Act to amend The Secondary Schools and Boards of Education Act.

Sections 1 to 12, inclusive, agreed to.

Bill 150 reported.

## THE SCHOOLS ADMINISTRATION ACT

House in committee on Bill 151, An Act to amend The Schools Administration Act.

Sections 1 to 17, inclusive, agreed to.

Bill 151 reported.

## THE SEPARATE SCHOOLS ACT

House in committee on Bill 152, An Act to amend The Separate Schools Act.

Sections 1 to 12, inclusive, agreed to.

Bill 152 reported.

## THE DEPARTMENT OF EDUCATION ACT

House in committee on Bill 153, An Act to amend The Department of Education Act.

Sections 1 to 5, inclusive, agreed to.

Bill 153 reported.

## THE PUBLIC SCHOOLS ACT

House in committee on Bill 154, An Act to amend The Public Schools Act.

Sections 1 to 50, inclusive, agreed to.

Bill 154 reported.

## THE PUBLIC LIBRARIES ACT, 1966

House in committee on Bill 155, The Public Libraries Act, 1966.

Sections 1 to 36, inclusive, agreed to.

On section 37:

**Mr. MacDonald:** Mr. Chairman, with regard to part 3, the regional library services.

What puzzles me about this section of the Act is the fact that the government has this year begun to pay lip service to the proposition of developing regional governments and moving towards decentralization of its own administration in that great Design for Development, and yet here you have still another area of public administration in which the grants are going to be given to small library boards—so small that they are in violation of what the experts say is a viable operative unit in a library—instead of giving it to the regional library, which can then engage in a process of consolidation and placing the money where it might be most effective.

I am told the experts contend that you cannot have a viable library unit of less than from 10,000 to 15,000, and yet in many instances we are operating on these little libraries that simply cannot meet modern needs.

Now we have dealt with this point before in other context, but I did want to register once again my protest and just draw attention to the fact that the government has accepted a principle, but in many of the areas it just refuses to put it into effect.

Sections 37 to 56, inclusive, agreed to.

Bill 155 reported.

## THE PHARMACY ACT

House in committee on Bill 156, An Act to amend The Pharmacy Act.

**Mr. Bryden:** Mr. Chairman, I think the government owes a real debt of gratitude to the Minister of Labour. Without him, I do not think they would be able to get any of their legislation through. This is about the fourth Minister he has now filled in for. Some of the Ministers do not seem to be willing to grace this House with their presence, even to get their—

**Mr. Chairman:** I would remind the member that we are now discussing Bill 156.

**Mr. Bryden:** Well, Mr. Chairman, the Minister who is sponsoring the bill is not here—the Minister who introduced it—and he is about the third one. Apparently these Ministers cannot even deign to be present in the House to put their own legislation through.

We have not objected because the hon. Minister of Labour, I may say, has handled questions admirably. As a matter of fact on that answer he gave me a while ago, if I may say so, I could not quibble with him. I do not think he knew what he was talking about. But I did not either, so I could not doubt him. He carried it off extremely well, I have to give him credit for that.

**Hon. Mr. Rowntree:** Mr. Chairman, I would not want to spoil my record. I know there are some very penetrating questions that the hon. member for Woodbine would like to ask about this bill, and I would be glad to hold it.

**Mr. Bryden:** And the next one! May I just say this Mr. Chairman, in regard to The

Pharmacy Act and The Dentistry Act? As far as The Pharmacy Act is concerned I do not think the bill itself has anything of great consequence in it, but I am a little concerned about the procedures that are followed in bringing these professional Acts before this House. These, at any rate, did not go to standing committee, and yet they have very much in common with private legislation. I think at the very least, they should go to standing committee, so that if there are any parties adversely affected they would have an opportunity to make their cases known.

I intend to take this matter up with the hon. Minister of Health with regard to both these bills, and then there are some further specific matters I would like to take up with regard to The Dentistry Act.

**Hon. Mr. Rowntree:** Yes. Well then, would you have any objection to dealing with The Pesticides Act?

**Mr. Bryden:** No, that is all right.

## THE PESTICIDES ACT

House in committee on Bill 158, An Act to amend The Pesticides Act.

Sections 1 to 6, inclusive, agreed to.

Bill 158 reported.

## THE ONTARIO WATER RESOURCES COMMISSION ACT

House in committee on Bill 159, An Act to amend The Ontario Water Resources Commission Act.

Sections 1 to 9, inclusive, agreed to.

On section 10:

**Mr. R. Smith** (Nipissing): Mr. Chairman, section 10 of the Act gives wide and new powers to the OWRC and to the hon. Minister in that now they will be able to set out designated areas in a municipality for water and sewage services to make orders for the purposes of controlling, regulating, prohibiting, requiring or providing water services or sewage services in the areas.

Mr. Chairman, under this section the OWRC will now be able to go into a municipality and set out an area, put in the services and charge the municipality for those services without the consent or consultation of the municipality. In subsection 14 of the Act it allows the municipality to petition to the Lieutenant-Governor in council in regard to the rates and the charges that will be imposed upon the municipality. This seems to be the only protection that the municipality has against the abuse of the powers given to the Minister and the OWRC in this Act.

I should think that the municipalities or the persons concerned should have some other appeal to another board, other than to the Lieutenant-Governor in council alone, insofar as the Act goes so far with the powers it is granting to the Minister and the OWRC.

In our opinion, the provision of grants by the provincial government to provide these services in the municipalities over the past has been negligible and this is the reason why they have to come forward and ask for these powers now. Although our party supports the bill and realizes the need for the Act, we feel that the government should also be providing grants to go along with the powers.

**Mr. J. P. Spence** (Kent East): Mr. Chairman, I would like to say a few words on this.

**Hon. Mr. Rowntree:** I do not want to interrupt either the debate or the argument, but might we make this a convenient cut-off time?

Hon. Mr. Rowntree moves the committee of the whole rise and report certain resolutions and ask for leave to sit again.

**Mr. Bryden:** Before the motion is put, Mr. Chairman, may I ask the House leader if we will return to committee of the whole at 8 o'clock?

**Hon. Mr. Rowntree:** No, we will go on with the estimates of The Department of Public Welfare.

**Mr. Bryden:** This disposes of the committee of the whole for the day then?

**Hon. Mr. Rowntree:** Unless the welfare estimates are perhaps completed at nine o'clock or so.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain resolutions and certain bills without amendments and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, I understand that the Whips representing the various parties have come to an agreement with respect to the order of business today and that by consent we would now go into Budget debate until 6 o'clock.

**Clerk of the House:** The 6th order; resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into committee on ways and means.

## ON THE BUDGET

**Mr. P. J. Yakabuski** (Renfrew South): Mr. Speaker, as I rise to participate in the Budget debate, I would first like to congratulate you on the patience and tolerance you have shown during this long and trying session. I believe history will record this session as a fruitful one, one in which most progressive legislation has been passed—

**Mr. K. Bryden** (Woodbine): How would you know what has happened in this session? You have rarely been here. This is you first and last appearance.

**Mr. Yakabuski:** —and one in which the groundwork has been laid for continuing good government in this province. When we look at this session in that light, then your patience and the efforts of all the members of this House have not been in vain.

When the hon. Provincial Treasurer brought down his Budget last February, it signified a need for more revenues to meet the needs and demands of our people in the fastest growing province in this land. When he introduced his Budget it was rumoured that it would be his last. I am hopeful that this is not the case, because if it was I am sure he will be greatly missed by all the representatives of this Legislature. He has made a great contribution to this province and country and his efforts in this regard will not soon be forgotten. Edmund Burke, I quote, said "to tax and to please no more than to love and be wise is not given to man." The hon. Provincial Treasurer has a gift of presenting necessary tax increases in a way in which the sting has been neutralized.

It has also been rumoured that the hon. member for Grey South, who has given 40 years to this Legislature, might retire from active politics. The hon. member I am referring to has a tremendous knowledge of provincial affairs and unlimited qualifications. It might be well for some of the other members of that party, who consider themselves bright and rising young stars, to take a few pages from the Grey South member's book. It is our hope that he will continue to serve this province in a legislative capacity, but if he elects to retire I am sure he will allow others to draw from his knowledge and experience.

I would also like to commend the hon. leader of the Opposition for the cool and collected way he has presented the case of his party. However, Mr. Speaker, I feel he might conduct a more effective Opposition if he were to exercise his authority and place some restraints on some of his overzealous front- and back-benchers. Although brevity does not seem to be one of his many virtues, I am not referring particularly to the hon. member for Sudbury, because this House would never be the same if he embarks on a federal political career.

Today in my Budget speech I want to dwell on a matter which I feel is of national importance, the tornado-like and leaping cost of living. I do not say rising cost because that is too moderate a term to describe the situation. Leaping is the shoe that fits. I say tornado because it is destroying the economy of this nation and it is destroying the very souls of our people. Never since the great depression of the '30s has the housewife found it more difficult to spread the kitchen and dining room table. Never since that time has the breadwinner of the family been more despondent about providing for his or her brood. We are supposedly living in an affluent society; we are living in the midst of plenty, yet at our present rate of spiralling inflation, many of the necessities of life will again become untouchables for the greatest percentage of our citizens. This should not be so. This does not have to be so. The greatest single contributor to this chaotic situation is the weak, inefficient central government. I will go into that more deeply a little later in my address.

But there are other reasons, there are other factors involved. One of the great offenders is the food industry itself, in many of its phases, the processing, distribution and the retail levels. Certainly it is not on the production level. We all know that the farmer gets little enough for his product, little enough for a trade that requires the longest and hardest hours of anyone's working day. There are those who maintain that we should not subsidize the farmer. I am not one of those because I am most sincere when I say there is no segment of our citizenry that shoulders its responsibilities to the nation in a more

admirable manner. The food magnates may be crying in their beers tonight saying, why single out the food industry? There is a good reason for doing so. One, the greater part of our family budget goes toward the purchase of food; two, food is a commodity that we must have, it is the only commodity that we are compelled to buy. Fine clothes, new cars, home entertainment and, of course, the luxuries, we can make do for a while or do without, but not food. We must have it three or more times a day. Yet the cost of food is of great concern to all of us.

I have here a package of onion that I purchased in the supermarket today. The price of these onions is 49 cents and it is no wonder that with the cost of food, Mr. Speaker, that the housewife does not have to peel, chop and grate these onions to get tears in her eyes.

The food industry has been bilking the housewife and for that matter, all of us, first in the processing and packaging and second, with excessive advertising and promotional gimmicks. I want to re-state that the unnecessarily high cost of food does not begin with the farm producer. It starts in the processing and packaging areas. There is no question that the package is not attractive. It is too attractive. Sometimes the packages cost as much as their contents and you will find that in many cases the contents could go into a package half the size. This is most true of the dry foods. Packages are designed to overwhelm and deceive the buyer.

The United States Senate recently passed legislation with regard to the packaging of food. They called it the "truth-in-packaging" bill. It is designed to eliminate some of the gimmicks I mentioned that are used by processors and packagers of food to deceive the housewife.

The Toronto *Daily Star* published an editorial regarding the United States legislation on Thursday, June 16 last, entitled: "Putting truth back on supermarket shelves."

I am told that we have laws here that could apply. If we have, then they should be vigorously enforced. If they are inadequate, then we should update and enforce them without delay. Our consumers must be protected.

We have today engaged in the distribution and the retailing of food, a handful of giants, each in every corner of every city and community trying to outdo the other. They are locked in a gigantic struggle to see who can capture the largest share of the consumer food dollar. Their battle weapons are virtually the same, advertising, promotions and gimmicks by way of television, radio, newspapers and other media. These tools are being further developed and protected by the Madison avenue type firms.

I have here full page colour advertisements suggesting attractive prices and delicious food. This is but one example of the excessive advertising that is taking place continually. This battle has been raging for some time now, and so far the only casualties have been the consumer and the small shopkeeper. The consumer who is finding it increasingly difficult to make ends meet, and the small shopkeeper who was, in many instances, the backbone of his street or community, has been forced out of business. The giants will say that they are giving you cheaper food; this is not the case, because any saving amassed by volume-buying and volume distribution is more than wiped out by excessive advertising and overdone promotions.

Yes, fellow consumers, you and I are paying the piper. While I am on the subject of excessive advertising and promotion, it might be well to remember the oil companies. Gasoline is also a "must" commodity in present-day living. We are all familiar with the promotions these oil companies have going. I need not remind you. They do not hesitate to place a sticker on every pump telling you that the price of a gallon of gas includes 16 cents provincial tax. They do not tell you how many pennies from the sale of that gallon of gasoline goes into excessive advertising and promotion. No, they do not.

Yet the government of this province gives the travelling public value and service for that gasoline tax dollar—new and improved highways, roadside parks and stopping places, rest and service centres, scenic lookouts, the best maintained highways of any country with similar climatic conditions, plus the finest provincial road map available anywhere.

By comparison, Mr. Consumer, I would say pretty good value!

I am not so naive as to suggest that advertising is not necessary. No one is more aware of the necessity of advertising than those of us engaged in political life. Advertising has stimulated trade for more than 2,000 years. The advertising field is one of our larger service industries, employing many thousands of people, and it is very important and necessary to our economy. However, there have been times in the history of this industry when excessive promotion has made

it necessary to pass legislation enforcing tighter controls. I refer to the printers' ink model statute of 1911 in the United States which resulted in the establishment of a national vigilance committee the following year, organized to forward the movement of truth in advertising.

I have a *Saturday Evening Post,* a very popular periodical of that day, dated March 25, 1916, the advertising in which indicates that after the formation of the vigilance committee, advertising took on a milder and simpler form. It would seem that we have come to a period in which legislation applying to this industry must be reviewed and updated in the interests of our consumers.

We have reached a point in this nation where inflation is marching us down the path to economic ruin. We are undergoing the worst wave of labour dissatisfaction that we have faced in many a year. We have strikes threatening; we have strikes under way; we have strikes that have recently been settled. Yet we have settled nothing as far as our problems are concerned. We have priced ourselves beyond our own monthly budgets.

Soon our world markets will be disappearing one by one, and the reason will be that the price of our products and the cost of moving these products to world markets will make us non-competitive. I shudder to think what will follow this stage. This Canada of ours which we have all envisaged as becoming a great and influential nation will be set back for generations.

Only last Monday, we completed a mammoth wheat deal with Russia. This almost fell through because of the longshoremen's strike and the threatening seaway strike, but the settling of the seaway strike has led to an impasse in the railway bargaining talks. The greatest reason for the wave of labour unrest is our leaping cost of living. With rapidly rising costs, the breadwinner needs and is demanding more pay. Yet the strangest thing is that those who should be most concerned seem to be showing the least concern. I can assure you that the housewife and the breadwinner are greatly concerned.

I mentioned earlier that the federal government, which should be playing a leading role, has reneged in its obligations to the Canadian people. It is they who should be leading the way. Settling strikes is not the answer to our inflationary problem. Claude Jodoin, speaking in Montreal just last Saturday stated:

> There seems to be all too little awareness that what caused one work stoppage is likely to cause another.

He also said:

> Government's and management's response to union attempts at promoting labour peace are extremely disappointing. Therefore, we must attack this problem at its source, the rapidly rising cost of living. It is the duty of our federal government to initiate policies and, if need be, legislation to halt our march to economic ruin. This is a time not only for leadership, but also for statesmanship. It is a time when there should be emerging on our national scene, strong and courageous men; men who possess both toughness and fairness; men who put the national interest before the party interest; men who do not owe their existence to either management or labour, and who can be firm and fair with either.
>
> Unless these men emerge while yet there is time to arrest the chaotic situation that exists, the damage to our economy may be irreparable.

Our friends to the south have been more fortunate. In a crucial period of less than six years they have had men who possessed the qualities I mentioned. John F. Kennedy, followed by Lyndon Johnson, and backed up by such stalwarts as Robert McNamara and Dean Rusk, plus a superb senior civil service. These men have taken action to halt inflationary trends there. They have not only scolded labour and management alike, but they have told them what is expected of them. They have established guidelines and have been relatively successful in holding to their objective. They have used the power and persuasion of their high office in the national interest.

Surely, with proper leadership and the recruiting of a new team, the same can be accomplished here. It is the responsibility of our central government to initiate action in this regard.

Management, too, has responsibilities, and it must be made aware of them. Labour itself now realizes that strikes are becoming an outmoded means to an end. If government and management have responsibilities to this nation and the people, then so has labour. As government grows in power and vastness its responsibilities increase accordingly. The more powerful management becomes, the more it is obligated to the community, the province and the country it operates in. As labour grows in power and stature, this, too,

takes on increased responsibilities and should be obligated to carry them out.

It would seem that all the areas of our structure that I have mentioned have lost sight of the fact that great nations are not built around luxury and the easy life. They are built on industry and sacrifice. History has recorded the rise and fall of many great nations and empires. The reasons for their fall have always been the same. When their thinking became oriented to ease and luxury the end was not far off. If we are not ready to make sacrifices in the community and national interest, then the same fate is in store for us, even before we become great.

Government, management and labour must be called together to a conference. There they must make known to each other their objectives. Guidelines must be established, and they must be adhered to. This is going to require leadership, statesmanship, and understanding on the part of all three. We, as citizens, can make our contribution by being willing to make the sacrifices we will be called upon to make.

Two years ago when the water levels on the Great Lakes and the St. Lawrence system reached new lows, a water resources conference was called to assess the situation and devise remedies. The governments of Ontario, Quebec, Ottawa and those of the northern United States states bordering the Great Lakes took part. The conference was convened on June 29, 1964, and at the present time studies are being made which I am sure will lead to a more permanent solution to that problem.

Although the problem was of national scope since it affected transport and shipping on the Great Lakes system, it was not the federal people who called the conference. It was our own Prime Minister, the Hon. John P. Robarts. Our Prime Minister has the qualities of leadership that I have outlined. While most provinces have been making unreasonable demands on the federal purse, he has demonstrated his qualities of statesmanship. He has been the steadying effect on maintaining our national equilibrium. I am sure that this province and this nation would be grateful if he again took action to have a conference set up of the bodies that I have mentioned to be called for the purpose of setting up machinery to find solutions to our problems of inflation.

To sum up my remarks I would like to state as follows: We are faced with an inflationary crisis, the main cause of which is the galloping cost of living. This is causing great unrest in the ranks of labour and great anxiety to the householder and housewife. We can lick our problem if proper action is taken now. This action could and should take the following forms:

1. Enforcement of existing legislation to regulate advertising, promotions and other gimmicks; especially in the food industry. New legislation in this field, if necessary, and enforcement of same;

2. The adoption by management and labour of a new set of reasonable objectives and values geared to the national interest, and the shouldering of the responsibilities that are there;

3. Strong leadership in all levels of government, especially at the federal level. If the era of minority government is to continue, then perhaps those governments will have to be armed with additional or emergency powers. However, if the leadership qualities exist, then these additional powers should not be a requirement;

4. Perhaps the most important of all, an understanding citizenry willing to make the sacrifices that will be required of them.

If these things are implemented and carried out, then surely we can march on the road to greatness and not economic ruination.

Mr. J. B. Trotter (Parkdale) moves the adjournment of the debate.

Motion agreed to.

It being 6 o'clock, p.m., the House took recess.

No. 151




# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

## Wednesday, June 22, 1966

**Evening Session**

**Speaker: Honourable Donald H. Morrow**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JUNE 22, 1966

The House resumed at 8 o'clock, p.m.

The House moved into committee of supply.

## ESTIMATES, DEPARTMENT OF PUBLIC WELFARE

(*continued*)

On vote 1704:

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman** (Windsor-Walkerville): May I ask the Minister if he has completed his studies that were supposed to have been undertaken in the city of Windsor one year ago? Concerning welfare cases?

**Hon. L. P. Cecile** (Minister of Public Welfare): I am advised the report has been received and submitted to the city of Windsor.

**Mr. Newman:** May I ask the Minister, may I receive a copy? Thank you.

**Mr. Chairman:** The member for Ottawa East.

**Mr. H. S. Racine** (Ottawa East): There was a long discussion last year on the question of salaries for the field workers. I wonder if the Minister could tell us if the range of salaries has been changed in the past year for those workers?

**Hon. Mr. Cecile:** I understand these salaries were discussed and set by the civil service commission, and that was done just recently. That is the information I have received through The Treasury Department.

**Mr. Racine:** I think that possibly we should know whether changes have taken place. For instance, last year the range paid administrators was from $6,300 to $8,600. The welfare supervisors, $5,500 to $6,000, and the welfare allowances officers $4,600 to $5,500. I would like to know if any change has taken place in those categories in the past 12 months.

**Hon. Mr. Cecile:** I understand they were included in Judge Anderson's award that was brought about last week but I have no details on that here.

**Mr. Chairman:** Vote 1704. The member for Scarborough West.

**Mr. S. Lewis** (Scarborough West): What does the Minister intend to do about the very, very, severe staff shortages which prevail in the field services branch?

**Hon. Mr. Cecile:** What does the hon. member mean by shortage in the general field work?

**Mr. S. Lewis:** In the field services branch, in this branch, the very, very, severe staff shortage you have.

**Hon. Mr. Cecile:** I am advised that the shortage we have here is just usual, it is not very severe, or severe even for that matter.

**Mr. S. Lewis:** They are not very severe, and they are usual. Can I read to the Minister from his departmental report under field services branch, and I quote:

> Delays in obtaining additional staff to complete applications and collateral documents for the large number of applicants under the widows and unmarried women's programme created a critical backlog of work for the field staff during the year. Overdue work reached a peak in September and October when there were over 900 requests for applications dating back to June, which had not been investigated, and much of the routine reporting on active cases had to be delayed while the staff concentrated their efforts on taking new applications.
>
> At the end of the fiscal year there were still 600 new applicants to be visited and over 2,300 other overdue reports to be made.

Now, there is some suggestion that the outstanding work can be brought up to date in six months. However, I would point out to the Minister that, if The Canada Assistance Act comes into play during the same period of time, as is presently anticipated, this staff shortage and case backlog will be perpetuated. In fact, it will become even more

severe than is presently the case. That was the reason for my question, it was inspired by the most critical note that is sounded in his entire report.

**Hon. Mr. Cecile:** I understand this was right after the introduction of the programme. It did reach a peak, but right now I am advised that the matters have leveled off.

**Mr. S. Lewis:** Let me put it again, how can one describe that matters have leveled off when your caseload has reached unmanageable proportions? Your caseload is now 426 cases per month per worker—that is 30 cases more per month per worker than last year. In the Metropolitan Toronto area the load per worker is 503 per month! Now, who are we kidding, what attempt at self-delusion are we indulging in? If, in fact, the workers are handling between 426 and 503 cases per month, then it is almost an automatic computer calculation. It could not possibly take into account any of the subtle human factors.

The Minister is moving into The Canada Assistance Act in the application of a needs test. Can he possibly explain to me how that Act can be provided for at a caseload of 500 per month?

**Hon. Mr. Cecile:** Well, I have to rely upon the information that is given me by the senior members of the staff. They tell me that the matter is well in hand, so I have to believe them when they tell me this because I think they know. I would like to explain that a welfare field worker now may be responsible either for a generalized caseload or one restricted to families.

A generalized caseload is comprised of persons receiving old age pensions, blind and disabled persons' allowances, widows and unmarried women's allowances, and mothers' and dependent fathers' allowances within a defined geographical area. The number of cases carried by a welfare field worker responsible for this kind of caseload averages about 400 at any given time during the year.

I might emphasize also that the persons comprising a caseload served by each field worker change constantly from day to day. Some recipients become ineligible, or die, or new cases are added. In effect, also, while each field worker is responsible for approximately 400 cases, only 10 to 15 per cent of the total require active counselling or other services. The balance are able to manage quite well on their own, provided they get financial help.

For the specialized caseloads, each field worker is responsible for 150 to 175 families who are receiving either mothers' or dependent fathers' allowances. These are mainly in urban areas, where there are a sufficient number of family cases to make the specialized approach possible. Here, too, a goodly proportion are able to look after their own affairs.

The minimum number of visits by field staff to recipients of the various allowances is prescribed in legislation for each programme. For example, those requiring disabled persons' allowances must be visited at least once every year, while family cases must be visited every six months. Naturally, many additional calls are made as the circumstances indicate they are necessary.

I am sure my friend appreciates that if the people in the department, the senior staff, advise me they are not worried about it, I must take their word for that.

**Mr. S. Lewis:** Far be it for me to suggest you should not take their word. What I am getting at is the level of programme which such numbers service. If the Minister says in his reply that at any given time 10 to 15 per cent of the cases require special counselling—and I am using his phrase—then that is somewhere between 40 and 65 cases at any given time that require special counselling.

I do not know what supernatural powers your staff is endowed with, but there is not another department of government handling cases of this kind that can possibly do more than 40 to 60 special counselling cases adequately per month. There is not another Minister of government that would make such a contention. But, in addition to the 40 to 65 you handle on a special counselling basis, you handle another 300 to 350 on a regularized basis of general calls, on disabled persons, or blind persons' allowance, or unmarried mothers' allowance. What I am saying to the Minister is that the level of service is reduced to nil. Your department is running a complicated calculating machine, but not services to people. That is what happens when you reduce it to this level.

Let me take it one step further. Does the Minister believe there is a qualitative difference between a means test and a needs test? Does he believe there is a difference in kind between the two?

**Hon. Mr. Cecile:** I believe there is certainly a difference in the approach to this matter. I might say there are various ideas as to what the difference is between a means test and a needs test for applicants for wel-

fare allowances. I am sure that everybody will agree with me that the terms are somewhat misleading. On any sort of welfare programme there are bound to be some testing of both the needs and the means of meeting these needs.

Every person obviously has certain basic needs and may or may not be able to meet these out of his own efforts or resources. Social assistance is felt necessary when the person does not have the resources or the means to meet those needs.

The real question is how the social assistance is calculated and paid. Under the old system, the method of calculation is the following: if a person's assets and income fall below a certain fixed level, the person becomes eligible for a flat grant, that is, the grant of a fixed amount of money that does not vary from case to case.

For example, take the old age assistance programme. A man or woman over 65 who has not more than $1,000 of liquid assets and not more than $360 in income, then he is eligible for a flat grant of $75 monthly. The flat grant is not related to the needs of the particular person; it is the same for all persons. It is supposed to be based on the needs of an average person.

The difficulty is that there are no average persons. Each case is different in various ways. It is far more beneficial if the amount can be varied within limits to take into account the special needs of individual cases.

I would say, Mr. Chairman, the means test is one that begins with the setting of minimum levels of assets and income and pays a fixed and variable amount of welfare to raise the income to the minimum level and no further.

The needs test, on the other hand, begins with a budget or calculation of an individual person's actual needs. Then it is determined how much income he has to meet those needs. If the income falls short of the total amount of the budget, a welfare payment is made to make up the balance. The welfare payment may vary widely according to the variation of the person's actual needs and actual income.

The needs test is superior in two ways. It fixes attention, first of all, on the individual's needs rather than his means, and secondly it gets away from the flat grant or average payment and allows more flexibility.

Under the proposed Canada assistance plan, the joint programme may be changed over to the needs test. The concept of the person in need is supposed to be the ruling concept of the plan. The proposed definition of a person in need would cover any person and his dependants who, because of unemployment or underemployment, sickness or disability, age, or family responsibility, is unable to provide for himself sufficient income to meet his individual and family requirements.

The test to meet the individual and family requirements will be determined by the needs or budget deficit test applied under the provincial or municipal assistance programme.

The person in need would be eligible for two types of assistance. First of all, there is assistance to meet basic needs, food, shelter, clothing, fuel and utilities in the household and personal items of necessity.

Second, there could be the assistance for items of special needs. These might vary widely. It is left to the province to propose a system of budgeting for both basic and special needs.

In other words, the province would suggest standards which the federal government would approve. These standards would be embodied in agreement between the province and Ottawa.

The question of standards is always a difficult one and open to controversy, for here we are trying to answer the question of how much is enough, or how much is too much. I am sure opinions have differed in the past, and will do in the future, as to how far welfare aid should go. They will, without a doubt, continue to be a matter of discussion.

In fact, whether it be a means test method or needs test method, or the so-called guaranteed annual income method, there is no magic solution in any of them. It is not the method of calculation that counts in the long run; it is the amount of the allowance.

Mr. Chairman, this is the general view that we have in this respect, as far as considering this problem now. I say again, I think we have what we want mostly in these things, the flexibility that is needed to arrive at that judgment and to meet the standards.

I am quite sure there are many fields of thought in this, and this is a matter which will have to be looked at very carefully. I am sure that we have in our service gentlemen like Professor Hendry and John Morgan, of the University of Toronto, who have certainly been of great help to us along these lines, and will be in the future, because they are working on this matter with us.

**Mr. S. Lewis:** Maybe when Professor Hendry comes back from his sabbatical, he will be of good use to you, but at the moment it would be very difficult.

Mr. Chairman, let me ask the Minister, since he has now for the first time spelled out the particulars in his mind, the distinction, before this House. Let me ask him whether he thinks a needs test will have a maximum set?

**Hon. Mr. Cecile:** Mr. Chairman, it is pretty difficult to really give you a definite answer at this time. It is my understanding that right now this question is being discussed, and I have no doubt, as in everything else, there will have to be some ceiling some place. What it will be and how it will be treated is another matter. But we come to the question again of how much is too much, and how much is not enough? This is one thing we have to take into consideration, I am sure.

**Mr. S. Lewis:** Do I take it, then, that the legislation we discussed this afternoon is irrelevant? That the regulation which says that the Lieutenant-Governor in council will set up maximum allowable grants is not, in fact, a valid part of that Act?

**Hon. Mr. Cecile:** I would not say that.

**Mr. S. Lewis:** So there will be maxima?

**Hon. Mr. Cecile:** I suppose I have to say yes to that.

**Mr. S. Lewis:** The presumption is yes. Then would the hon. Minister kindly explain to me how you can set maxima and find that consistent with an assessment of needs? Does not the essential fact of an assessment need lie in the truth that there can be no maximum, that the needs of any individual person will be assessed by a qualified worker, and that the difference, what you call the budget deficit, will be paid regardless of what that difference is? Is not that a needs test?

Could the Minister explain to me how you can make the two consistent?

**Hon. Mr. Cecile:** Mr. Chairman, I do not know why my friend insists. I do not want to argue with him; I am not an argumentative person, but I think it is impossible for me to make a definite commitment in this matter. The matter is still very new and is under discussion.

As I stated this afternoon, how are we going to judge a person? We have to have a basic formula some place. As I stated, some person under the same circumstances, living in the same city, in the same kind of house, can live on $1,000, let us say. The other man would need $1,500, and the other fellow might need $200. It all depends.

But we have to arrive at some rule, at some norm, and then go from there. That would be my suggestion.

**Mr. S. Lewis:** So you have a norm for establishing the need, but you do not need a norm for setting maxima before the event?

If you have a norm for establishing the needs, Mr. Chairman, then whatever those needs are you should be prepared to pay. If you say there is going to be a maximum, then you are not, in fact, advocating a needs test.

But let us take it back on the Minister's argument. If you have the same kinds of people who may require different incomes under different circumstances, I take it that the Minister is suggesting a fairly careful assessment. Am I right in that?

**Hon. Mr. Cecile:** That is right.

**Mr. S. Lewis:** I am right in suggesting that? Well, Mr. Chairman, if the Minister is going to have a fairly careful assessment of need, then he has a qualitative change from what now prevails to that concept. Because there is no assessment of need now, as he himself said at the opening of his statement. It's just a means test. If you meet certain requirements you get it, if you do not you do not. If you are going to have a sophisticated evaluation of needs, you either have to increase your staff tremendously or retrain your staff to do it. Which is the Minister going to do?

**Hon. Mr. Cecile:** I am advised—and this again I have to take from the people who know and have been dealing with these matters for many years—that when we enter into the Canada assistance plan, when this becomes an Act and when we join it, it would, we appreciate, take about 100 new people.

**Mr. S. Lewis:** I missed the last remark.

**Hon. Mr. Cecile:** We would need about 100 new people.

**Mr. S. Lewis:** Ah, we are finally getting to the guts of it. Does the Minister feel we need 100 new people in the field services branch to remain at the desired level of the new Canada Assistance Act?

**Hon. Mr. Cecile:** Generally speaking.

**Mr. S. Lewis:** Generally speaking, but within The Department of Public Welfare. At what level of staff training will those people be required?

**Hon. Mr. Cecile:** I would imagine, Mr. Chairman, that we would need them in all categories, either the MSWs, the BSWs, the certified workers and others. What proportion exactly I do not think it would be fair for me to assess. Much in the line of certified and qualified help that in those terms I suppose would be the acceptable figure on the majority side, would be on the ordinary worker side, as far as we know at the present time. I think we are assessing this in the realm of something which is more or less known. It is a kind of estimate being made at the moment. We cannot really lay down a figure exactly.

**Mr. S. Lewis:** I am delighted we are making estimates, since the Act may be in operation in two or three months' time. I am glad we are that far ahead. Assuming an estimate of 100 people, what has the Minister done thus far to acquire those people and what internal training has there now been established, or does the Minister anticipate to set them to work? In other words, what plans precisely has the Minister under way?

**Hon. Mr. Cecile:** As I stated in my remarks earlier, we have increased our staff quite a bit this year. We are over 737 now in the whole department and we have advertised for a director of training who would take over the in-service, which has been carried out right now. I think that was one of the member's suggestions last year, if I recall. That is controlled by the people in the department but not on the same basis. That will be part of the job entirely.

As I have stated—and I think this is the first time it has happened—right now we have filled every pew in the schools of our diverse positions with respect to Ottawa, Toronto and Ryerson and with the opening in the fall of the Lutheran school we hope that they will be coming out there.

I trust you will remember the statement that was made by John Morgan; I made it in my opening remarks that we are encouraging the trend that is being followed in having more of these people coming in.

**Mr. S. Lewis:** John Morgan is more easily appeased than I thought him to be, Mr. Chairman.

**Hon. Mr. Cecile:** Maybe not so, Mr. Chairman. Maybe he realizes there is some progress there.

**Mr. S. Lewis:** We both chatted with him, Mr. Chairman—

**Hon. Mr. Cecile:** I think he is a pretty honest fellow.

**Mr. S. Lewis:** He has fought so long and so hard that the revelation that we may get an undergraduate course is enough to make his pulse quicken.

Mr. Chairman, what was the increase in staff in the department? He says it is now 737. What was the increase over the year?

**Hon. Mr. Cecile:** I will get this, Mr. Chairman. I am sorry to say that the number is 714—271 males, 443 females. The number of new employees is 161. The number of separations, 88. So there is a net there of 73 new employees. The training courses: Number of courses, 6. Number of graduates, 67. Number failing course, 3. Bursaries: Toronto school of social work, last year was 20; St. Patrick's, 20; Ryerson welfare services course, 25; educational leave with pay—those are people in the department —school of social work, 6; Ryerson welfare services course, 10. This is about the picture.

**Mr. S. Lewis:** Mr. Chairman, I shall not pursue it further because it becomes a trifle fruitless. But I would point out to the Minister that he therefore, in one year, is required to extend his staff two-and-a-half times over that which was previously the case. But he has to train them to manage an entirely new Act with an entirely new set of guiding principles. They have to fit into a staff which is already desperately overloaded and desperately overworked within any concept of reasonable social service principles, and the application of those principles.

Mr. Chairman, I really think there is a crisis in staffing in the public welfare department, and it is something that the Minister at some point must break through. There have been tentative moves in the right direction; I would be the first to admit it and to compliment the Minister. But one is not dissuaded by the fact that we are having a director of training in the year 1966 in The Department of Public Welfare. That is not exactly a revolutionary step for the biggest social service department of government. I hope next year at this point in the estimates we can have some pretty concrete indication of the staffing shifts and increases, because at the moment The Department of Public Welfare simply cannot function at any reasonable level.

**Mr. G. Ben** (Bracondale): Mr. Chairman, I have been looking through the estimates to try and determine whether or not what I

propose to ask of the Minister comes under this item. I can find no other caption under which it would come, so I presume it comes under field services.

**Hon. Mr. Cecile:** What did the member say? I did not understand—

**Mr. Ben:** I am presuming that what I am going to mention to the Minister comes under this item. I can find no other item covering it.

That is the sub-department which was set up by The Department of Public Welfare to locate husbands who desert their families, specifically husbands who have outstanding against them orders in the family court for maintenance of their wives and children. The Deputy Minister a few years ago made a report on this particular aspect of his operations, but recently I have seen no further reports.

Would the Minister please tell the House how many employees there are whose function is to locate husbands who have deserted their families, how many husbands have been located by this department, how many reconciliations were brought about, and what percentage of these husbands are now supporting their families?

**Hon. Mr. Cecile:** Mr. Chairman, the note I have here on this is what you call the special investigating unit. The special investigating unit operates within the field of the services branch. I am given two figures, four or seven, providing a service for municipalities in the welfare allowances branch in locating deserting husbands and fathers whose wives and families have applied for, or are receiving, public assistance. The services of the unit are being used by an increasing number of municipal welfare departments, although about 50 per cent of the referrals are right here in Metropolitan Toronto. The unit investigates about 250 cases a month. It is successful in locating the deserting father or husband in about 42 out of every 100 cases referred to it.

**Mr. Ben:** Forty-two out of how many, Mr. Minister?

**Hon. Mr. Cecile:** About 42 out of every 100 cases referred to it.

**Mr. Ben:** Forty-two per cent.

**Hon. Mr. Cecile:** Of the cases where the deserting father is located, about 80 per cent result in public assistance payments being either withheld or suspended. Does that answer the question?

**Mr. Ben:** May I ask the Minister what he means by "in about 80 per cent of the cases welfare payments are being either withheld or"—I did not catch the last word?

**Hon. Mr. Cecile:** Where the deserting father is located, in cases where they are located. They are not all located, but in 80 per cent of the cases where they are located that happens.

**Mr. Ben:** The Minister is saying, as I take it then, that in 80 per cent of the cases where the husband has been located the department persuades the husband to support his family, which therefore makes it unnecessary for welfare benefits to be paid to that family?

**Hon. Mr. Cecile:** Actually, the legislation requires that he has to support his family. In some cases—I am advised there are some of them, not too many—they mend their ways of living and really carry on. Of this 80 per cent I mentioned, many of them from time to time disappear once more. It is just one of those things. So to say that the service is not having any effect is wrong, it has. But I can assure the member not as much as I would like, or most of us would like but this seems to be the general trend.

**Mr. Ben:** Does the Minister, his department, have any reciprocal arrangements with any other province in Canada whereby they would seek to locate—

**Hon. Mr. Cecile:** Before the member goes any further, would he repeat that? I missed it.

**Mr. Ben:** Does the Minister's department have any reciprocal arrangements with any other provinces in Canada or with any states of the Union, whereby they would endeavour to locate a husband from Ontario who had deserted his family, and the department in turn would endeavour to locate a husband who had deserted his family in some other province or state?

**Hon. Mr. Cecile:** My information is that we have this in all provinces and the state of Michigan.

**Mr. S. Lewis:** The effect of the member for Windsor-Walkerville—

**Hon. Mr. Cecile:** No doubt.

**Mr. Ben:** One other point. If the Minister's department has had this success, namely, that 80 per cent of the 42 per cent that they do locate end up making financial contributions towards their families, should

not this service be extended into those borderline areas where the deserted family does not qualify for welfare?

**Hon. Mr. Cecile:** Naturally the hon. member knows, he is a lawyer, there is a Deserted Wives and Children's Maintenance Act, and that requires a court order more than anything else.

**Mr. Ben:** Taking the statement of the Minister to be a fact, I do know of the existence of The Deserted Wives and Children's Maintenance Act, I also know that there is no provision in the Act for any department of government to seek out the deserting husband. Ostensibly, in law, if a summons is issued or a charge is laid, it is the duty of the police department to find the person charged. But I ask the Minister to take my assurance that the police seldom, if ever, break their backs trying to serve a summons or of information against a husband who has been charged with deserting his family.

**Mr. S. Lewis:** What is the saving to the public Treasury, what was the saving in dollars to the public Treasury?

**Hon. Mr. Cecile:** I am afraid, this is one question I certainly did not anticipate, and I do not have it here, but if my friend will allow me to get it for him—

**Mr. S. Lewis:** Oh, I assumed the Minister would know—of the 80 per cent of the cases, which I gather was some 700 or 800—that a certain number of them were on general welfare and a certain number of them on the dependent persons' allowance.

**Hon. Mr. Cecile:** I must say, I have money figures with respect to that. I can get it for the member. I do not have it with me here.

**Mr. S. Lewis:** Fine. Well, I had myself a figure in mind but I do not even want to utter it. I was just wondering what the Minister had, if anything. Perhaps I could say to the Minister, which will take him aback a little, and the member for Bracondale may not agree, but I have always thought that the special investigating unit in the department—and I would like to put it on the record—does a very laudatory job indeed. In fact, when most other departments of government are leaving their responsibility in this matter as soon as it is raised before them, public welfare at least is following up a considerable number of cases, something over 2,000 last year, as I understand it, and they are to be commended for it.

**Hon. Mr. Cecile:** It is a very frustrating job.

**Mr. S. Lewis:** I appreciate it is a very frustrating job, but some department of government must do it. As it is, The Department of Public Welfare is just scraping the surface, and had to set up a special investigating unit for that purpose. How one gets the Attorney General stirred into action defies comprehension, but I do want to commend the Minister for the unit and encourage them in the job they are doing, and hope that they will be increasingly successful.

**Mr. Ben:** I just wish to say that I do not disagree with the hon. member for Scarborough West, they have had much better results from the police department of the Metropolitan Toronto area.

**Mr. Racine:** I am sorry I do not have the information here that I want to comment on, but in the late edition of tonight's Toronto *Telegram*, there was a report of a speech by Professor Titmuss of London, where he was speaking on exactly what we are talking about tonight. I would like to draw that speech to the attention of the Minister and his Deputy.

**Hon. Mr. Cecile:** Professor who?

**Mr. Racine:** Titmuss.

**Hon. Mr. Cecile:** It is a very nice name anyway.

**Mr. Racine:** Professor Titmuss, if I can quote from memory, said in England they are adopting a new system whereby, after the first investigation is made, there is a card made for the welfare recipient. Unless something unexpected happens, the card or form has to be filled in either every six months or once a year. As I was saying, unless there is a very specific problem, the welfare worker will not be calling on those welfare recipients. The system, I think, might work pretty well here, because a lot of time is spent on trying to locate the husbands that have disappeared, and so on, as compared to the amount of money spent for salaries in that branch. Possibly 50 per cent of the time is used to try and locate those people. But I do not think those workers have sufficient time to give counselling, and this is what they are there for. I think they should have more time to spend counselling their clients, than to try and locate those who are not meeting their responsibilities.

I will not comment any further on that, but I would like to draw to the attention of the

Minister those remarks of Professor Titmuss. I think they would be well worthwhile looking into—I presume that the report of the annual meeting of the Canadian welfare council, which is now taking place in Vancouver, will have a complete text of that speech. I think this is something very new and something that might be worthwhile looking into by this province.

Vote 1704 agreed to.

On vote 1705:

**Mr. S. Lewis:** On vote 1705, might the Minister indicate to the House what success the Ryerson graduates have had, where they are being placed, and the kind of level at which they are fitting into the welfare worker spectrum?

**Hon. Mr. Cecile:** I am sure the member realizes this. It is a two-year course, and they are just graduating this year. There are about two or three that are out right now. The assignment has not yet been final, and they are just coming out of the courses.

If I may at this time add to this, and give you the picture as we have it now, staff holding degrees as of March, 1966—would that be what you are asking about?

**Mr. S. Lewis:** Yes.

**Hon. Mr. Cecile:** The main office: undergraduate degrees, we have two; postgraduate degrees, four; staff holding degrees and diploma in social work may hold undergraduate or postgraduate degrees as well.

Child welfare: undergraduate degrees, two, and 13 degrees or diplomas in social work.

Day nurseries: there is one postgraduate degree.

Field service: 13 undergraduate degrees, two postgraduate degrees, nine degrees or diplomas in social work.

Finance and administration: seven undergraduate degrees.

General welfare assistance: two undergraduate degrees, one postgraduate degree.

Homes for the aged: one undergraduate degree, one postgraduate degree.

We have on location services: 13 undergraduate degrees, two postgraduate degrees. Degrees or diplomas in social work, 17.

Welfare allowances: two undergraduate degrees and three postgraduate degrees.

This makes a total of undergraduate degrees, 44, postgraduate 14, and degrees and diplomas in social work, 41, for a total of 99 in the degree section.

The Ryerson welfare services I also have here: Job placements of graduates of May 1966 in new jobs. Here is what is submitted now for their placement.

In Ontario, Department of Public Welfare: nine; in Metro children's aid society, five; in Metro Catholic children's aid society, one; in the Brockville children's aid society, one; in the Toronto department of welfare, two; Jewish home for the aged, one; Toronto general hospital, one; Thistletown hospital, one.

Twenty-one persons graduated from the Ryerson welfare services course this spring, and all of them were readily employable. The Ontario Department of Public Welfare reemployed six persons on educational leave and three new persons.

The children's aid societies employed or reemployed seven graduates, and the Toronto department of welfare, sir, employed two. Of the balance of three graduates, one went to the home for the aged, as stated there, one went to the staff of the Toronto general hospital, the other one to Thistletown.

That is the picture as I have it now, Mr. Chairman.

**Mr. S. Lewis:** So that the Ryerson course as it now stands is providing people for public welfare, both provincial and municipal, and children's aid societies?

**Hon. Mr. Cecile:** Yes.

**Mr. S. Lewis:** And are those expected to be the primary channels of employment? Has that emerged as yet at all?

**Hon. Mr. Cecile:** Mr. Chairman, if I recall well, this was mentioned last year: Not necessarily. It was suggested that they would be available in all streams of the work concerned. So what will happen as the graduates come along is, I suppose, they will try to fill in the places where they are most badly needed. I appreciate that would be the place to look. If we can carry on the programme in all levels of services in this respect, I think we will be accomplishing something. At any rate, I would certainly like my hon. friend to see this doubled or tripled. But as it is now this is what we have. We hope, according to the suggestion I think he made last year, to carry on in that particular respect.

**Mr. S. Lewis:** All that I find curious was that none of them, with the exception of the one in Thistletown, was involved in any of the children's institutions. That may come, I suppose, but I find it curious that none should be involved in the mental health field at all.

**Hon. Mr. Cecile:** Mr. Chairman, I do not know if this was discussed in The Department of Education estimates. I think there is a new course sponsored by The Department of Education having direct dealing with the children's institutions. I do not know if this was mentioned in The Department of Education, but I am advised of this.

**Mr. Chairman:** Is vote 1705 carried?

**Hon. Mr. Cecile:** I am also advised that it is pretty much handled by the Ontario welfare council.

**Mr. S. Lewis:** This is the Ontario welfare council course?

**Hon. Mr. Cecile:** That is right.

**Mr. S. Lewis:** And they went through The Department of Education to establish the child care worker course?

**Hon. Mr. Cecile:** That is right.

Vote 1705 agreed to.

On vote 1706:

**Mr. Ben:** Mr. Chairman, first of all I would like to compliment the hon. Minister on the operation of The General Welfare Assistance Act, because I think it is a good piece of legislation. Frankly, it stacks up against almost any corresponding legislation in the other provinces, and is as good if not better than any in the United States.

From my investigations, I find out that the staff have an excellent reputation for their flexibility and their desire to assist the community. In most borderline cases, I am told that they bend over backwards to assist the municipality in helping the needy applicants.

But good as this legislation is, I feel, Mr. Chairman, that there is room for much improvement. One of the basic weaknesses of this Act is that it does not provide for all the essential services. For this reason, many communities do not provide their welfare recipients with certain non-mandatory services where they just cannot afford to supply them.

In many instances, they do not even provide the staff to properly carry out the administration of this Act. Under the Act, the province makes no contributions towards such essentials as prescription drugs, dentures, eyeglasses or the cost of moving.

The list of drugs which may be obtained by welfare recipients is quite long and quite extensive, but there are many drugs which, in the opinion of the recipients' doctors, can only be obtained by prescription. Although there are brand name drugs for almost every conceivable illness, it is still necessary, in many instances, for the doctor to prescribe a drug or drugs not found under trade names.

Since the Act does not make provision for prescription drugs, many patients are deprived, in essence, of proper medical assistance because of lack of funds. I would suggest this can only be described as a shameful situation.

Fortunately for welfare recipients, and perhaps unfortunately for the taxpayers, Toronto does supply prescription drugs to its welfare recipients as a non-mandatory service. Last year this service cost the taxpayers of Toronto $364,000 and not a penny was contributed towards this sum by the provincial government.

In most other communities, prescription drugs are not supplied because the community refuses to foot the bill itself. Obviously, in this one regard at least, an amendment is necessary.

Dentures are also non-mandatory. The city of Toronto does supply dentures as a non-mandatory service, and in this regard, perhaps I can relate a little anecdote, how I found out that dentures are not a mandatory service.

Radio station CHUM has a chap by the name of Larry Solway who has an open line. One evening a woman phoned him to complain that she had two diseased teeth and she could not get them pulled; she could have them repaired, or fixed, but she could not have them pulled and they were beyond repair. The city told her—she was a welfare recipient—that they could not help her, and she phoned Larry Solway. He phoned me and I said: "That is silly; she has teeth that are diseased; I will see that she gets them pulled." I found out, to my pocketbook's sorrow, that the city does not pay for the pulling of teeth, only the repairing of them. And, since I had said she is going to get her teeth pulled at no cost, she did. So, perhaps you politicians had better take note or their welfare recipients are going to start calling them.

**An hon. member:** What are they applauding about?

**Mr. Ben:** I do not know what they are applauding about. If the poor woman could not get her diseased teeth pulled—

Glasses are also non-mandatory. The city of Toronto does supply glasses, but there are many municipalities in Ontario who do not supply glasses to their welfare recipients. As

a result, these people go around visually handicapped because they do not have the funds with which to get glasses.

I cannot see why this situation exists. There is also the cost of moving. It is necessary that welfare recipients be moved from accommodation to accommodation when landlords do not supply either adequate accommodation or just insist that the welfare recipient move. Somebody has to pay to have these people moved; you just cannot have them thrown on the street. The city of Toronto pays the cost of moving to have these people relocated. Not a cent of that comes from this province.

Last year it cost the city of Toronto $98,278 to pay for such non-mandatory services as the supplying of dentures, eye glasses and the cost of moving their welfare recipients to different accommodations. The biggest burden placed on our taxpayers in the city of Toronto is supplying the services necessary for the implementation of a Welfare Assistance Act, that is, the staff to carry out the provisions of this particular Act. It is one thing for the government to say, well, we are going to pay 80 per cent when, in fact, most of the money is coming from Ottawa. But in order for the municipality to get the benefit of this 80 per cent to their 20 per cent, they have to set up the necessary staff, they have to set up the district offices, they have to supply all the stationery and material. And towards this the government does not contribute a penny, to my knowledge.

Last year it cost the taxpayers of the city Toronto—and I am referring to the city of Toronto, not the municipality of Metropolitan Toronto—$1,013,381 just for the services necessary to implement the provisions of The Welfare Assistance Act. In addition to that, they paid out just over $29,000 for stationery and supplies. None of that was paid for by this government.

Now, members of city council, when I was on city council, were continually complaining that the social workers in the department of welfare for the city of Toronto had too large a caseload. Now, it is clear why they have too large a caseload. If they are paying out $1 million as it is, without any assistance from the province, I can see their reluctance in increasing their services because every cent of the cost of those services is coming out of their pocket with no assistance from this government.

Now, surely, as a matter of fact, 9.95 per cent of their budget—of the city's budget—of $10,203,000 almost 10 per cent, goes into supplies and services for implementing the provisions of The Welfare Assistance Act. That is money toward which they get no contributions.

Now, surely, in this day and age, any enlightened individual will appreciate it is rather ridiculous to tell a welfare recipient well, look, you can go and have your teeth fixed; you can have them drilled or filled or whatever is required, but if your teeth are diseased, and they are injurious to your health, you cannot have them pulled. Don't you think that is nonsense? I think it is, and I am sure most of the members on this side of the House think it is.

And the same with glasses. Surely if a person needs glasses in order to carry out his daily activity, he should receive glasses. Is the cost of these glasses that large? Are people just going to order glasses to make themselves look more attractive? I think it is time this government made the provision of dentures and glasses and the services necessary to implement the provisions of a Welfare Assistance Act mandatory, and contribute towards these costs just as this government does towards the other costs. It contributes toward day nurseries; towards the cost of the staff to operate the day nurseries.

The gross cost to the city of operating day nurseries last year was $608,498. The servicing costs amounted to only $13,187 to the city because of contributions made. The province contributes toward the cost of hospital care for homeless men through the salaries of the staff of hospitals like Seaton House, which are subsidized by this province; why not the salaries of the individuals who implement the provisions of The Welfare Assistance Act?

Will the Minister please give us answers to these questions and tell us why the situation exists?

**Hon. Mr. Cecile:** As you know, we have this Canada assistance plan which is coming into force. It has been under discussion now for nearly three years, and we—through our discussions either in the conferences, or at the level of the senior civil servants—brought these matters up. We have every reason to believe—as far as dentures are concerned, the glasses, and the staffs—it has not been too difficult to arrive at a solution.

**Mr. Ben:** I am not getting you. The microphone is too far away from you. Did you say constitutional difficulties?

**Hon. Mr. Cecile:** I say this has been under discussion—the provision of the new Canada assistance plan with Ottawa and our-

selves, and the provinces generally, dealing with matters of staff, of dentures and glasses.

**Mr. Ben:** And prescription drugs?

**Hon. Mr. Cecile:** Prescription drugs, as I was going to say, are a very formidable thing. This has been discussed, and has to be discussed further with The Department of Health and Welfare in Ottawa, and The Department of Health here, and the druggists association, to find out ways and means. Now this is a very difficult field to enter; we must have very definite standards or norms established. These are in the process of being discussed—I have every reason to believe that with the new system, these matters will be taken into consideration and dealt with accordingly.

The following has been discussed now over some years: The cities, towns and municipalities were receiving part of a per capita grant that was supposed to look after this. This still applies, but at the same time these matters are under discussion, and I have every reason to believe that drugs will be included in the general picture when this comes about. There has been no definite decision made yet. And as I say, the drug field is the one which causes the most difficulty in our discussions.

**Mr. Ben:** In the Minister's answer he made no mention of the sharing or contributing towards the cost of servicing The Welfare Assistance Act. I point out to the hon. Minister that Toronto spends over—

**Hon. Mr. Cecile:** The staff and I—yes, I made mention I think.

**Mr. Ben:** Well, is the Minister's department going to contribute towards the cost of services or not?

**Hon. Mr. Cecile:** That is what I stated in the four areas that were mentioned. We felt —Ottawa and ourselves in the civil service who are discussing this matter—that three of the four matters that are being discussed will be included, we trust, in the general scheme of this new welfare thinking, or the general welfare agreement that will be looked at whenever that comes about under the Canada assistance plan. Staff, dentures, glasses. The one that is difficult to have resolved, because of the great competition that exists, is under discussion with the departments of Health of both governments and also the drug people. This is the greatest difficulty we have.

**Mr. Ben:** Mr. Chairman, if the Minister feels these subjects are worthy of discussion with the federal government, he must believe something should be done.

**Hon. Mr. Cecile:** Oh, yes.

**Mr. Ben:** Would it not be prudent for the province at this time to enter into arrangements with the municipalities to assist them to pay for these non-mandatory services and the servicing of this Act, and then go after the federal government to ask them to contribute? If there is merit in assisting the municipalities to supply these services, then it follows the province should have taken action long ago. It has not, so it should immediately take action to contribute towards the municipalities' cost of supplying these services. Then it can continue arguing with the federal government, while the services are already being supplied.

**Hon. Mr. Cecile:** I would rather start on the same mark, than start a little ahead and try to bring them up with me after a while. I think it would be much easier to sell our ideas in this respect, and I think our friend's contribution here in this respect is very helpful.

**Mr. Newman:** Mr. Chairman, may I ask the Minister if he has conducted any studies in any municipality to find out if it would be cheaper to enrol those recipients of public welfare in a drug prescription service scheme, rather than contribute up to a $20 maximum per month to that individual for various types of drugs and medications?

**Hon. Mr. Cecile:** This is a matter that is also under discussion. It is on a different plane from what was discussed a moment ago, but this is a matter also that is looked into by the doctors, ourselves and the drug people. In other words, we are trying to find a scheme where this can be done for the benefit of the people receiving aid and at the same time, not be in a position to make an awful big bill that the taxpayer will have to pay, having no better results in the long run.

**Mr. Newman:** Mr. Minister, it does seem odd to me that you would not conduct some type of studies on this, because in my own community where the original green shield prescription services started, I would think you would have an ideal place to study the costs involved in supplying all welfare recipients with this green shield drug services, as opposed to contributing the $20 a month per welfare recipient.

Maybe it is not economically feasible, but I think you should have some studies to find that out.

May I ask the hon. Minister if he plans on giving financial assistance to the civitan service club, who conduct services to welfare recipients in the field of dental services? The civitans in the community in Windsor have been providing this service now for well over five years. Their services are limited because of financial reasons. Were the province to make some type of substantial contribution, you could have many youngsters attending schools with teeth in much better shape than they are today. I think the project is an exemplary one, worthy of copying by other municipalities, but at the same time worthy of financial assistance from this department. Has the Minister any comments on that?

**Hon. Mr. Cecile:** I do not know, Mr. Chairman, if my friend is not really getting into the health field rather than the welfare field. As far as the civitan club is concerned, I am quite sure they are doing this with a purpose in mind, which is charitable in a sense as, for instance, the other service clubs do in other fields for children. This is something that he tells me the civitan club of Windsor does, that I must confess I did not know about. As a matter of fact, they have not contacted us at any time. I do not know if they have been contacting The Department of Health to deal with this matter, but I am pleased to hear about it.

**Mr. Newman:** Mr. Minister, the reason why I bring this up is that I brought it up in the estimates of The Department of Health, and I was told to bring it up during your estimates. I think I should ask of both of you if there is some way that you can possibly help them. They certainly would appreciate the assistance from the department.

May I ask the Minister if there are any rules or regulations concerning the cutting off of utilities to welfare recipients? Do you allow a utilities company to cut off services to recipients who are obtaining welfare?

**Hon. Mr. Cecile:** We have no control, Mr. Chairman, over that at all.

**Mr. Newman:** There is no control in your department? Mr. Minister, I am frequently accused of mentioning things that are done in other jurisdictions. The state of Michigan does not allow the discontinuance of gas service for non-payment without clearing it with the welfare officials. I think both gas and hydro should not be turned off until The Department of Public Welfare has been contacted as to the reason why the individual could not pay for the services.

**Hon. Mr. Cecile:** I trust my friend, Mr. Chairman, will appreciate that that comes within the municipal organization. Has he got any cases in mind that would happen in the city of Windsor? I confess I do not know of any.

**Mr. Newman:** Mr. Minister, I have no cases in mind, but I think this a worthy type of endeavour. If it was good enough for another jurisdiction to incorporate into their welfare legislation, I think it might be a good thing likewise for your department to give instructions to municipalities to forbid the turning off of utilities, unless your department first approves of it. This is concerning individuals obtaining public welfare.

**Mr. S. Lewis:** Mr. Chairman, what is the distribution of financing on old age security, old age assistance, blind and disabled persons' allowance, for the supplementary aid portion, $20? Is that a similar distribution of financing between the senior levels and the municipality?

**Hon. Mr. Cecile:** The answer is 50-30-20. Is that what you wanted?

**Mr. S. Lewis:** Yes, it is exactly the same.

**Mr. Chairman:** Is vote 1706 carried?

**Mr. Newman:** Mr. Chairman, I have one other request, and that is for assistance to students attending schools whose parents are welfare recipients — assistance towards bus fares and transportation to enable that individual to attend school. Is there financial aid to them?

**Hon. Mr. Cecile:** I think, Mr. Chairman, under the new scheme which is supposed to come into force, which I hope will come soon, there could be some arrangement made along that line.

**Mr. Newman:** Under your new assistance Act this would all be covered?

**Hon. Mr. Cecile:** I do not know about the whole picture, but there could be some arrangement made there. I am speculating on this thing, but I am quite sure that if not all, at least a good part of it.

**Mr. Newman:** Mr. Minister, I have had actual cases where individuals could not go to school because they did not have the

financial wherewithal to take a bus to school, especially today, where bus transport will cost from 20 cents to 25 cents there and back. It is 50 cents a day, five days a week, it is $2.50. That is $10 a month—a substantial amount of money to an unfortunate individual.

Does the department give assistance to students to enable them to continue their education, so that they do not drop out and be asked to take programme 5, where they would prefer to continue their education in a secondary, technical or academic high school?

**Hon. Mr. Cecile:** I am advised, Mr. Chairman, that if the municipality does present a problem of a case of this particular respect, we participate in the cost of these matters.

**Mr. Newman:** Then there actually is financial assistance to the youngster if the municipality makes a direct request of your department?

**Hon. Mr. Cecile:** Yes, that is so.

**Mr. Newman:** Thank you.

**Mr. Chairman:** The member for Scarborough West.

**Mr. S. Lewis:** Mr. Chairman, I was going to ask if the Minister is satisfied with the homemakers' service that is provided. I know what he will say to me—he will say that it is doing as well as might be expected, rather like a pregnant mother.

I wonder, Mr. Chairman, whether it has occurred to the Minister that the level of homemakers' service in the province is quite appallingly low, and that while the service has accelerated continuously since it was instituted, it is such a major service of such tremendous value to all ages and all socio-economic situations that some expansion is needed.

There was a major change in the Act to increase the subsidy number of dollars per day and increase the number of hours to which that allowable subsidy provided. That was a salutary move. But what measures does the Minister have in mind to extend the homemakers' service into other municipal areas in the province of Ontario—or for that matter, has he a number to give us of the municipalities presently using homemakers and visiting nurses?

**Hon. Mr. Cecile:** Mr. Chairman, in the calendar year from January 1, 1965 to December 1, 1965, the number of participating municipalities was 178; three counties, Peel, Welland and Wentworth; four district welfare boards, Parry Sound and Sudbury, Cochrane and Thunder Bay; 169 municipalities.

That is a gross total cost shared 50-50 by the province and the municipalities and shows an amount of $385,604, which means an increase of 46.3 per cent over the previous year.

I agree with the hon. member and would like to see it much higher than it is, but at least I think that he would realize that we have progressed in this matter. If I may, Mr. Chairman, I will say this, that since the legislation was first introduced in 1958, we have dealt primarily with two types of problem homes: the problem of families who need someone to keep the home functioning smoothly when because of illness, death, desertion and so on, the natural mother is unable to fulfil her role; and the problem of the aged and chronically ill who need some help with their personal and housekeeping tasks, but who do not need nursing home care or other types of institutional care. This may be for a period of three or four hours during the day, doing errands, preparing a hot meal, shopping and performing such other tasks as might be required there.

We are exploring a third type: the problems of the deprived families who do not have good housekeeping and child rearing practices. For these homes, a select, skilled homemaker is chosen who demonstrates her skills in a teaching capacity. She teaches the deprived family how to establish order in its disorganized home life. Such assignments are usually for daily visits at first and diminish as the mother improves her housekeeping and childcare practices and betters the family's nutritional habits.

We presently have three municipalities working within this type of problem family as a demonstration project. The results to date are rather rewarding. We find that the family gradually gains confidence in managing its own affairs. It is extremely helpful for the children and tends to give the mother the support she so badly needs to overcome her family problems.

I must say at this time that I think we owe a debt of gratitude to these nursing services like the Victorian order of nurses, the St. Elizabeth visiting nurses and the red cross, which are doing a great job with this thing. I agree with my friend that this should be a programme which would be accepted. A lot of people are going into the matter and the only thing I can tell him at the present moment is that we have made that increase over former years and we hope

to continue that and the service promotion.

Our supervisor, together with our 17 regional welfare administrators, will continue to assist in the development and administration practices of the programme in the counties at municipal levels. They work with the visiting nursing agencies—the red cross homemakers, the three visiting homemakers' associations and the private licensed homemakers placed with agencies throughout the province. I must say that we have worked very closely with The Departments of Education and Labour in the development of homemaker training at the municipal level under programme 5's adult training scheme.

A homemaker trainig centre was set up by the Toronto board of education which opened in January of this year. I am pleased to report that recruitment is already on the way for the second course with 14 to 18 enrolled in each course. Similar courses are now underway in Windsor, Hamilton, London, Barrie, Belleville, Brampton, Cornwall Dundas, Galt, Oshawa, Oakville, Sault Ste. Marie and Scarborough. Some 200 persons have enrolled in these centres.

A commendable byproduct of the training is that it opens employment to women who have no other special skills or experience, and who, as housewives and mothers, need some sort of paid employment. The proposed project is that we will consider to promote the broader use of the homemaker in the homes of public welfare recipients. She will be in a teaching capacity and will give to the whole family the support and instruction it needs for rehabilitation to normal living conditions.

We will formulate and develop housekeeper training classes especially designed for Indian women. The intent of this will be to upgrade the standard of living of the Indian family and encourage better methods of personal hygiene, childcare, nutrition and housekeeping.

So this is the picture as I have it now, Mr. Chairman.

**Mr. S. Lewis:** Mr. Chairman, I think that this service is sufficiently important in modern society and I would like to make a suggestion for the Minister to think about. I am not at all sure that he will respond to it, but I would like to make it.

I would like to suggest to him a complete change in the homemakers' branch, or let me put it this way, that we should constitute a separate homemaker and nursing services branch, not tuck it in under general welfare assistance. Set it up as a branch and provide a provincial homemakers' service, and set up at all the regional welfare offices across the province, and as a central office in the department, an army of homemakers, as it were, trained on the job and brought into the force by the Minister and by whoever heads up the branch and available to all those municipalities which might apply—or more importantly, available to individuals who require homemaker service and presently cannot receive it, either:

(a) because the municipality is not participating, or

(b) because the Red Cross and visiting homemakers who are available are so overworked that there simply is not sufficient time, or

(c) because the financial burden is overly onerous, and the financial burden on an individual basis is very excessive, indeed. There are very few families that can afford $25 to $40 a week, and what I am suggesting, therefore, is a provincially operated and financed homemaker service in addition to any plans the municipalities may have, because in most of the advanced western countries, the level of homemaker personnel is extraordinarily high in comparison to Canada.

For instance, take the ratio of England to Canada. In England there are 60,000 homemakers to a population of 50 million. In Canada, there are 500 homemakers to a population of 20 million. Now that is roughly the ratio that prevails. The ratio is even more distorted in the context of the Scandinavian countries and it is equally distorted in some of the American states. I suggest strongly that there is only one way that you can really produce the remedy in the interim period, in terms of holding families together and providing assistance to people over 65 years of age. It is authoritatively estimated, Mr. Chairman, that there are five of every 1,000 people over 65 years of age who would require and make good use of homemakers' and visiting nurses' services.

I suggest to the Minister that he contemplate a separate provincial branch and a provincial service, and let me say that this would not create a precedent. The Minister now has an over-50 unit; I suggest that is not known widely in this province except to some of the members of the Legislature and to a few leading municipal officials. But that over-50 unit, as I understand it, will go anywhere in Ontario to find a job for someone who is discriminated against on the basis of age or is handicapped or requires rehabilitation or for some other reason has reached that point in life and cannot find employment.

If that was considered a sufficient extremity to set up a provincially centred unit, as it were, then I strongly suggest to the Minister that the same is true of homemakers. And although it runs counter to the grain in some respects, I strongly urge that the Minister at least think about it, because for too long have we demeaned the status of the homemakers' branch and fought with municipalities to accept and expand its service, which on the surface is so desirable it cannot be argued.

**Hon. Mr. Cecile:** Mr. Chairman, I appreciate the remarks of my friend from Scarborough West and I do not think that he and I will belong to the same group unless he joins mine some day. But I think he has said many things there with which I do not disagree and I can assure him that we will have a very close look at what he said.

**Mr. Ben:** Mr. Chairman, the next item deals with the homes for the aged.

**Mr. Chairman:** Is this on vote 1706?

**Mr Ben:** No, I am sorry, I know we are on 1706 but the next vote, 1707, deals with homes for the aged. I would not want the Chairman to think I was out of order, but I am speaking apropos to what was said by the hon. member for Scarborough West, because in a way, unfortunately, it does touch on homes for the aged.

**Mr. Chairman:** No, he was speaking about the homemakers' service.

**Mr. Ben:** I know he was speaking on the homemakers' service. But what I am trying to point out, Mr. Chairman, is that if we did have the kind of homemakers' service that the hon. member was speaking of, it might be unnecessary to have so many homes for the aged. There are many people, as one of the reports from Lambert lodge points out, who are in a position to maintain their own home, and that the financial position of the people now going into these homes for the aged is much better than it was a decade ago. The groups of people now going into these homes are the people who were able to save a little money during the years since the depression and they are in a much better financial position than those who had preceded them, say, ten years ago.

If there was a proper and adequate homemaking service, many of these people would not be requiring beds in homes for the aged; they could remain in their own homes. But the reason that they must seek accommodation in homes for the aged is because there is no one to look after them. About 42 per cent of the people in the homes for the aged in Metro Toronto are residents who are either single or widows with no children and they have no one to look after if they were to remain in their own homes. And most of them did have their own homes.

If this service was supplied, it would be unnecessary to put these people into institutions where they lack, as they do in Lambert lodge, many of the facilities that were available to them in their own neighbourhood. They would not be removed from their old neighbourhood.

So, in addition to the reasons stated by my friend, I suggest that this is another valid reason why the homemakers' service should be expanded.

Vote 1706 agreed to.

On vote 1707:

**Mr. Ben:** Vote 1707; perhaps I should have just sat down and gone on to the next item.

Yesterday, Mr. Chairman, I spoke on Lambert lodge. Lambert lodge is an old institution. It is supposed to have facilities for 710 persons and at the present time it would be ostensibly below capacity because it has just over 600, although frankly I cannot understand why you give that place a capacity of 710. Originally it was a military hospital; there were about four buildings which were used as a military hospital. At the present time only the main building is used as a home for the aged. The Department of Public Welfare has laboratories there, and I think three buildings have been demolished.

But still it sits there right in the heart of an industrial area. To the south of it are the railroad tracks and to the south of the railroad tracks is a peanut company. Peanuts may be pleasing to the taste when one has them occasionally, but I doubt very much whether people appreciate living under the windows of a peanut manufacturing plant. Across the road to the east there was another industry; the building is decrepit now, and as a matter of fact does not house anything. To the west we have some more industries.

For a long time I have been after the Metro department to replace that institution and frankly I incurred the displeasure of the residents of Lambert lodge and I was wondering to myself for a long time, why. And I found out why. They did not want to be, as some of them put it, sent out into the boondocks. They did not want to get sent

out into the suburbs where the homes for the aged are now being erected. They wanted to stay in the city where they would be closer to life, so to speak, where they could see life go by and feel that they were still alive. They did not want to be exiled into the suburbs and, of course, that is not to be interpreted as casting any reflection on the suburbs.

I pointed out that 42 per cent of the people in these institutions are either single or widowed without children. There is still a number of others who had children but are incompatible. It seems strange to me that in allocating these people to homes for the aged they did not take into consideration the background—in other words, try to concentrate in the city those people who did have connections in the city, and only consign to the outskirts those who had no connection with the city whatsoever and who would not be affected by being sent out to Bendale or to Green Acres or Kipling Acres.

Lambert lodge, although it has between 600 and 700 patients, has lawn area slightly in excess of 15,000 square feet. That may sound like a lot but I would point out to this House that it is less than twice the area of my backyard and I would not want anyone here to be under the impression that I live in Casa Loma. The area for 700 patients to relax out of Lambert lodge is less than twice the area of my backyard.

**Mr. L. Letherby** (Simcoe East): The hon. member must have a big backyard.

**Mr. Ben:** I just tried to point out that I do not have a big backyard, except when I come to cut the grass.

One of the things I deplore about the system of homes for our aged citizens is that they put them in huge units. In certain instances our aged need geriatric services, but a good majority of them do not, and I think it is time that the province gave the lead to municipalities in the construction of these homes for the aged. I do not believe that they should be made or constructed in large units.

For instance, Green Acres has 630 patients —that is the normal bed capacity, I should say. It would be much better for these people if they were able to remain in their own community, and these communities, through the assistance of the provinces, constructed many smaller units. Of course, it would be more expensive—there is no denying that—but I think the intent in establishing these homes for the aged is to pay a debt owed by society to them for what they have done in the past. Therefore, their last days should be happy ones; they should not be isolated from their friends and their families by being sent out to places like Bendale.

Before last Christmas, I had a call from a social worker in my area, who told me of this couple who lived in my riding and to whom she had delivered a Christmas bird, a turkey. When she delivered it, she found out that there was no way they could prepare it, because all they had was a hotplate and she asked if I could find them accommodation. I want to compliment the Ontario housing corporation because I told them I wanted accommodation for these people before Christmas and they were able to get me accommodation.

This couple was paying $80 a month for a flat which did not even have a stove. When I told these people I had this new accommodation, which had a stove and a fridge and would only cost them $50 a month, they refused to go. They would not go out to Scarborough. They wanted to remain in the city. They said they would wait for Alexandra Park to be completed, although I informed them it would be years before they would be able to get in there.

So they refused the accommodation and I, in embarrassment, had to phone the Ontario housing corporation and thank them for their efforts and point out to them that these people did not want to leave the city.

There are many other people like that, who refuse to go into the suburbs, 15 or 20 miles away from where all their childhood days were spent, where their friends and acquaintances are, and where their children may be living. Something should be done establish many small local units to accommodate people like that, and there are many like them. This is not an isolated example.

Hilltop Acres is also in my riding. It only has 173 people in it, but it must have four or five times the grass area than does Lambert lodge just down the street. At least Hilltop Acres could be described as "acres." I am glad they do not describe Lambert lodge as Lambert Acres, because I do not think there is an acre there. Come to think of it, there is not. An acre has over 48,000 square feet and this only has 15,000 square feet.

I would ask the Minister to give consideration to giving initiative to the municipalities. They need initiative. I recall the Alexandra Park housing project being held up because evidently the municipality had to make a re-

quest to the Ontario housing corporation for assistance, and it never made a formal request. After they had been pushing the mayor, asking about the delays, it transpired that the department informed them, "Well, you never made an application." I think they should have at least informed the mayor that a formal application had to be made. I think the department here ought to take the initiative and have the municipalities construct proper homes for the aged, with proper geriatric services.

I was surprised when I was out in Regina not too long ago that they had better services in that regard than we did—and it is a poor province, a province much poorer than this.

**Mr. D. C. MacDonald** (York South): Started by a good government.

**Mr. Ben:** I should point out that although the hospitals did the maintenance, it was very poor, but that is neither here nor there. They still had it and it was a good idea and I applaud them for it.

So, Mr. Chairman, it is fine to allocate money here when it is asked for, but in some instances, as the scripture says, it is better to give than to receive. Perhaps the province should go out of its way to try to give these people guidance and the money to construct proper homes for the aged.

**Hon. G. C. Wardrope** (Minister of Mines): Mr. Chairman, could I just take a minute on this vote because it is one that I have always followed with a great deal of interest and I think it is one of the finest things that any government has ever done.

The homes for the aged, Mr. Chairman, were first brought in, I understand, by Lloyd George, who was then Prime Minister of the Old Country.

**An hon. member:** A Liberal.

**Hon. Mr. Wardope:** They tell a story about the time they were voting about whether they would have homes for the aged or not. I have forgotten what they called them in those days—houses of refuge, or something. This titled gentleman was standing at the polling booth and an old lady came up. He was very intolerant of these homes for the aged, and he said to her, "I suppose, Mrs. Brown, that you are going in there to vote for this hand-out that the people are asking us to give them for homes for the old folks. I suppose the next thing you will ask for is a free trip to heaven." "Oh," she said, "no, sir, I do not think that I want that. All I would like to see is not a train trip to heaven as you say, but I would like to see a little more comfortable waiting room."

I think, Mr. Chairman, that this is one item that we, as governments and all bodies in this government, are very much aware of—in providing a great deal of comfort to our elderly people.

In my own area, as the Minister knows, we have two of the finest homes in the province and he now is getting prepared to build three more in the outlying districts, smaller homes. I commend him and his department on this work, and assure him that he is trying to make the waiting room a little more comfortable, and I think it is one of the things that we all praise his department for.

I have had a great deal to do with his deputies during the years. I see one gentleman in front of me, his deputy, who has got a heart as big as himself. He knows the value of these different government projects for our aged and infirm, and so on, and I think that when his time comes to pass on from the home for the aged, I am sure the Maker will say, "Well done, thou good and faithful servant."

So, tonight, Mr. Chairman, I am very pleased to commend the Minister and his staff on this one project in their budget. When the next one comes up, I want to say a word, too, Mr. Chairman, on the Indian problem, because I have had a lot to do with it and I have heard so much talk about it since last January that I am going to get one word in tonight, that I hope will be factual.

**Mr. Ben:** What is the word?

**Mr. S. Lewis:** Mr. Chairman, I wish to inform the hon. Minister of Mines that Mr. Band will go on forever. There is no need to—

**Mr. MacDonald:** That is almost a threat.

**Mr. S. Lewis:** I trust the implications are interpreted in a favourable way.

I have a couple of questions to put to the Minister. The first is: What are his responses to the explosive letter which he received from George Newbold, president of Associated Nursing Homes Incorporated, which arrived on the desk within the last two or three days, and which set out some 20 or 30 questions respecting his new rest home legislation with the essential claim being that in the process the province had destroyed nursing homes?

Can the Minister give us some particulars?

**Hon. Mr. Cecile:** As a matter of fact, I am glad my friend brought that up. I have answered that letter and I suppose the only way I could answer my friend is to read the answer that I gave.

**Mr. S. Lewis:** Fine.

**Hon. Mr. Cecile:** If I could lay my hands on it.

**Mr. S. Lewis:** I, too, have lost an important letter, so do not feel badly.

**Hon. Mr. Cecile:** As a matter of fact, I think I intended to use that this afternoon in some of the remarks that were made during the presentation of the bills. Here it is.

**Mr. MacDonald:** It looks like Fibber McGee's closet.

**Hon. Mr. Cecile:** I hope no rats ever get into this, because they will have a lot of fun.

This is dated June 21, 1966, to George A. Newbold, president of Associated Nursing Homes Incorporated, Ontario, Drawer 220, Lucknow, Ontario.

Dear Mr. Newbold:

> Thank you for your two letters of June 17 and 19 respecting this department's proposal for amendments to The Homes for the Aged Act. As I believe we have seen on June 15, the role of the true nursing home, privately owned and operated in compliance with the forthcoming requirements of The Nursing Home Act—

which my colleague the Minister of Health has prepared:

> —will remain an important one and the place of such satisfactory proprietary nursing homes will not be jeopardized. Just as in the late 1940s, however, when the need for sheltered accommodation was not being satisfactorily met and provincial support for homes for the aged and charitable institutions had to be enhanced, a similar situation prevails today. Our responsibilities are province-wide and there are areas —rural and northern Ontario among them —which are still not adequately served in terms of the provision of shelter or domiciliary care.
>
> Co-ordination is already apparent and I am sure that I speak for Dr. Dymond when I say that under The Homes for the Aged and Rest Homes Act, municipal or county participation is still essential. Therefore, I do not believe any local authority would seek to develop excess bed units if it were evident to all elected representatives who speak for the taxpayers, health and welfare officers and others, that no actual need existed or that another facility—for example, a high standard proprietary nursing home —was available in the area.
>
> With the legislative amendments now before the House, the standards of all facilities will be maintained at a high level and those geographical areas which lack facilities will be better served.
>
> In terms of present and future needs, there will continue to be a place in larger population areas for a variety of facilities, including high-level proprietary nursing homes. Certain of the arguments raised in your letter of June 19 specifically, do not seem to me to be valid. The level of care and the programmes in homes for the aged and charitable institutions are such as to make us proud of our achievements. There definitely is public commitment to both. In home after home, the work of reactivation and the activities of ladies' auxiliaries are notable efforts and we are definitely committed to an expansion of programme and service content on the area of the rehabilitation, social and recreational activities.
>
> On the other hand, from statements which Mr. B. D. Morris volunteered to the legislative select committee on aging, there are allegedly many nursing homes which are not operated for the greatest public good. We believe that the combined effects of the present legislative changes will be satisfactory for all concerned and that the next year will see a more stable, comprehensive programme of care, varying from acute treatment through domiciliary care to homecare with public, charitable and proprietary involvement in accordance with the best traditions of service.
>
> I hope to arrange a meeting for your association once the present session is prorogued, should you wish to discuss the rest home legislation further.
>
> Sincerely yours,
>
> (*signed*)
>
> L. P. Cecile, Q.C.

**Mr. S. Lewis:** Mr. Newbold claims in his letter that Associated Nursing Homes Incorporated was not consulted in the preparation of the new rest home Act, despite the concomitant nursing home legislation. Is that so? Were they consulted? Were these operators brought in on the discussions?

**Hon. Mr. Cecil:** Personally, I did not ask to have it brought forward, but this matter has

now been standing for a long time. It was discussed in the Throne speech debate and I have also discussed it at length in the committe that was appointed by this House to look into general matters on aging and I cannot speak for the committee. I do not know whether the committee invited them or not, but I am quite sure that nobody was caught unaware in this matter and if they had not been invited, I am sure that they could have come forward themselves.

Personally, I had not consulted with them when I made this particular legislation. After all, I am dealing with public funds in this matter. Perhaps it should have been a courtesy, I do not know. However, I thought that the forum would have been with the select committee on aging if they wished to make any presentations, but I do not know whether they have or not.

**Mr. S. Lewis:** The Associated Nursing Homes Incorporated made a presentation to the select committee as did the Minister's own department, but the Minister drafted an Act which became, or is in the process of becoming, law at precisely the same time as the Minister of Health drafted an Act which is in the process of becoming law. The two Acts move in essentially the same field but in rather different directions. Surely there would be some wisdom, then, in involving the nursing home operators in the discussion around the Act from The Department of Public Welfare. After all, they were taken out of this department and put into Health and then they suddenly find that there is a new piece of legislation back in The Department of Public Welfare.

I think it was a very grave error not to consult them. The select committee on aging is no avenue for consultation. It is the government and the Minister that make policy, not the select committee; they merely make recommendations and the government, in the process of making policy, should have in this very difficult and perilous field, involved the operators, I suggest to you.

I just want to make a point, Mr. Chairman, just a very simple one.

**Mr. Chairman:** Do you not think that it would be more properly discussed under the Act than under this vote?

**Mr. S. Lewis:** Rest homes are under this vote now, as an extension of homes for the aged.

**Hon. Mr. Cecile:** Excuse me, Mr. Chairman, I do not want to interrupt the hon. member, but I hope that he is not putting this into the ambit of "damned if you do and damned if you do not." I hope that is not the situation because I appreciate the fact that it never entered our minds in the discussion of this that we were in competition at all with the nursing homes. As you will recall in the discussions of a year or two ago, I was certainly taken right over the coals—and possibly rightly so, I do not know—over the nursing home situation, and I think that was one of the reasons that prompted us to look even closer at what we were thinking on this matter, and to act on it.

I honestly believe, Mr. Chairman, that we are not in competition. It is domiciliary care, what you would call acute care in the sense that a person is there for the rest of his life. The age factor is a very important thing and it was not under The Homes for the Aged Act in this particular aspect. I honestly believe, and I still maintain this, that I never felt for one minute that I was in any competition with any private enterprise known as nursing homes.

**Hon. A. Grossman** (Minister of Reform Institutions): Now you are speaking for private enterprise.

**Mr. S. Lewis:** I was going to say that I always feel a little individious in this debate because here I am on the side of private enterprise and there you are earnestly advocating an extension of the public interest. The two, really, in this sense, are not being compatible. I think it is worth pointing out, Mr. Chairman, that we have homes now, under The Homes for the Aged Act, looking after older people. We have them under The Charitable Institutions Act looking after older people. We have them under the new rest home legislation looking after—at least in the first instance, it was admitted at the standing committee—the same people. We have nursing home legislation under The Department of Public Welfare and under The Department of Health, looking after the same people. We have The Homes for Special Care Act, under The Department of Health, looking after the same people.

All of these Acts, and there are five major Acts, are spread over two departments, involving people who require domiciliary care, regular bed care, special care, intensive treatment care. There is no sense of coherence to the field at all—just competing sets of regulations. There is no better way to fragment the field of aging than to approach it in this fashion and it is now hopelessly fragmented. I do not know how one can possibly

pull it together again in view of the devastating blow that has been dealt it under this branch with this new piece of legislation.

Indeed, it is positively discriminatory against the people, for instance, who fall under The Homes for Special Care Act, because what you have successfully done is once again divided physical illness from mental illness in a most unfortunate way. I simply cannot understand, Mr. Chairman, I cannot conceive, how the essential point of all the representations that have come to this government was missed—the essential point being that all of aged home care should be brought within the purview of one Minister, preferably the Minister of Health, administered and licensed by his department, and I will watch with interest to see what happens under this new Act run by this branch.

I have my own conspiratorial view of the reason for this legislation. I think this legislation was talked in as a desperate stopgap to prevent a crush after 100 to 150 nursing homes closed down. I think this legislation is a propitious introduction at a very critical moment by the government to prevent this incredible overflow, because we are talking about 1,000 to 1,500 people being put out on the streets by the new nursing home regulations. Unless some of them can be absorbed in other parts of the province under municipal or public legislation we are going to be in a sorry state indeed, and even the Minister of Health recognized that a new level of care for the aged would be required.

That may be, and I am perfectly willing to accept that that may be a false interpretation, that the brief to the select committee on aging may have been the primary motivation. But I cannot help but feel, Mr. Chairman, that there is something uncannily strange about all of this, that somehow The Department of Public Welfare has to keep its finger in the dyke, and so it threw in a new Act after The Department of Health had taken over nursing home licensing and regulation.

You have dealt the field a disservice, and that may not be immediately apparent until we watch what happens over the next several months. But I remind the Minister that even people as close to him as the Ontario welfare council suggest that he has set the field back 18 months. I think he has done irreparable harm to the field by fragmenting it still further and I hope that somehow we will be able to retrieve it. But one despairs in the field of aging. Maybe the final report of the select committee will be able to pull it together, but it is not really their approach that is only being acted on here, it is something rather more severe than that, and I just do not understand the explanation.

Mr. Chairman, I have one other specific point that I want to raise under this branch and it is under The Charitable Institutions Act. I want to ask the Minister how he arrives at the per diem subsidies which he will pay charitable institutions?

**Hon. Mr. Cecile:** There are two per diem rates set out—one at $4 and the other at $6. The one at $6 is for those who are sort of bed-care patients, you might call them, and the others are ambulatory or ancillary care.

**Mr. S. Lewis:** Can I ask the Minister how he possibly justifies these absolute amounts of $4 and $6 for ambulatory and bed care when they do not, in fact, relate to actual expenditures at all?

**Hon. Mr. Cecile:** They were established on the rates, generally speaking, that existed throughout the institutions at a period, I understand, of three years.

**Mr. S. Lewis:** Three years ago?

**Hon. Mr. Cecile:** Yes.

**Mr. S. Lewis:** Well, when, Mr. Chairman, is the Minister going to upgrade his figures?

**Hon. Mr. Cecile:** Yes, I appreciate that, I am sure they will have to be adjusted in this matter.

**Mr. S. Lewis:** Mr. Chairman, I want to urge the Minister that again the situation has become critical. About two weeks ago, the member for Huron-Bruce and the member for Scarborough North and I met one Thursday morning at Providence Villa which, as you know, is the largest institution in the province under The Charitable Institutions Act, looking after some 704 older citizens in the province, and providing an absolutely magnificent service. Let us make no bones about it, that service is really quite extraordinary.

Now, the situation at Providence Villa is roughly this, their ambulatory care is now in excess of $6 per diem and their special bed care is now in the vicinity of $10 per diem. The government is providing a subsidy of $4 on the one hand and $6 on the other, and the institution just simply cannot function. So people are being turned away, and people who require bed care are denied it because there are insufficient funds and there is no upward re-evaluation of the scale of subsidy. What was true in 1963 cannot be

true in 1966, and you cannot cripple institutions for senior citizens in this fashion, and do it in such a cavalier manner.

I would like to get a stronger assertion from the Minister. When will he upgrade the subsidy? What is underway?

**Hon. Mr. Cecile:** The only thing I can tell my friend now is that we are studying the fact, and I hope we will remove the maximum.

**Mr. S. Lewis:** The Minister hopes to remove the maximum?

**Hon. Mr. Cecile:** Yes. Then we would be paying on the basis of 80 per cent of the gross cost.

**Mr. S. Lewis:** And you will pay a straight 80 per cent figure?

**Hon. Mr. Cecile:** Yes.

**Mr. S. Lewis:** I can never quite understand this fixation on 80 per cent, but I suppose it has some kind of explanation. Mr. Chairman, can the Minister suggest when this might happen?

**Hon. Mr. Cecile:** Well, I cannot pinpoint the day or date of the month, but this is how we are thinking right now. We hope to do it very soon, some time this year.

**Mr. S. Lewis:** Some time this year? Can I take that as absolute, as absolute as all the other things the Minister does?

**Hon. Mr. Cecile:** Well, I—

**Mr. S. Lewis:** I want an assurance. Here is an institution, Mr. Chairman, of 700 people, and it cannot possibly—

**Hon. Mr. Cecile:** If my friend would ask me if there are going to be maximums this year, I will walk out of this House tonight on my two feet, I could not even assure him of that.

**Mr. S. Lewis:** We would carry the Minister out.

**Hon. Mr. Grossman:** The member has been trying.

**Mr. S. Lewis:** I want to press it home, because these agencies cannot function at the present level of government subsidy. There is no use our beating around the bush. Either the Minister takes seriously the role being filled by charitable institutions or he wipes them off the map, because there is no subsidy coming of any comparable extent from the United Appeal, and there is no possibility of raising sufficient funds in the community. Either the government undertakes an 80 per cent responsibility or the institutions cease to function.

**Hon. Mr. Cecile:** I would not think so.

**Mr. S. Lewis:** Of course, they will function, particularly a place like Providence Villa—at a level which causes a dispirited atmosphere both among the sisters and the—

**Hon. Mr. Cecile:** Oh, no, the member does not know the sisters like I know them, if he says that.

**Mr. S. Lewis:** They may have an indomitable spirit but let me tell the Minister—and I wish the member for Scarborough North was here—that we met in an atmosphere of crisis that morning. They asked the member for Huron-Bruce to come, because through his resolution, presented earlier this session, of extending hospital insurance to charitable institutions like their own, they saw the only possible solution. They could get nowhere with the Minister. So they invited a government representative and the member for Huron-Bruce, who put the resolution, and myself as a representative from another party, to put the case before us. And admittedly their language might have been more temperate than mine—we come from different scholarly backgrounds—but I want to suggest to the Minister that there was tremendous urgency in what they said. What they were saying, in effect, was that they were being pushed to the wall in the provision of services, that they did not get enough beds given to them for special care under Ontario hospital insurance, that there were patients who required beds and could not have them. The meeting was chaired by a doctor and the urgency in his voice could not be overestimated. Frankly, Mr. Chairman, there simply has to be a move on the part of government in this area.

**Hon. Mr. Cecile:** I agree with that. I said to my friend we are moving that way, but he is asking me for an hour and a day and a month, and I cannot tell him that.

**Mr. S. Lewis:** No, I am asking the Minister for an assurance—

**Hon. Mr. Cecile:** He will have to take my word that I assure him we are looking into this matter and we hope to—

**Mr. K. Bryden** (Woodbine): That is quite an assurance.

**Hon. Mr. Cecile:** Well, I do not know, I seem to have more confidence in people than my friend has over there I believe in people when somebody tells me something. When the member is saying this, he is not trusting me. I think I would say this if I was using political language, which I do not use, because I am not a politician really.

**Mr. Bryden:** Mr. Chairman, is he a Minister?

**Hon. Mr. Cecile:** If I were to attack any member of this House here, and attack his personality or his word or something like that, I would not be attacking the man but I would be attacking really the people who sent him here. And this I would never want to do.

**Mr. Bryden:** Mr. Chairman, let us get down to the realities. The Minister has given us his assurance that he might do something some time or other.

**Hon. Mr. Cecile:** I did not say I might, I said I will, but I cannot pin down the hour or day or month.

**Mr. Bryden:** But he is not sure when and he is not sure what he will do. And he asks us to accept that as an assurance and implies if we refuse to do so, we are attacking him.

**Hon. Mr. Cecile:** I did not imply that.

**Mr. Bryden:** The Minister said it.

**Hon. Mr. Cecile:** I said if I was discussing a matter of that description, if that would be my implication, that would be my reaction to it. I certainly did not imply anything against my friend who was speaking. It was some remark I heard from across the floor, I do not know where it came from.

**Mr. Bryden:** I will put it right on the table. The Minister was implying something with regard to me.

**Hon. Mr. Cecile:** Oh, not necessarily. I was just speaking as a politician, that is all.

**Mr. Bryden:** Oh, I thought the Minister was not a politician.

**Hon. Mr. Cecile:** I said I was not a politician.

Interjections by hon. members.

**Mr. Bryden:** This is the difficulty, Mr. Chairman. The Minister is so totally confused that we certainly cannot accept what he tries to palm off as an assurance where he really committed himself to nothing. Now all we ask for is that he will make a commitment, but he refuses to do so. I say that we have a perfect right to refuse to accept his statement as any kind of an assurance. We have a right to do that without it being suggested that we are implying anything about him at all. His statement was totally evasive and this might as well be recognized.

**Hon. Mr. Cecile:** All right, the member has to have the last word on it.

**Mr. S. Lewis:** I want to give the Minister a chance to have the last word, as I know he would like. Does the Minister admit, is the Minister prepared to concede that the $6 and $4 levels are presently inadequate?

**Hon. Mr. Cecile:** Yes.

**Mr. S. Lewis:** He does? Does the Minister concede, therefore, that if the levels of subsidy are inadequate, the levels of service dependent on that subsidy must necessarily also be inadequate?

**Hon. Mr. Cecile:** Not necessarily.

**Mr. S. Lewis:** I see. Forgive me, explain to me. Explain to me how it is not necessary.

**Hon. Mr Cecile:** If I understood it to mean the people, of whom the member speaks, would do their work strictly for the purposes of money, no, I cannot accept that. But I agree with my friend that the rates, as they are now, in some cases are quite adequate, but in this particular one it is not adequate.

**Mr. MacDonald:** Why do you want to increase it to better the service?

**Hon. Mr. Cecile:** I want to take away, as I stated to my friend a moment ago, the limit itself. Have a look at the whole picture, and agree upon a rate which is basic and, we think, is proper, without having a level made of six, seven, ten or twelve dollars, and then be put in a position to deal with it gradually as the years go by, or as the necessity arises. I agree with my friend, there is not a finer home in the province of Ontario in that particular respect, and the people engaged in it. And I would say this for every house of Providence across the land, it is certainly a place that is very commendable, and commendable for everyone regardless of religious denomination that I might be thinking of. And I am sorry if I misunderstood my friend, but I was thinking of this: that surely these girls are not working for the purposes of making money or having anything of that kind. They would do it anyway, and make out and get some money some place else if they could.

But if that is not what my friend has mentioned, then I apologize.

**Mr. S. Lewis:** Well, with very great respect, I did not really think that connotation had, in any sense, been related to what I was saying. I was simply trying to convey to the Minister that if you need $10 to adequately service patients requiring intensive care, and you only have six, then the patients will be on the short end no matter how dedicated, how devoted the sisters of Providence Villa may be. And I think surely the Minister would have to agree with that.

All we are asking him—and he has, in effect, conceded the point all down the line—is when? How much longer as a Minister of the Crown are you prepared to allow the situation to exist?

**Hon. Mr. Cecile:** Mr. Chairman, as I stated a moment ago, I cannot give my friend a schedule of time when these things will be done. I am telling him that these matters are under discussion with the sisters now, and I have met them, too. We will arrive at that solution along the line that I have expressed. I hope to achieve it this year, and I think I will. However, that is about as far as I can commit myself on this thing. After all, you would not expect me to make a commitment of having a certain month or a certain week.

**Mr. S. Lewis:** No, I would not expect you to make a commitment. But I think that a Minister can make an absolute commitment in—

**Hon. Mr. Cecile:** That will be done; yes. I can make that commitment if that is what is meant.

**Mr. S. Lewis:** No. All things will be done. The Minister behind you from the Lakehead has been urging you to reply to me in the fullness of time. I want to say to you, Mr. Minister, that I respect that is not part of your personality as it may be an engaging part of his.

Vote 1707 agreed to.

On vote 1708:

**Hon. Mr. Cecile:** Before we consider this vote, I have a statement of some length to make in this respect.

Mr. Chairman, I wish to take this opportunity to acquaint the hon. members with certain important details with respect to recent developments that further involve the province in the affairs of Indians, also to speak about plans and projects now under consideration which we think can benefit them, and to review the existing provincial programmes and services in which Indians participate in the same manner as other citizens of Ontario.

Before proceeding with these remarks, Mr. Chairman, I want to take this occasion to speak about the creditable work of the Indian-Eskimo association. The devotion of this organization to promote a better understanding between the Indian and non-Indian communities is to be commended. I am certain that the hon. members will join with me, at this time, in expressing appreciation to Mr. Oliphant and those who are associated with him in these endeavours.

Also, I want to pay special tribute to Mr. Elliott Moses and Mr. Lorenzo Big Canoe for having taken time out to consult with the Indian bands on the federal-provincial agreements and for giving unstintingly of their time and energy in the interest of the Ontario Indian advisory committee.

Mr. Chairman, I would also be remiss at this point if reference were not made to the activities of the Toronto Indian centre. This is a relatively new organization whose purpose is to promote fellowship among Indians and to assist in their adjustment to urban living. At another stage in these remarks, I will comment further on the general importance of this activity. For the present I wish to express gratitude to the executive and staff of the Toronto Indian centre for their efforts on behalf of Indians in this area.

Hon. members already know of our concern for those Indians who are unequipped to make their way in contemporary society. Since 1955 we have acted on the premise that a large measure of responsibility rests with us to assist these people. At that time the first provincial legislation, The Indian Welfare Services Act, designed for the exclusive benefit of Indians, was introduced. It permitted the province to extend to all Treaty Indians the complete range of categorical assistance programmes administered by The Department of Public Welfare. Also it brought to them children protection services in an identical manner as these apply to other citizens of the province.

In a further move to strengthen Indian communities and to provide band councils with a degree of autonomy, The General Welfare Assistance Act was amended to include Indian bands as municipalities. At present, thirty-six bands assume full responbility for the general welfare of members in their communities, administer their own funds and receive a provincial subsidy based on

monthly expenditures in the identical manner of all municipalities in the province.

In recent years a vigorous step-up in welfare services has taken place among off-reserve Indians in northern regions of the province. These activities have assisted people to minimize many of the discomforts and objectionable features under which they lived. The experience gained as a result of this activity has clearly indicated that the province can immeasurably assist both off-reserve and reserve Indians and particularly those who are not yet prepared to assume administrative responsibility of their own affairs. Specifically, the special welfare services would include general assistance, child and family welfare, corrections and aging, as well as certain programmes that cut across these, such as the training of Indian welfare personnel, research, rehabilitation and consultative and diagnostic services.

The federal-provincial agreements for the extension of provincial programmes to Indians were ratified recently.

These agreements provide the province with the necessary authority and frame of reference to proceed with plans for extensive welfare services and for the establishment of community development programmes designed to raise standards of living and to bring Indians to social and economic parity with other citizens of the province.

The significant requirement of both agreements is that Indian bands are to be consulted and their consent obtained before any move is made by the province to extend welfare services or development programmes to them. In my opinion, the principle of consultation is important for several reasons. First, to reaffirm to the Indians that Ontario honours the ancient commitments and treaties made with their forefathers, many of which go back long before Confederation. Second, to stress the fact that the agreements impose acceptance of the reserve system. Third, to work in co-operation with the people on the reserves.

The willingness of the reserves to participate in the formation of plans and in the actual execution of projects is essential if we are to make headway with this programme. In Quebec this is referred to as l'animation sociale, meaning stimulation or activation by participation of the population.

The agreements stipulate that action should be taken gradually. This does not mean that Ontario is not prepared, at this time, to extend all of its services to the whole of the Indian population on the same basis, and according to the same criteria, as to other citizens of the province. But in order for the extension of services and the development of new programmes to be carried out smoothly and successfully we must have sufficient prior knowledge of the Indian communities to assess the needs of the people, to develop new methods and procedures, and to enable the Indians to take an active part at each step in the introduction of new services and programmes.

Until such time as the Indian bands identify their needs, it would be difficult to estimate the extent to which development programmes and special services will be advanced to them. In this respect, the reorganized Indian advisory committee, composed exclusively of Indians representing all areas of Ontario will be in the position to give advice and leadership to the bands.

The Indian advisory committee acts as the connecting link between the reserves and the administrative structure of government, making the consultation process operational. As a means of establishing and maintaining liaison with local Indians committee members are required to visit each band in their own area at regular intervals. We believe that government business as it affects Indians should be the concern of this committee, and we expect that in time the committee members will serve as a medium through which government policies are effectively interpreted to their people.

In serving the administrative structure of government the committee has held meetings in recent weeks to give opinions on situations and proposals posed by various departments of government and to make recommendations of its own.

The structure of the agreements provides for the appointment of a committee composed of an equal number of representatives from Canada and Ontario, known as the federal-provincial co-ordinating committee on Indian affairs. The chairman is one of the representatives of Ontario and the others are senior civil servants from departments of government that are extensively involved with Indians. These are Public Welfare, Education, Economics and Development, and Lands and Forests.

The purpose of this joint committee is to involve the total resources of the community, to co-ordinate interdepartmental services, to correlate the programmes of both governments and to focus these on the needs of the problem. In this respect, the committee decides on the necessary personnel, materials and financial assistance for each project. It determines their operating standards applied

in carrying out programmes and is responsible for special training requirements of the staff or other participants in the programme.

The Cabinet co-ordinating committee, set up last year, undertakes to integrate both the fiscal and technical resources of the government and to bring these to bear on specific community problems, as analyzed by the federal-provincial committee. In addition it evaluates departmental policies and procedures in relation to the objectives of the development work in Indian communities.

In our opinion the main emphasis in any programme we undertake with reserve Indians should be concerned with economic development, social organization and possibly adjustment in environmental habitude because it is in these three areas of interest that past governmental activities have been most delinquent.

The following categories appear to be the spheres in which our participation with the bands might be helpful:

First, to concentrate on bringing about increased production and income through specialized job placement and to provide current information on labour requirements in the vicinity of the reserves; to promote modern, efficient methods in lumbering, fishing, trapping and agricultural pursuits; to provide advice and guidance to band leaders on business and marketing processes; and to promote local enterprise in the form of co-op stores, shops for the sale of Indian handicraft and small-scale industries.

Second, to encourage better use of leisure time by participation in seminars on leadership, health and social practices and recreational activities, to foster local government and to develop support organizations.

Third, to establish the need in the minds of the people for housing, pure water supply, adequate drainage, garbage disposal, road improvement and a facility for community activities.

We believe that with the emphasis on these three areas of interest marked progress will be made in such other areas as education, religion, health and welfare.

In the preceding remarks, Mr. Chairman, reference has been made to the position of the province in relation to Indian bands and reserves. One important provision in the agreements is that all Ontario Indians, whether on or off the reserves, will be eligible to participate in these programmes. In this respect the special needs of the off-reserve Indians are receiving our immediate attention.

Many Indians, particularly in the younger age groups, want to establish themselves in outside communities but are handicapped in doing so because of lack of skills, insufficient means and inability to relate to the non-Indian society. At this time, there is definite potential for the assistance of these people and others who have already left the reserves to locate and re-establish themselves in high resource areas, such as Red Lake, Bruce Lake, Ear Falls, Hudson, Timmins, Sault Ste. Marie, Timagami and the industrial centres in southern Ontario.

The Sapawe project which is the first programme of development under these agreements will provide the hon. members with an outline of what is intended for these areas.

This programme is designed to establish methods of procedure to be used as a guide for future community development programmes in other localities where re-settlement may be undertaken. Specifically, the project will establish fifteen reserve Indians in steady employment with incomes ranging between $4,500 and $7,000 a year. New housing will be provided for the workers and their families on a rental purchase basis by the Ontario housing corporation. A pre-employment skilled training session will be given by The Department of Education followed by an extended on-the-job training period under The Department of Labour.

The practice in all these programmes is to involve local resource facilities, organizations and personnel wherever possible. In this case, Quetico conference centre is being engaged to perform the functions of the community development personnel. It will assist in the social adjustment of the new residents at Sapawe; improve standards of living through homemaking, child care, money management and cultural education; create interests and promote balanced living through the development of talent and participation in group activities.

Supervision and evaluation of the project is the responsibility of the federal-provincial co-ordinating committee on community development. Programme planning and co-ordination will be a joint effort of the committee and Quetico centre.

This proposal was first submitted to eleven Indian bands in the Fort Francis-Kenora area for their approval and to recommend candidates; 62 have been named out of which 15 will be selected. The selection committee will be composed of representatives of Indian leaders, management, Quetico and the federal-provincial committee. In addition, Sapawe will serve to provide field work

experience for community development staff trained at the nearby Quetico centre.

With reference to service standards and finance, Ontario does not consider these questions to be factors which would limit the scope of the programme. We believe that service standards should be the same for the Indians as for the rest of the population, with, of course, the necessary adaptation to particular situations. As for finance, the agreements provide for a cost-sharing formula whereby federal participation ranges between 50 per cent and 100 per cent of the costs.

Similar proposals to that of Sapawe are being considered for other areas, namely, Moosonee, Hornepayne, Batchawana, Sioux Narrows and Kenora.

Living conditions in a number of areas in the province are associated with multiple factors such as health, welfare, housing, education, unemployment, law enforcement and alcohol, to mention a few. Therefore, a comprehensive co-ordinated plan involving at least the above areas of concern is essential to effect improvement.

As part of such a plan being considered for Kenora district, the alcoholism and drug addiction research foundation has been asked to develop proposals for dealing more effectively with the problems associated with alcoholism and disruptive drinking in that area. I am pleased to say the foundation is prepared to participate in the development of this comprehensive pilot project and within a short time I would hope to announce that details have been worked out and it is possible to proceed with the total plan.

The problem confronting many Indians and government is not the simple one of first adjustments to immediate needs, but of far-reaching social and economic adaptation. We believe friendship centres of organizations of a similar nature can assist immeasurably with this process. Centres of this type would be of high utility as a referral agency for the extension of special programmes and services designed to assist in the transition from reserve to urban living.

The diverse approaches required to provide a socio-economic development programme in communities to which we have been referring requires flexible research and evaluation techniques. In every project which has been considered to date, a research component has been built in where it is feasible. These concern a broad range of action research programmes. In particular I would like to mention that Dr. Rogers, director of ethnology at the Royal Ontario museum, has been engaged by the federal-provincial co-ordinating committee to design an ethnographic research project in the Moosonee area.

Also in connection with programmes being contemplated for the Kenora district, an ongoing research project which combines economics with geology and anthropology is envisaged. Information emanating from these studies would be most valuable for the guidance of the total programme.

It is our intention to consider the development of inter-disciplinary research centres and the establishment of an appropriate type of unit in particular communities where communication between the individual and the researcher may be facilitated.

We think that a centre of this type might be a university-based operation which could provide field work experience for students and, in turn, provide us with valuable information.

In order to bridge the gap between Indian and non-Indian the government has engaged a number of qualified Indian people who speak both the Cree and Ojibway languages. These employees provide counselling and guidance to Indians and often are required to act as spokesmen to articulate their needs.

The experience gained in a number of localities where there is a high concentration of Indians emphasizes the need for effective liaison of a kind they understand, accept and trust, otherwise programmes and services designed to improve their conditions are rarely understood.

As a further move to establish an effective communication network between government and Indian individuals, a concerted effort is being made to recruit more native Indians to engage in the work of counsellors and liaison officers.

In addition, I might mention that the development staff will include an anthropologist, a sociologist and several economists to guide activities, develop plans and evaluate projects.

Community development in Ontario must consider equally the problems of social as well as economic change. The rapid growth of the Indian population necessitates immediate attention to the maximum exploitation of the economic base. However, the process of community development will undertake to involve people more fully in defining the common and individual needs and problems, to facilitate the transfer of improved technology to local people for more effective solution of their problems, to incorporate democratic procedures in the development of programmes and, thus, to provide practice in

democratic local self-government. It is reasonable to think that community development could become the flying wedge in our assault on all forms of human povetry.

In any event, as you can see, it is a very big job. Fortunately we have already gained a good start with a variety of activities, projects and programmes which are now in the final stages of being approved. Now is the time for us to merge our objectives into a common programme of concerted action.

**Mr. R. F. Nixon** (Brant): I am delighted to hear the Minister's statement. I feel it represents some months of careful planning and holds within it the possibilities for the first real step for the assistance of the Indian community and for the difficulties that have been described so frequently in the House, and in the community at large.

In making a few remarks on this matter, I would like to say that it was deeply regretted across the province that the original statement of the federal-provincial programme on the part of the province was made in circumstances that frightened the Indian community itself, and brought about some considerable difficulty with the federal authority and, in my view, delayed the implementation of the work that is apparently now underway for a further period of time which, I submit, we could not afford.

I do not intend to spend any time going over the details of the confusion that was associated with the January 6 press conference held by the Minister, and the fact that it did misrepresent the situation at that time. We are delighted that these difficulties have been cleared away and that some more of the Indian bands who were frightened by the Minister's statement at that time concerning the takeover of the responsibility for Indians from the federal authority by the provinces have had their fears allayed by statements from both governmental levels. Some of the bands—I am not sure how many—have now passed resolutions accepting the programme as it has been described to them.

I would further say that although the Minister has said nothing will be done without consultation and acceptance by the Indians on a band-to-band basis, there is a fear in my mind, and it is not abundantly clear to the Indians themselves, that effective consultation took place before even the federal government made their original statement and plan in this regard. I feel that both levels of government can be criticized for not taking the Indians into their confidence sufficiently as this programme was being developed..

Certainly you have been stung by criticisms of not consulting with the Indians, and have bent over backwards since then to consult with them at every move, and to be sure that you have resolutions approving the move before you take any further action.

The meaning of the federal-provincial agreement is still, in my mind, not clear. The flexibility seems to be 100 per cent. The moneys are going to be adaquate if we can trust the original statement that $500 million are going to be available for the work presently in hand. How it is to be spent appears to be somewhat indefinite, although the Minister's statement might nail down certain specific expenditures that I would say are most worthwhile.

I feel that the original statement was seriously lacking in that it was not a joint statement by federal and provincial authorities. Even more than that, it did not include in it the third party to the statement. The Indians themselves might have made a statement at the same time to show that it was in fact entered into after consultation and with the enthusiastic support of the Indian community.

On this last matter, I must say I cannot criticize the Minister out of hand because the Indians themselves do not have an organization which represents the basic views of the Indian community.

This community is deeply divided between the prosperous Indians in some areas of southern Ontario, and those who have had no opportunity economically or educationally at all in some other parts of this province. And even in the reserves in the southern part of Ontario there are deep wedges dividing the opinion which seem to be almost unbridgeable between those who adhere to the traditional and hereditary governments of their affairs through the hereditary chief, and those who hold to the elected councils which are presently operating the affairs so well in a good many of the reservations.

I would say that we would look forward to the day when there is an organization that represents the Indian view itself; not the Indian view as tutored by the white man who has led him by the hand into certain welfare programmes and economic developments programmes, but an Indian view that speaks of the Indians themselves, whether on the reserves or off.

I say, Mr. Chairman, that we are somewhat remote from that time because such an Indian organization cannot come into being through leadership from non-Indian but interested

people. It must come from the Indians themselves.

There are at least six specific areas that the Minister has mentioned in which our programme is going to have some influence. Education is the first, and perhaps the most important. I was interested to read a number of press reports that the province was going to take over this responsibility. I think we should bear in mind that in a good many reserves the Indians have constituted themselves as a very effective authority in control of their own education. We, of course, have provided inspection services that make them much more uniform with the pattern of education across the province so that the Indian students can go on into the higher levels of education without there being this dislocation that might otherwise occur. But we have to bear in mind that Indian education must essentially be different from non-Indian education. They are very much concerned with teaching their culture, and their view of life itself so that the young Indians are not going to be contaminated by what white men or by what non-Indians feel is the proper outlook on life; family responsibilities, and so on down the list.

Welfare has been dealt with. Mind you, it appears to me that down through the years the various welfare programmes that are available to any other citizens of the province of Ontario has been relatively easily available to the Indian band. The departure under this programme would simply remove from the province of Ontario some of the more onerous financial responsibilities by the transference of funds from the federal level to the province. I know these transferences have taken place before, but just because the programme was announced in January and will be implemented in the months that lie ahead, will not, in my view, change the welfare situation on the Indian reserves that I am familiar with.

Housing is another matter that we have dealt with previously in this Legislature. Those of us who toured the north last year were astounded at some of the conditions of squalor in which the Indians live; what the conditions of housing should be is obviously something that is not agreed upon by all members of the Legislature, but I would favour very much the introduction of the housing funds from the federal level to assist the Indians in providing these facilities for themselves.

Farming co-operatives, industrialization in general in the areas that can be developed this way, lying near to the city, and community development under the community programmes branch of the Minister of Education, and some other features as well, are all areas that we can discuss later and which obviously must form an intrinsic and important part of any programme that is going to have some meaning.

There are two or three items leading on the vote of the Indian development branch which, I believe, is set apart in the estimates for the first time as a branch, that I feel should be brought to the Minister's attention at this time.

The first—although it may not have such general interest—is of great importance to the Indians themselves, and it has to do with the game and fish life that the Indians feel is theirs from the early treaty days and which, in their minds, has been abrogated by certain provincial legislation. We know that these difficulties have been before magistrates and judges at the county and supreme court level, and the supreme court of Canada. One of the areas that is of great interest is that in one of the findings of the supreme court of Canada, the majority of the justices agreed that The Indian Act of Canada referred to the ancient treaty safeguarding the hunting and fishing rights of the Indians only to preclude any interference with treaty rights by provincial legislation. The findings of the judges at that time was that the Indians would have to come under federal legislation such as The Migratory Birds Act, but that the provinces did not have the right to interfere with the ancient fishing and hunting rights of the Indians.

There has never been a clear-cut statement as to the position of this government—its legal position in this matter. And as the seasons come and go, Indians on the reserves find themselves before a magistrate being accused of misdemeanors which, in their view, are not proper accusations at all if the ancient treaties—some of them not so ancient—are taken into consideration.

I know the Minister of Lands and Forests is not here tonight, although when I questioned him on this matter in his own estimates he said that during the estimates of The Department of Public Welfare would be the appropriate time to discuss it. In my view, the government must make a decision on this matter and make a clear statment so that the Indians in the reserves across Ontario will know just where they stand and whether in fact their ancient treaty rights have been abrogated or not.

Another point that I do want to bring to your attention, Mr. Chairman, is the need

for us to recognize the historical and cultural importance of the Indians in our province. They are growing as a group within the province and at a rate faster than any other, as the Minister knows; their age distribution is such that many more of them are in the very young age as compared with the rest of the community. Their death rate is abnormally high, as compared with the rest of the community, and it means that their view of morality and their place as people—I hesitate to call them citizens because some of them are offended by that term—in the province of Ontario is at the present time more flexible than it has been in the past.

They are still subjected to teachings from our history books that would indicate that their ancestors, who were the first citizens of this country, were savages. There is reference to the flea-bitten Indians in the days when I suppose everybody was flea-bitten; there are references to their savage treatment of the white man, whether he came bearing the cross or the musket, which really are not interpreted in the light that we, in this day and age, must put on them, or, at least permit the Indians to put on them as far as the teaching of history is concerned.

The place of the Indian in our own province in the War of 1812 has never been made clear enough to our own students, let alone on the Indian reserves. And their importance as the first citizens of Ontario and of Canada has never been properly put. It is almost as if there was nobody here when the white explorers arrived. This is something that I feel can be improved and will be improved in the years that lie immediately ahead.

There is one other matter that I want to bring to the attention of the House, Mr. Chairman, and I hope I am not transgressing in any way when I raise again the matter of the Attorney General's statement some months ago now with regard to the use of liquor by the Indians. He is reported as having said that the Legislature must decide once and for all if these people are going to have legal access to liquor. The implication was that he feels they should not have legal access to liquor and he also is reported to have said that he would bring it to the Cabinet committee on Indian affairs to see to it that the proper decision is made.

Now I presume that the proper decision was made, and that the Attorney General was smartly slapped by those in some authority, sir, for his statements that were made, because there is absolutely no basis in fact on this. There is basis only in prejudice and discrimination. For a man who is in a position of such great responsibility on the Treasury benches of this Legislature it really was an indescribably shocking thing for the Indian citizens, or any thinking citizen in the province of Ontario, to read his view. And there is every reason to believe that he still holds them. Now, there was a day when a good many citizens were under the impression that Indians as a group were somehow physiologically unadaptable as far as liquor was concerned; that they got drunk easier than other people and we, of course, know that this is absolutely not the fact, and that the alcoholism and drug addiction research foundation inquired into this and has been good enough to make clear statements in this matter.

I feel that if there is any real discrimination remaining other than the completely misinformed, backwoods discrimination as voiced by the Attorney General of the province, it is the discrimination associated with the rejection of the Indian's history and the Indians' culture and the Indians' sense of value. It is an attempt on the part of legislators and people in communities dealing with Indians, who impose on them our concept of what family life should be; what family discipline should be; what a house should be. For example: What is neatness? What is laziness?

As far as the Indians are concerned, their whole background is entirely different. They look at us and say what makes those people do the things they do; why do they spend so much of their time worrying about their home accommodation; why do they bother cutting the grass; why do they not go fishing? As somebody has very plainly put it, the non-Indian people work like mad for 50 weeks of the year so that for the 2 weeks off they earn for their labours, they can live as the Indians do whenever they can.

These citizens have accepted responsibility of the community level in their own way. I would say to you, Mr. Chairman, that in the Six Nations reserve, which is by far the largest in Ontario, there are periods when the number of Indians on direct welfare reaches the vanishing point. I believe that one time during the past year it was down to six. They have access, of course, to some jobs in the local towns—Hamilton, Brantford, and many go to Buffalo to work, and so on. But the way they live is their own business and I do get very sick of editorials and comments and speeches from people who feel that the responsibility of the government and the white man, in general, is to somehow make the Indians live the way we do.

Many of them live in fine homes. There

are many homes on the Six Nations reserve that have been built in the last ten years that would fit into any urban community that you could possibly imagine. Many of these have been built by the Indians themselves. They are excellent craftsmen, working with wood. Many of them are well-trained plumbers, electricians, clerical people; there are lawyers, doctors, representatives from our Indian reserves who have gone on to positions of leadership as judges and in the army and so on.

The hon. members of the House are well aware of this and I feel, as I have said, that the only discrimination that remains in the community at large, except for the very small benighted group that we always will have with us, is the rejection of the Indian's own claim to his place in our history and our culture, and it is only with the acceptance of this that we can foster the self-confidence in the community at large that is so deeply needed.

They have been under the impression—a false impression—that they are inferior to their non-Indian brethren for so long, that some of them have begun to believe this themselves. I feel that the direction had turned even before the Minister's announcement in January, and the federal announcement in November, a few months before that.

The Indian's affairs are beginning to improve and it is largely because the Indian's attitude is returning to the self-confidence which has characterized these people down through the ages, and which has worked so much to our own benefit.

So I would say to you, Mr. Chairman, we should bear in mind that 60 per cent of the Indians are under the age of 21 years. Their death rate is three times the normal mortality rate across the province. They are therefore in a tremendously rapid period of change, an abnormal period of change. Many of these young people have gone off the reservation to go to high school; for the first time large groups are now doing this.

Some of them are not being well accepted in the schools, but I would say most of them are. They excel, many of them, academically, most of them athletically. They do keep a certain clannishness among themselves, because they go back to the reserve often in the evenings, at least in the areas that I am familiar with, so there is a tendency for them to stay together even when they are in the schools off the reservation.

This is a natural thing. We have to give them every opportunity to take advantage of the educational system that is being offered to them and will be offered more extensively under the plan that the Minister has described.

The economic problems, I would say in closing my remarks, Mr. Chairman, are also deeply divided, because the reservations in southern Ontario do not have the conditions of squalor that are so often described to us by those who are familiar with the conditions in, say, Kenora, Red Lake, perhaps Moosonee and some of the areas in the northern parts of the province. The plan must have enough flexibility to adapt itself for these two main requirements, and differing requirements.

The reservations in southern Ontario are like any other rural municipality, very anxious for an opportunity to expand the facilities that are available there for the community, educational facilities, health facilities, and for the development of the community itself through industry, sports and agricultural activities. All of the things are supremely important.

With these remarks, Mr. Chairman, I would say that I am delighted to hear the Minister's statement. There are some things in it that I may want to question more specifically—for example, his advisory committee, how it was reconstituted and reinvigorated in the past few months. But basically I feel that the Indians themselves are more prepared now to co-operate with the two levels of government. Funds are being made available at the federal and provincial level and there is considerably more understanding of the needs now than there has been in the past.

**Hon. Mr. Wardrope:** Mr. Chairman, I sent a note down a while ago; that is why I am allowed to stand up. I am very interested in this vote and I want to compliment the Minister and his staff on this report tonight, and on the work they have done during the past few years.

This debate on The Department of Public Welfare is, I believe, an opportune time to make a full statement regarding Indian employment in our northland, specifically in the mining industry. I just heard the remark that of course the Indian of the south is not used to the squalor that is found around Red Lake and Kenora and so on. That to me is an insult, Mr. Chairman.

**Mr. Nixon:** We saw it.

**Hon. Mr. Wardrope:** It is an insult. How many homes did you see it in? Do not tell me that, because I was there only a week ago.

**Mr. Nixon:** You must have done a lot since.

**Hon. Mr. Wardrope:** The things that I have heard up there that were put in the papers was to me disgusting, and an absolute falsehood.

**Mr. J. B. Trotter** (Parkdale): It was not; do not be silly.

**Hon. Mr. Wardrope:** I would like to make a statement regarding Indian employment in our northland, specifically in the mining industry

The four departments—Mines, Lands and Forests, Labour, and Public Welfare—have much in common, as you know, in that we all have much to do with Indian people.

I have, in my own riding, Lansdowne House. I do not know whether any of you have ever been there. That is one of the finest Indian settlements in this country, and you will see no squalor there. That is run by a very venerable Roman Catholic priest and it is properly run, and something that you should be proud to see. But you never get up that far north.

**Mr. Nixon:** Is he an Indian priest?

**Hon. Mr. Wardrope:** No, he is not. He is French.

Red Lake, Pays Platt, Long Lac, Lake Nipigon and others are all in my own area and the hon. member for Fort William and the hon. member for Rainy River will tell you the same thing. They are aware of these conditions and they know how foolish the remarks are that are made by some of you down-easterners.

**Mr. Nixon:** Mr. Chairman, on a point of order.

**Hon. Mr. Wardrope:** My friends the members for Fort William and Rainy River will answer any of your questions.

**Mr. MacDonald:** Do you hear a point of order?

**Hon. Mr. Wardrope:** I beg your pardon.

**Mr. Nixon:** The Minister has said the comments from this side have been foolish and uninformed. He surely knows that a large amount of taxpayers' money was spent to take the members of this House up to the north to see these areas. We have seen the places where the houses have been broken down and the Indians are living there in filth. We have seen these places, and squalor is the best word to describe them. There is no doubt, Mr. Chairman, that money has been spent to inform the membership of the House of these matters. We have been taken there to see it.

**Mr. Chairman:** Order.

**Hon. Mr. Wardrope:** I am sorry that you are not better informed after the trip to speak the way you did in the House.

The hon. leader of the Opposition implied, directly or indirectly, that Indians are not getting a fair deal in Ontario's mining industry, or in being trained to take their place in Ontario industry. Much time has elapsed since this implication was made, sir, and I hesitate to be too firm in my reply. But the truth of the matter is that it is just not so.

For too long now, and I must strongly emphasize the words, the Canadian Indian has been tossed around like a proverbial political football in this House.

Interjections by hon. members.

**Hon. Mr. Wardrope:** Frankly, sir, it is about time that we looked at the situation clearly, openly and honestly. It is about time we put the whole matter under a microscope and made a concerted effort to come up with more positive answers—more positive answers and less foolish criticism, instead of bouncing around charges and counter-charges that can only lead ultimately to more confusion for all concerned. I compliment the hon. Minister tonight on the statement that he made which I know is factual and will be carried out.

Mr. Chairman, there are hard-working, aggressive Indians who have a fierce desire to move up to improve their lot, to provide for themselves and their families, to move out of the darkness and into the sunshine, as we whites call it. Perhaps the Indian does not, and perhaps he is smarter than we are. I do not know. I often wonder.

It would be grossly unfair to say otherwise. In this great country, Mr. Chairman, we have many fine examples of Indian people. Lawyers, doctors, merchants, clerks, typists, steeplejacks, even one Senator, Senator Gladstone, if my memory serves me correctly. Yes, Mr. Chairman, we have many Indians employed in many lines of endeavour, including the Ontario mining industry.

In Canadian mining, Mr. Chairman, one of the best known figures is a man affectionately called Slim by his many friends and acquaintances. In formal circles, he is known as Dr. G. C. Monture, OBE. At present, Dr. Monture is special consultant to the Atlantic development board. The doctor's association with the mining industry began more than

40 years ago when he graduated from Queen's University with a degree in mining engineering. It is a fact that we have Indians who want to blend smoothly and easily into the fibre of Canadian life, people who want to be known presumably as Canadians with a proud Indian heritage. This is logical, I think you will agree, and quite understandable.

We also have Indians who have no desire whatsoever to budge from their old ways, who prefer to remain on the reservations, clinging to a near-forgotten past in our fast-moving jet age. Remember that, gentlemen, when you are talking about all Indians. Then we have Indians who are, unhappily, square pegs in round holes, doing work they dislike in order to make a living. Naturally, Mr. Chairman, this brings on frustration and breeds malcontents. It stands to reason. Finally, we have unfortunate Indians who are caught in a trap, just too old or too set in their ways to leave the reservations and begin life anew.

These people, Mr. Chairman, are naturally hesitant about moving out into unknown waters that really could be, in their eyes, fraught with danger or to live in a $10,000 house or go to a beautiful cathedral and all these things that we say we should get for them. Are you sure that the Indian would be happy with it and want it? Some of you should come up to Indian country and ask them.

Now, the asphalt jungles frighten them, sir, the wilderness is one thing; civilization, as we know it, is another. In brief, among the Indians, as in all people, there are go-getters, and there are stay-putters and let us face it. I believe I can speak with some authority on the matter, because there are probably more Indians in my area in and around the Lakehead and the places I have mentioned, than in any other comparable area in Canada.

As you might recall, in 1953 I was made an honorary chief of the Pays Platt tribe and you must pardon me if my feathers are a little ruffled tonight. I remember old Chief Muskwash, who was the chief, used to write me a letter and he would say, "Dear brother of the tribe: My men need work, you get them work, you brother of tribe, Chief Muskwash." I got them a job if I could, I will tell you that, but that is the way they do business.

Having given my general feelings on this issue, Mr. Chairman, I would like now to get right down to specifics. I would like to drive home a few facts for the record. Let the hon. leader of the Opposition, as well as others in this House, know exactly what is going on in this area that really is looked after by the member for Fort William, the member for Rainy River and myself. That is our responsibility.

We think that a job is being done there and according to the Indian development supervisor of The Ontario Department of Public Welfare, the provincial mining, lands and forestry industry and labour as a whole are co-operating magnificently with government officials in trying to help the Indian people to improve their lot. The industrial training branch of The Department of Labour has been of great help in this work and I would like to cite just a few examples.

A total of 117 Indians are employed on a regular basis at just four mines in the Red Lake area. The mines are Madsen Red Lake, Cochenour Willans, Campbell Red Lake and Dickenson Red Lake. At Madsen, the mines manager has even brought in 11 trailers and hired a qualified woman to help the Indians with their social and domestic problems. Everything from sanitation to cooking, from housecleaning to grooming. The company hires between 35 to 40 Indians on a regular basis.

At Cochenour Willans, the president has built homes to accommodate 15 families. These Indians live in Cochenour village in harmony with other people of other origins and enjoy all the facilities available, including a dance hall, pool room, and so on.

That does not sound like a picture of gloom and doom where they are all starving to death and that is all we hear in this House from the Opposition and it certainly does not go down very well with us. I have not been in many of the reserves here but I am sure the stories I have heard about some of the eastern reserves are far from the truth.

To prove to you, sir, that many mining companies bend over backwards to do the right thing by the Indian people, at Timagami a group of several companies purchased 15 houses from Indian families squatting on their land. It cost them a total of $30,000. To be perfectly candid about it, Mr. Chairman, this money was actually an outright gift because the shacks or houses did not even belong to the residents. The operators simply wanted these people to vacate—

**Mr. S. Lewis:** How could they be shacks?

**Hon. Mr. Wardrope:** In the north sometimes we call a house a shack. The member probably has not been up there. In Toronto he probably calls it—

**Mr. MacDonald:** The Minister should not be so condescending.

**Mr. S. Lewis:** This is a shocking presentation.

**Mr. MacDonald:** He is showing his ignorance.

**Hon. Mr. Wardrope:** I am not talking to the member for York South, if I was I would probably use different language.

**Mr. MacDonald:** Go ahead, I shall have a few things to say—

**Hon. Mr. Wardrope:** The operators simply wanted these people to vacate workable property without causing any fuss or publicity. These folks, after receiving their money, were offered work and assistance in housing relocation elsewhere. The Department of Labour had a hand in this project, as they have done in the past in many of them. Whether the Indians took advantage of the offer, I really cannot say, but the point is that strong efforts were made to help them.

**Mr. E. Sargent** (Grey North): The Minister should know.

**Hon. Mr. Wardrope:** They got the money, that is the main thing. I do not know whether they carried on or what they did with it, that is what I am getting at.

**Mr. Sargent:** The Minister has not been doing his job up there. Mr. Chairman, may I ask the Minister a question?

**Hon. Mr. Wardrope:** Yes, what question does the member have?

**Mr. Sargent:** Mr. Chairman, my only time in Fort William was two years ago and the whole time I was there there were film presentations on the deplorable mess of the Indians in the Minister's area. It only goes to show the Minister has not been doing his job as the member there.

**Hon. Mr. Wardrope:** I am sorry, Fort William is not in my constituency but I do not believe what the member is saying is quite correct.

It is quite conceivable, sir, that possibly many Indians do not want to work in the mining industry. It is a fact that the operators of Pickle Crown gold mines could use 20 to 30 additional men on a permanent basis, but the Indians who were approached with this opportunity just could not be persuaded to join the work force. Virtually the same thing applies at Coppercorp, Tribag, Sherman Mines, Algoma Ore Properties and Kerr Addison, to name only five. To shed a little light on this situation, I have heard several knowledgeable people maintain that it is against the Indian nature to work underground. True, it is also against the nature of many other people of many other extractions, but I have been told that with the majority of Indian people, generally speaking, working underground just does not come naturally to them. They really prefer the out-of-doors and the freedom that goes with it. Certainly working at fantastic heights is more the Indian's cup of tea and they are very good at it. If you notice, on the Toronto-Dominion Bank in downtown Toronto, a number of Indians are on that terrifically dangerous job and doing a great job for Canada in that work.

The Department of Labour, I think, is doing a really good job in their end of it. The department is helping to provide jobs for Indians in the fields of mining, construction and these other facets of the employment picture.

At the present time, a great deal of government assistance work is underway in the Red Lake area. As the Minister explained tonight, the Indian development branch of the provincial Departments of Labour, Education, and Public Welfare are now working in conjunction with the federal government on what is called the federal-provincial co-ordinating committee to further solve the economic problems of the Indians.

Although a detailed summary is not available at this time, it is a fact that many Indians are currently employed in many mining districts in our northland. In addition to the one already mentioned, namely, Red Lake, many Indians are now employed on a steady basis at Faverville Lake, Sudbury, Timmins and Kirkland Lake.

And if I may be permitted to come right to the point, Mr. Chairman, should we keep detailed facts and figures on the number of Canadians of all other national or racial strains now employed in Ontario mining? Should we keep detailed facts and figures on the number of Irish Canadians, for example, or the number of Scottish Canadians, or French Canadians, or English Canadians, or Polish Canadians, or Italian Canadians, or any other Canadians employed in Ontario mining? What difference does it make as long as the opportunity to work is there?

Of course it goes without saying that a considerable number of Canadian Indians apparently do not wish to be called Canadians. But may I ask, sir, if they are not really Canadians, just who are?

Now as far as the Indian's right to work is

concerned, as you well know, Mr. Chairman, the Ontario human rights code, specifically section 2, subsection B of section 4, subsection 1, positively forbids discrimination against anyone in our province because of race, colour, creed or national origin.

To sum up, sir, much has been done and much more will be done through the Labour department, the Public Welfare department and these other departments of government to help the Indian people, if they so desire to assimilate into our economic and social structure. However, it is completely unfair to say, or even imply, that we are derelict in our duties in this regard.

To the hon. leader of the Opposition, and to all others assembled in this House tonight, I would like to leave this appropriate thought. It is called "An Indian Chief's Prayer," and it goes: "Great God, let me walk three weeks in the footsteps of my enemy; carry the same burden; have the same trials and temptations as he, before I say one word to criticize him."

I wish to thank the Minister and The Department of Public Welfare of this government for doing such a fine job through the welfare branch, also the Minister of Labour, Lands and Forests, and the mining companies. I will dispute, Mr. Chairman, with anyone I hear saying there has been discrimination against the Indian when they seek and ask for help in this province. If anybody thinks differently, I would appreciate them advising me of it and I assure you I will co-operate with them; I know my Premier and colleagues will, to give them the best deal it is possible to give them. And in my area, as I have told you, this may surprise you, there are 95 Indian reserves; 38 Indian bands; 25 Indian bands and reserves run by Indian agencies; 178 agencies.

**An hon. member:** How many Indians?

**Hon. Mr. Wardrope:** I could give you that, I have it here if you want it. But that is how close we are to the Indian problem and when I hear people take an odd trip up to the north for two or three hours, and come back and say those terrible Indians are in poverty, they are in shacks, it just makes me laugh. And, Mr. Chairman, I cannot stand sitting here hour after hour and listening to this pathos of the poor Indians. They want to go up there for a while and live among them, and work with them, and get to know them, and they will talk very, very differently. Thank you very much, Mr. Chairman.

**Mr. MacDonald:** The Minister has reminded us he has been made an Indian chief. I have forgotten the Indian name they gave him but I understand that it translates as Chief Shooting Bull. And I must say, Mr. Chairman, I have rarely listened to a more disgusting and sickening display from a Minister of the Crown on a serious problem, when hundreds of people across this province of Ontario are trying to rescue it from precisely that kind of mixture of guff, mishmash, paternalism, arrogance and inverted prejudice. That is the kind of thing we got from the Minister. He says, for example, that he would like to know about prejudice. You were reminded about prejudice right in your own Cabinet, right in your own Cabinet—the most prejudicial kind of statement that has been made about the Indians for quite some time, a shocking insult to the whole of the Indian people in this province—by the hon. Attorney General.

**An hon. member:** Who is that?

**Mr. MacDonald:** The Attorney General. Where have you been anyway? What province are you living in? What facts are you reading?

**Hon. Mr. Wardrope:** Who made that statement?

**Mr. MacDonald:** The Attorney General, in his comment with regard to the Indians and their incapacity to hold liquor. And then he was going to the committee, and the issue was going to be discussed in the committee and, I presume, that has been resolved. The Minister of Health got up and in effect said he did not agree with the Attorney General. I presume, I hope that this also represents the reaction of the rest of the Cabinet.

But the hon. member for Brant is correct, there is no doubt in the wide world that the Attorney General has not changed his mind—so do not start talking about prejudice; bring it up in the next Cabinet meeting. The Minister gets up, for example, and peddles us a lot of superficial guff with regard to what is going on in his constituency. I sat down in his constituency, in MacDiarmid. You talked and talked and you peddled all this tripe. Just listen for a moment. I sat down in MacDiarmid with Doug Fisher, when he was still MP, and with representatives of the leaders in the community, because they are riddled with unemployment and they have a provincial member who has done nothing for them.

They sat down and with the assistance of outside people began to work out a programme which will ultimately, I trust, become a community development programme. But

what have you done, other than giving these pollyanna statements as though you were talking to a service club? Mr. Chairman, it is precisely this kind of attitude which has buried, to the disgrace of this nation, the plight of the Indians. Now people have dug it out and focused the light on it, so we are going to have to do something about it. And you can come up fighting if you want with your political attacks on anybody on this side of the House.

**Hon. Mr. Wardrope:** We are not just talking; we are doing something.

**Mr. MacDonald:** You are not doing anything.

**Hon. Mr. Wardrope:** Oh yes, we are.

**Mr MacDonald:** Well, let me be fair. There is some hope that something is being done, but you are not doing anything but blurring the issue, so that we cannot get at the job.

**Hon. Mr. Wardrope:** Well, you have got four—

**Mr. MacDonald:** I do not know how many more people think with you, Mr. Chairman.

I want to go back—having tried to deal with this rather disgusting outpouring from the other side there, to get back to the issue itself. I want to go back and discuss some aspects of the whole approach to working with the Indians for the solution of the problems and the situation that they face at the present time. I concur with the hon. member for Brant that there is now, for the first time, some real hope that we are going to be able to work out a programme in which the Indian will co-operate to get some sort of solution to his problem. But, there is one aspect of this that I want to dwell on for a moment, going back to that visit in the north when we saw some of the facts with regard to the life the Indians have to face.

Most of the Indians today are living on reserves that are close enough physically to the mainstream of life. They are inevitably, to a degree, becoming integrated. They want to retain their identity; they want to keep their reserves, but education and training for jobs and things of that nature are gradually breaking down these barriers. But there are some Indians who want to live the traditional life, and I, particularly after going on that trip up north, would not for one passing moment want to say to them that they should be denied that opportunity.

I remember, in fact as memorable a scene as I shall ever see in my life, Indians in areas like Port Severn and Attawapiskat. When we saw them it was the summer time; they were out on their holidays. It was sunny in Attawapiskat and they were playing cards on the grass; they were enjoying themselves. But when you get into an area like Port Severn, where they were out for two or three months in the summer time and for the paleface—whether named as an Indian chief, or otherwise—it is almost incredible to contemplate that as soon as the tundra back of the settlement starts to freeze in the fall, they head back into the country with their families, their wives and children.

For most of us, having been exposed to civilization, it is almost awesome to contemplate that a human being could go back under conditions like that and not only work, but survive. And yet they do it and they like it. They do not want to have houses built in the village in a fashion that was not planned with them—otherwise they might have gone along with a better house—but when it was done for them and through an exercise of paternalism, and they were put in them, they went out and built their shack at the back of the settlement because they did not like the way it had been handled.

I was reminded of this approach and this appreciation of life two or three months ago, when I happened to be in Sudbury where I noticed an article by Ted Greenslade in the Sudbury *Star* on March 19. He had flown out with one of the conservation officers and somebody from The Department of Lands and Forests and a pilot to visit a family on Rush lake. There was a family of Diamonds who had come down from Rupert House—apparently the fishing and hunting had run out in their particular area and they had come down to establish new traplines. He describes in the fashion that arouses nostalgia for getting back to the north once again—of landing, and finding a campsite some 50 feet back from the shore. The settlement around had in it everything that they needed for survival and for their work, and yet there was nothing other than pots and pans and axes and knives that had to be bought from civilization. Everything else had been made from nature and from the conditions under which they had to live. They went out on their traplines in the fall and they came to the end of their traplines in May. They made something like $5,000 to $7,000 a year—

**Mr. N. Whitney** (Prince Edward-Lennox): Good for them

**Mr. MacDonald:** The Indians are not as far away as we thought!

**Hon. Mr. Grossman:** Who is insulting the Indians now?

**Mr. MacDonald:** I will read from the article by Mr. Greenslade:

> "We come into the Gogama district" said they, "to trap because the beaver are more plentiful than at home near Rupert House. We usually charter an airplane to fly us and our supplies into whatever spot we decided to use as our starting-off point. Then we went our way around the line finishing around the beginning of May. We don't work in the summer," she said—

this is the grandmother:

> "Only a fool would work in the summer if he did not have to. Summer is for fun."

Mr. Chairman, I suggest that at a time when we are talking more and more of longer holidays and the leisure society that conceivably may be in 75 or 100 years from now, we will get back to a philosophy of life and an ordering of our work year which will be precisely in keeping with what the Indians have always believed and attempted to live. Some idea of the ability of these people have to live off the land can be seen in the fact that one airplane can fly in all of their store-bought supplies for six months, including flour, tea, sugar, beads for moccasins, extra clothing, sleeping bags and canvas for their wigwams.

I wanted to give you a bit of the flavour of this, Mr. Chairman, and before I leave it let me come down to some comments that were made by the grandmother, Mrs. Diamond, in reference to her relationship and her attitude toward the white people.

> I asked Mrs. Diamond—

said Ted Greenslade:

> —her opinion of the white man: "Those we meet in the outdoors are either friends or lost. We can always feed both if they need it," she said. "Do you want your children to lead this kind of a life?" I asked. "I have two daughters in school in Sault Ste. Marie now," she replied. "I want my children to have an education. What they do after that is their own affair. We have a good life; we have money in the bank; we have a home at Rupert House; we earn a living and do not have to fight anyone or be dishonest with anyone to get it." I ask her if she felt the white man had and was treating the Indian unfairly—

and just consider this comment, Mr. Chairman, for its richness in philosophy and attitude toward other human beings:

> "He often treats his brother white man the same way if he gets the chance," she said. "Why should he make any exception with us? I think the white man who lives in the outdoors is kinder and closer to God than one who lives in the city."
>
> She thought a minute and then she smiled and said: "It is a long time since we Indians made war against anyone."

I thought I would pass this on to hon. members in case they had missed it, because here is an example of the Indians who want to live the traditional life of the Indian, yet interestingly enough, Mr. Chairman, they are integrating whatever they want to choose from our way of life.

Her daughters are getting an education in Sault Ste. Marie; she is intelligent enough as a parent to say that what they want to do is their business; she is not going to impose it upon them. They were able to move down and establish their way of life on a new trap-line because their earlier trapping grounds had been worked out, yet without any difficulty and without any of the necessary drawing from civilization, they re-established their business, so to speak. They had money in the bank; they had a home back in Rupert House.

In other words, here is a family living all of the traditional life of the Indian and yet acquiring some of those characteristics of stability that allegedly the Indian is not interested in, or is incapable—so some people would contend of acquiring. I think this is one group of Indians with the way they want to live—and I reiterate that we should do everything to make it possible for them to continue that way of life. I suspect that a few years from now we will agree or come to the point of recognizing that perhaps their philosophy of life has a lot more validity than ours has in our rat-race approach the living.

However, Mr. Chairman, I think we have to acknowledge the fact that it is not possible for all Indians to live in this way. I was interested to read a comment the other day that it is reliably estimated that there were one million Indians in the whole of what is now continental United States and Canada at the time that Columbus landed in North America. What has happened to those one million people in the interval is really a pretty sad tale. Indeed, as far as Canada is concerned, in 1949 there were only 139,000 Indians left and yet there was a remarkable increase in population, so that today there are 220,000, almost doubling their population over a 17-year period.

Clearly, that size of a population—even in the areas where they still, in effect, hold domain—is not able to make a living and

sustain themselves in their traditional fashion. We do have the problems that we now are coping with on reserves that are closer to civilization and gradually becoming part of the mainstream of Canadian or of North American life.

The basic point, Mr. Chairman, that I think we have to bear in mind in the programmes that we are mapping out is the establishment of a sense of not only self-respect but independence on the reserves. I agree with the hon. member for Brant that the Minister was most unfortunate in some of his comments—or the misinterpretation of what he said, I do not know which it was—that resulted in Indians taking flight, in the belief that the government was going to move, with none of the planning that the government paid lip-service to, to eliminate the reserves as quickly as possible. It has taken some six months or so to quieten these fears down.

Basically what we have got to do is to help the Indian to establish himself on his reserves, and to assist him in creating that reserve as part of the general Canadian society, even with its unique and its separate identity, but nonetheless as part of the Canadian society—perhaps, if you will, as an Indian municipality, within which he is going to have control and direction of his own way of life.

I attended the annual meeting of the Indian-Eskimo association held in North Bay last November. I was interested in an announcement that was made then by one of the officials of the Indian affairs branch in Ottawa, to the effect that grants were being made available to train managers or clerks, for the various reserves. I am curious to know from the Minister to what extent this kind of practice has been taken up, and to what extent the Indian reserves have responded to this provision of grants. I want to point out in the instance of other aspects of the programme that my information from people who are working in agencies that seek to assist the Indian is that while these programmes are made available, for some reason or other, it takes a very great length of time for them to come into operation. Indeed, I think it is there that organizations like the Indian-Eskimo association have a great role to play.

But, for example, in this $500 million programme presented in somewhat glorified fashion over a period of 50 years—one can always make any programme look big if it is multiplied over a 50-year period—there has been a breakdown to indicate what the Indian affairs branch at Ottawa is suggesting that they would like to do, the areas within which they would like to give some assistance. I just want to draw this to the attention of the House, and by way of asking the Minister what, if anything, has emerged in these particular categories.

The hon. member for Brant spelled out these programmes in another way. I am curious to know—since I am now going to refer to the specifics of what the federal government said was going to be made available—what has happened, what reaction has taken place, either at this government level, in conjunction with the Indians, towards working out some programmes; where, if anything, has some real step forward been made in fulfilment of the first year of this 50-year programme?

For example, one aspect has to do with housing. They intend to build in the next five years some 12,000 homes. The programme is going to involve some $75 million out of the federal Treasury and it is estimated that a combination of private funds and band funds will bring this figure up closer to $125 million total.

We did see circumstances in the north, where clearly, notwithstanding the hon. Minister of Mines, there is a desperate need for better housing conditions. I think it is in response to this that this rather important and major aspect of the overall programme was spelled out by the federal government. What is happening? What are the prospects in this year, the first year, for some move forward on the housing programme?

Second, with regard to water and sanitation services, it was pointed out that sewer service or septic tanks are available in only nine per cent of Indian homes, and running water in only 13 per cent of these homes. This compares with a national average of around 92 per cent for the rest of Canada. Indoor baths are to be found in seven per cent of Indian homes, compared with a national average of 84 per cent.

Now for this particular aspect of the federal programme, it is stated that $10 million is going to be made available over five years. Has any move been made to avail themselves within the province of Ontario, jointly with the provincial government, or with any of the bands, that the Minister is aware of for fulfilment of this improvement of water and sanitation conditions?

Third; there was electrification on the Indian reserves. Here they envisaged a programme of some $7 million. They point

out that a housing survey in the Indian communities indicated that only 44 per cent of the Indian homes were provided with electricity, compared to a national average of 99 per cent. Once again, a situation that suggests some voluntary or unwitting discrimination has crept into the picture.

Fourth; roads and bridges and physical improvements within the reserves. The sum of $17 million has been allocated for this. What has emerged in this aspect of the programme?

Finally, and most important of all, as the Minister himself has indicated and as the hon. member for Brant has underlined, is the whole question of economic development. Here quite frankly is the aspect of it that I am most puzzled with. Perhaps I missed it in the account that the Minister gave to us, but what machinery has been established for making funds available in a ready fashion, for assisting with know-how, those Indians when they want to move towards the establishment of some industry, or some project—such as for example with the case in the Cape Croker development last year, that captured the headlines for a period of three or four months—because of the fact the band was not able to get the assistance they wanted?

It has been suggested by those who have been working in the Indian-Eskimo association that what is needed is an economic development fund. Not of $1 million as they have had for quite some time available as a revolving fund, but at least some $50 million and that this would be available for the feasibility studies for the necessary loans, for the upgrading and the training of the workers who might move into these various projects. It should be available for the working out of programmes with industries near the reserve, or to assist them to establish on the reserve, so that you would be able to develop the economy within these Indian municipalities —if we are going to treat the reserve, in effect, as an independent municipality — working more and more within the mainstream of Canadian society.

I suggest those four areas to the Minister and would solicit from him some indication as to what action has taken place, or he thinks is likely to take place, in the course of this year.

However, Mr. Chairman, there is one final point I want to make before I sit down, and that is I was interested in the Minister's comments with regard to the efforts to train Indian leaders at the Quetico park.

One of the most dramatic, and in my view, moving aspects of the new emergence of the Indian, as I was able to see it in one brief weekend at the annual meeting of the Indian-Eskimo association in North Bay last fall, was the fact that they had picked three or four Indians who presumably had no particular experience in this way before, as field workers.

They were brought together and given a brief explanation as to what they could do, in visiting a number of reserves and bands in their particular area, and in discovering what some of their problems were and what some of the projects were that they were considering, and to bring this back to a panel discussion. I listened to a panel discussion with Indians who were just gradually moving into the kind of group discussion with white people—something that takes a lot of time to become accommodated to—and yet it was most astounding to watch these Indians come alive, in terms of a humour, in terms of expression of view, in terms of reporting on the conditions that they had found. Indeed, Mr. Chairman, to be quite frank with you, talking more common sense and earthy grasp of the problems than some of the professional anthropologists who were on the panel, discussing some of the cultural aspects of Indian history and life.

These people can do a job for themselves and we should never for one moment underestimate the native capacity to provide their own leadership, if we are willing to sit down and work out programmes with them, and to assist them to acquire the know-how so they can go back among their own people and put those programmes into effect. I wanted to conclude with that, but before I sit down, I want to reiterate that I would like the Minister to explain how these programmes are being put into effect and what possibility, insofar as he can see, there is for some fulfilment of them in the first year, instead of waiting for the fourth or fifth year of the 50-year project that has been mapped out.

Hon. J. W. Spooner (Minister of Municipal Affairs) moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

**Mr. V. M. Singer** (Downsview): What is the order of business for tomorrow?

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Tomorrow will be the same as today, including the Public Welfare estimates.

**Mr. Singer:** That is very informative.

**Mr. S. Lewis** (Scarborough West): Will we go first to the order paper tomorrow or will we continue directly with Public Welfare?

**Hon. L. P. Cecile** (Minister of Public Welfare): Mr. Speaker, if I may, the House leader before he left gave me a note which I was to hand to the Minister of Municipal Affairs, but which I forgot to do.

It says at 8 p.m. tonight the Public Welfare estimates continue and then tomorrow the House will be in committee, on estimates and discussing bills on the order paper.

Hon. Mr. Spooner moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.35 o'clock, p.m.

No. 152

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Thursday, June 23, 1966

**Afternoon Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JUNE 23, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today students from the following schools: in the Speaker's gallery, A. J. Baker public school, Kintore; in the east gallery, the school of the Annunciation, Don Mills and Wolfe Island public school, Kingston; in the west gallery, Calvin Park public school, Kingston, E. W. Farr Memorial senior school, Fenwick, and Brick street public school, London.

Petitions.

Presenting reports by committees.

Mr. G. A. Kerr (Halton) from the standing committee on municipal affairs, presented the committee's second report, which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill 169, An Act to amend The Planning Act.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE PUBLIC SERVICE SUPERANNUATION ACT

Hon. J. N. Allan moves first reading of bill intituled, An Act to amend The Public Service Superannuation Act.

Motion agreed to; first reading of the bill.

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Speaker, this bill provides for integration of The Public Service Superannuation Act with the Canada pension plan. In addition, some changes are being made to bring the Act more in line with modern practices.

The bill is in accordance with the memorandum of understanding signed by representatives of the civil service association of Ontario and the government. It might be said that with this bill we witness the completion of the negotiation of fringe benefits that commenced with the establishment of the joint council in 1963.

## THE TEACHERS' SUPERANNUATION ACT

Hon. W. G. Davis moves first reading of bill intituled, An Act to amend The Teachers' Superannuation Act.

Motion agreed to; first reading of the bill.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, the amendments to The Teachers' Superannuation Act provide for the integration of the teachers' pension or superannuation commission with the Canada pension plan, with some other minor amendments, but that is the bulk of the bill itself.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I have a question for the Minister of Labour, notice of which has been given.

Can the hon. Minister explain why there are no safety regulations for window cleaners on Toronto buildings, and further, why The Construction Safety Act only applies to buildings under construction?

I have another question for the Minister.

Can he tell the House what specific action he intends to take to counter criticism from the Ontario economic council that Ontario's programme 5 has a lack of defined objectives at all levels of the operation of the programme?

I also have a question for the hon. Attorney General:

Would he consider setting up some system whereby a longer notice of intention of transfer can be given to members of the Ontario provincial police awaiting permanent postings, in order that they will not suffer difficulties and inconveniences in settling apartment or home leases, and other such personal commitments?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, at the present time the Ontario provincial police force does attempt co-operation with the police officer concerned to give whatever notice is possible and necessary in order to permit the man to meet his own personal commitments. I would point out that it is difficult to establish one fixed rule to meet the requirements of a force of more

than 3,000 men and at the same time efficiently accommodate to all the various situations which give rise to transfers, and rather than establish some fixed rule which might create inequity, the force attempts to deal with the individual cases on their particular merits.

Generally, two or three weeks' notice is adequate. In other cases, shorter or longer notice may be necessary or desirable. This is worked out with the police officer involved, and wherever possible, an attempt is made to meet his needs.

I might say that I have discussed this with Commissioner Silk of the Ontario provincial police after drawing this to his attention, and if the hon. member has a specific case in mind we would be glad to have it reviewed and answer that specific situation and explain it to the hon. member and to the House.

I do not feel that I could agree, if there is a suggestion that there should be a fixed rule of notice. This is not possible in a force of this size, and because of the various sudden situations which sometimes arise. But I would be glad to pursue any specific case and answer it further.

**Mr. Thompson:** Mr. Speaker, could I ask a supplementary question to that?

I wonder if the Attorney General really considers that three weeks is adequate for a man to be able to arrange for the sale of his house, and so on; and if he does not agree that three weeks is adequate, has he considered financial complications, or the hardship of men who are transferred and who are having a loss on their house, or having to maintain two living dwellings?

**Hon. Mr. Wishart:** Mr. Speaker, I would agree that three weeks as a fixed rule—also any fixed rule—quite often might not be adequate or proper.

**Mr. V. M. Singer** (Downsview): Hardly ever.

**Hon. Mr. Wishart:** Particularly, perhaps, for single men who are on the force, and who join the force with the understanding they may be transferred quickly, as something in the nature of the army enlistment, this might be a good rule, or a rule of general application to them.

However, the situation will be reviewed. I have discussed it with the commissioner, and I am certain if there is any specific case, he would be glad to go into it further.

**Mr. Thompson:** Mr. Speaker, could I ask the second point in my question? It was: Would the Attorney General consider financial compensation?

**Hon. Mr. Wishart:** I will take this up also with the commissioner.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, would you be kind enough to revert back to introduction of bills?

**Mr. Speaker:** I wonder if the Minister would wait until we complete all the questions and then we will revert back.

**Hon. Mr. Wishart:** Mr. Speaker, yesterday the hon. member for Bracondale asked for certain figures with respect to 1964, relating to unsolved culpable homicides. I have been able in the interim to get those figures for him.

In 1964 there were 58 culpable homicides; 14 within the Ontario provincial police jurisdiction, 54 within the municipal police jurisdiction.

In the 14 provincial police cases, 13 were cleared by charge, or otherwise; one case was unsolved.

In the 54 municipal cases, 47 were cleared by charge or otherwise; and seven remained unsolved.

I should explain three of the unsolved cases were believed to have been committed by a person who was charged in another culpable homicide case.

**Mr. G. Ben** (Bracondale): Was the figure given 58 or 68?

**Hon. Mr. Wishart:** There were 58.

**Mr. Ben:** Well, 14 under OPP jurisdiction and 54 under municipal jurisdiction would total 68.

**Hon. Mr. Wishart:** Thank you for drawing that to my attention. It should be 44, I think.

**Mr. Ben:** Well, if it was only 44, 47 could not have been solved.

**Hon. Mr. Wishart:** I will check on that; an error in typing. Mr. Speaker, I was about to make a statement in connection with a bill. Should I defer that?

**Mr. Speaker:** Have the members finished all the questions?

**Mr. R. F. Nixon** (Brant): I have two questions for the Minister of Lands and Forests who is not in the House today.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): I am prepared to answer on behalf of the Minister of Lands and Forests.

**Mr. Nixon:** The first one is: Could the Minister report on the progress, if any, the department has made with a private consulting firm on an in-depth study of the future of the Wasaga Beach resort complex?

**Hon. Mr. Spooner:** I am advised by the officials of The Department of Lands and Forests that an interdepartmental committee comprising The Departments of Highways, Municipal Affairs, Tourism and Information and Lands and Forests has held five meetings, two of them with the consultant, and have arrived at the final stages for the terms of reference for a continuing study.

**Mr. Singer:** Oh, that is good. Bubbling over with information. Terms of reference for a continuing study.

**Mr. D. C. MacDonald** (York South): In the fullness of time.

**Mr. Nixon:** The second question, on behalf of the hon. member for Algoma-Manitoulin, could the Minister tell the House what steps he is taking to counter the spread of American tent and forest tent caterpillars in Ontario?

**Mr. Singer:** There is a good question.

**Hon. Mr. Spooner.** In answer to the question of the hon. member of Algoma-Manitoulin, so ably carried forward by the hon. member for Brant, concerning steps being taken—

**Mr. Bryden:** —the Minister of Municipal Affairs.

**Hon. Mr. Spooner:** —being taken by the Minister of Lands and Forests to control the spread of American tent and forest tent caterpillars in Ontario, I wish to give the following reply: Both species of tent caterpillars currently active in Ontario are insects native to the North American continent.

Interjections by hon. members.

**Hon. Mr. Spooner:** This is a lesson in biology.

An occurring epidemic periodically at approximately 10-to-12-year intervals. Of the two, the forest tent caterpillar causes the more spectacular damage, because it strips the leaves from broad-leafed trees over whole forested areas. Outbreaks of the forest tent caterpillar, therefore, have been a natural recurring phenomenon for centuries, and have been documented in Ontario without interruption since the 1860s. A lesson in history.

The caterpillar epidemic normally lasts for four or five years in any one locality and then disappears suddenly, mainly as a result of a large greyish parasitic fly.

The last outbreak in Ontario occurred in the late 1940s and early 1950s. The current epidemic started in the forested areas of Alberta in the late 1950s and has since infested forests from the Rockies eastward. The epidemic on the prairies has now largely disappeared, and in northwestern Ontario, adjacent to Manitoba, it is in the process of collapsing. It is quite active towards the Lakehead, along the North Channel, from Sault Ste. Marie to North Bay and at scattered points in southern and southeastern Ontario.

The epidemic runs its course usually without causing any permanent damage to the trees, although some property owners, such as cottage associations, obtain relief from the nuisance of the pests by engaging commercial aerial spraying contractors. A mass attack on the insect by aerial spraying with chemicals could not be justified financially, or biologically. Such a programme could create serious pollution problems, endanger useful organisms, and in the end produce no tangible benefit.

A great deal of investigation by research organizations over the years, both in this country and in the United States, has not found a suitable solution to the problem.

**Mr. MacDonald:** Does the Minister recognize that when the caterpillars left the prairies, there were no trees left?

**Mr. Speaker:** Order, order!

**Hon. Mr. Davis:** In answer to a question asked by the hon. member for Wellington South two days ago, in order that a person may be a supporter of a separate school in Ontario, he must be of the Roman Catholic faith. Where a non-Roman Catholic is the owner of the property, he may not direct that his taxes go to the support of the Roman Catholic separate school, even though his wife may be a Roman Catholic and he may wish his children to attend the Roman Catholic separate school.

This, as I intimated earlier, relates back to the historical development of the separate schools whereby the formation of a separate school has been based on the action of the head of the family. It is understood that the male parent is considered to be the

head, and there has been no alteration in this basic principle.

Yesterday, the hon. member for Ottawa East asked a question with respect to a statement made by the director general of cultural affairs in the French foreign ministry. I should point out that at the request of The Department of Education the French consul has arranged to have nine teachers from France instruct at the intensive French course for teachers at Elliot Lake this summer.

These teachers will be part of the summer school staff and will be paid by The Department of Education.

As the plans for ETV develop in this province, the department would be quite pleased to consider any television programmes or films submitted by the director general of cultural affairs, and to evaluate them for distribution in the Ontario school curriculum. This would apply to any other material they might feel would be of some help to us.

**Mr. R. Smith** (Nipissing): I have a question of the Minister of Energy and Resources Management.

Does the Minister agree with Mr. R. H. Millest, director of the Ontario water resources commission division of industrial waste, that tougher and arbitrary methods may have to be used to ensure Ontario's waters are kept free of industrial pollution?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): I am informed Mr. R. H. Millest, director of the OWRC's division of industrial waste did not state that tougher and more arbitrary methods may have to be used to ensure Ontario waters are kept free of industrial pollution.

However, at the Ontario industrial waste conference in Niagara Falls, he did say:

> Control up to this time has been largely of persuasive methods and co-operative action. It may well be that the programme has evolved to a point where either a major revision to the objectives should now be considered, or where other means of control scheduled, as provided for by the OWRC Act. Whatever the choice, it should be expected the requirements will be tightened as water use continues to intensify.
>
> If specific regulatory limits are to be used, it can be expected there may be a loss of flexibility, since the rules become hard and fast when set out under specific statutory authority. The use of discretion almost necessarily has given way to our arbitrary determination. We cannot set our sights only on what we have been able to accomplish in the past or are able to do at the present time, we must look to what we think we are going to need in future water use.

And that happens to be a copy of his statement.

**Mr. Smith:** May I ask the Minister if he agrees with this?

**Hon. Mr. Simonett:** The answer is "yes."

**Mr. Speaker:** Does the Minister have an answer to the question by the hon. member for Yorkview yesterday?

**Hon. Mr. Simonett:** In answer to the question of the hon. member for Yorkview: His question was: Will the Minister now make funds available to the Metropolitan Toronto and region conservation authority in order that they might buy, ahead of development, the valley lands necessary to prevent future disasters of the type which occurred yesterday on Notley Place in East York?

The answer: Grants of 50 per cent of the cost are now available to the Metropolitan Toronto and region conservation authority for purchase of flood plains and valley land. Under this policy, the authority has already acquired over 3,700 acres of these lands. It is the policy of the authority to acquire lands to the crest of the valley slopes.

I might also state that the subdivision of Notley Place was developed in 1952, five years before the Metropolitan Toronto and region conservation authority came into existence.

**Mr. F. Young** (Yorkview): A supplementary question, Mr. Speaker, if the Minister would allow it. I wonder if the Minister would now consider asking the appropriate authority to take second look at the recent problem I raised last week at 54, 56 and 58 Stanwood crescent in Yorkview?

**Hon. Mr. Simonett:** Mr. Speaker, I was informed some time ago by the metropolitan authority that this matter was being taken care of by the municipality in this area, that it was their responsibility. I understand or, at least, the municipality has informed the conservation authority that they will be looking after it.

**Hon. T. R. Connell** (Minister of Public Works): Mr. Speaker, the hon. member for York South asked a question yesterday: How can the Minister justify an offer of $10 an

acre accompanied by the threat of expropriation for 200 acres of land owned by Mr. Elwood Shales, RR 1, Perth road, for completion of a provincial park at the townships of Loughborough and Bedford, north of Kingston?

The answer to this is that Mr. Shales owns 200 acres, of which 35 acres is under cultivation with the remainder bush, with rock outcroppings and swamp areas. Mr. Shales was asked to consider offering his property for the sum of $2,000, Mr. Speaker, which price is in keeping with recent purchases in the immediate area.

Since the original contact with Mr. Shales in August of 1965, we have had several discussions with his solicitors, Cunningham, Cunningham and Little of Kingston.

The most recent contact was May 16, 1966, when his solicitors suggested they required more time to consider the basis of offering the property for sale. At no time has the threat of expropriation been made, nor have there been discussions with the owner concerning such proceedings.

**Mr. MacDonald:** Would the Minister permit a supplementary question? How does he explain the fact, then, that when the Kingston *Whig-Standard* requested a map from the Minister of Energy and Resources Management they got one which indicates that the Shales farm is "acquired" already on the map?

**Mr. K. Bryden** (Woodbine): Mr. Speaker, I have a question for the Minister of Economics and Development which I withheld yesterday in the expectation that he would be here today. Since he is not here, perhaps I could put it on the record and he could answer it at some other time.

What is the Minister's position on the issue of whether or not auto replacement parts should be included in the auto trade agreement? What steps does he plan to take to make his position known to the federal government?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, before the orders of the day, I have a statement to make on what has come to be known in the popular press as anti-cancer hormone—ACH developed by Drs. V. A. and V. V. Mirkovich. By prior arrangement, this statement is being made simultaneously by the hon. Minister of National Health and Welfare in the House of Commons at Ottawa.

The department has received an interim report from the Ontario cancer treatment and research foundation on their investigation of the clinical use in Mexico of a product designated as an anti-cancer hormone developed by Drs. V. A. and V. V. Mirkovich. Dr. V. A. Mirkovich is a graduate in chemical engineering from the University of Zagreb in Yugoslavia, and holds a doctorate in science from that university. His son, Dr. V. V. Mirkovich, is also a graduate in chemical engineering of the University of Zagreb, and holds a Ph.D degree from the University of Toronto, also in chemical engineering.

During the last week in May, two senior consultants of the Ontario cancer treatment and research foundation visited Dr. A. G. Andrade of Vera Cruz, Mexico, who was reported to have administered this material to a number of patients. The physicians from the foundation examined available records and diagnostic materials. They have extracted and reported on the available data, but since this was inadequate to establish the purported claims for the anti-cancer hormone, they have requested additional data from Dr. Andrade. This will include photographs, pathological slides and X-ray plates for evaluation to confirm the reported diagnoses and the reported clinical responses.

During 1963 and 1964, Dr. Andrade treated a total of five patients with a product designated as anti-cancer hormone supplied personally by the Drs. Mirkovich. Of the five patients, two have died, two were examined by the Canadian consultants and the fifth person was reported to be alive but was not seen by the Canadian physicians. Of the two patients who died, one child was reported to have been suffering from lymphocytic leukemia and one patient reported as osteogenic sarcoma.

Of the two patients examined by the Canadian consultants, one child who was reported to have a neurofibrosarcoma of the mouth had been treated with radiation and a cancer chemotherapeutic agent in addition to the anti-cancer hormone. The reported response could have been due to the radiotherapy and the known chemotherapeutic agent. Additional data has been requested in this case.

The second patient seen was a woman who was reported to have a malignant lesion of the tibia. Specimens from this woman had also been examined by two pathologists in Mexico, one from the national cancer institute of Mexico, both of whom diagnosed the lesion as a benign giant cell tumor of the tibia.

The data supplied in the interim report has been reviewed by the medical staff of the food and drug directorate. In their opinion,

the scientific information available to date has failed to demonstrate any curative or palliative action of ACH in the treatment of cancer. My advisers agree that the evidence so far obtained is insufficient at the present time to justify the claims of Drs. Mirkovich that ACH is of value in cancer treatment. They submitted the interim report and are collecting additional information in order to complete this document.

Drs. Mirkovich have been advised by the food and drug directorate, Department of National Health and Welfare, of the information required under the regulations relating to the distribution of drugs for clinical testing.

They have not supplied any of the required data, including the composition of the drug or the degree of hazard involved in its clinical use in humans.

When such information is supplied, the directorate is prepared to undertake the scientific evaluation of the data immediately.

**Hon. Mr. Wishart:** Mr. Speaker, before the orders of the day, I would like to make a statement with respect to Bill 174, An Act to amend The Real Estate and Business Brokers Act.

As the hon. members are aware, this bill is directed towards the greater disclosure in negotiations where a real estate broker or salesman is contemplating the resale of a property which is listed with his firm and which he is intending to purchase. There has unfortunately, been some misunderstanding with respect to the bill and since it affects a great many people, I want to give them a complete and full opportunity to consider our proposal and the implications which it will have for their business.

As the members are aware, the present section of 49 of The Real Estate and Business Brokers Act requires disclosure to the purchaser in the case where the broker is buying the listed property from him so that the principles of protection already exist.

The submissions I have received indicate the desire of some groups to enlarge upon other areas of the statute. These proposals may have merit and they require further detailed consideration.

In the circumstances, Mr. Speaker, I do not intend proceeding with this bill at this session but will hold it for discussion with the representatives from the various groups that are interested in this particular field of responsibility. In this way, we will have their constructive comments reflected in the bill when it is re-engrossed for future consideration. At the same time, we will also be able to correct any misconceptions that may have gone abroad respecting the effect of the proposed legislation.

**Mr. Singer:** Mr. Speaker, I wonder if the Attorney General would permit a question on that statement? Is the information that I have received correct—that there was promised to the real estate brokers' group, a conference on part of the introduction of this bill, and this conference was not, in fact, held and the bill was introduced without again conferring with them?

**Hon. Mr. Wishart:** No, that is not right, Mr. Speaker. Conferences were promised by the administrative staffs; those conferences were held and discussion took place.

I had no meeting with them, nor were any conferences requested from me until after the introduction of the bill. One of my reasons for withholding it is indicated by my statement in order that I might meet these groups. The session being so well along and time not permitting, I felt it wise to take an opportunity to hear their representations, but they have not sought nor been refused a meeting with me.

**Mr. Singer:** Certainly there was a positive statement on April 2. They were promised—

**Hon. Mr. Wishart:** Not by the office of the Attorney General. I know they had conferences with the officials in the administrative branch.

**Mr. Speaker:** May I ask the Attorney General to ask for the withdrawal of Bill 174 from the order paper?

**Hon. Mr. Wishart:** I would so do, Mr. Speaker.

**Mr. Speaker:** Bill 174 is withdrawn from the notice paper. As the House is in such rare good humour this afternoon, I am sure we will have no difficulty in securing unanimous consent in order that the hon. Minister of Municipal Affairs may revert to the order number for the introduction of bills.

**Mr. Young:** Mr. Speaker, I wonder if the Minister of Municipal Affairs is prepared to answer the question I asked him yesterday?

**Hon. Mr. Spooner:** I do not remember the hon. member's question, but I think it was the same one he asked the Minister of Energy and Resources Management.

**Mr. Young:** I have a copy of it here: In view of the fact that the—

**Mr. Speaker:** I will make provision for it to be answered.

## RELOCATION OF THE MULHOLLAND CAIRN

Hon. Mr. Spooner moves first reading of bill intituled, An Act to provide for the relocation of the Mulholland cairn.

Motion agreed to; first reading of the bill.

**Hon. Mr. Spooner:** Mr. Speaker, this bill provides the authority necessary for the acquisition by the municipality of Metropolitan Toronto of lands vested in the Mulholland cairn board of trustees under The Mulholland Cairn Act of 1938 and the relocation of the cairn on certain lands provided by the municipality of Metropolitan Toronto for the purpose of widening Woodbine avenue.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, on a point of order. Since the House is in such rare good humour, I wish to ask you if it would offend the propriety of the House if hon. members removed their jackets and sat in their shirt sleeves?

**Mr. Speaker:** Yes, I am afraid that it would offend the propriety of the House and I might say that if the Speaker can bear the heavy robes which he wears, the members should be able to bear the ones which they are wearing.

We made allowances for our guests in the galleries, but I am of the opinion that in order to uphold the dignity of the House the members should wear jackets at all times.

**An hon. member:** A very old-fashioned view.

**Hon. Mr. Spooner:** Mr. Speaker, would you permit me to answer the question of the hon. member for Yorkview now? The plan of subdivision involved in the particular area to which he has reference, was approved in 1952 by The Department of Planning and Development of that day. At that time, it was not the practice to solicit the views of conservation authorities, because there were so few in existence.

However, since 1954, each application, which is now handled through The Department of Municipal Affairs community planning branch, for approval of a plan of subdivision is referred to the appropriate conservation authority for comment before consideration is given for approval of the plan.

**Mr. Young:** Mr. Speaker, I wonder if the Minister would answer a supplementary question?

**Hon. Mr. Spooner:** If I can.

**Mr. Young:** Would the Minister consider notifying the municipalities that under section 28 of The Planning Act he would not approve ravine lots on plans of subdivisions unless adequate provision is made to set the homes back from the banks a sufficient distance to ensure the safety of the future inhabitants. The Minister has that power and it could be exercised.

**Hon. Mr. Spooner:** Yes, but we are now discussing buildings or land that has been subdivided for 16 years, or something like that. I cannot very well go in there and set up new terms and conditions, can I?

**Mr. Young:** I am thinking of future subdivisions.

**Hon. Mr. Spooner:** We are examining those every time we get a subdivision plan where there is a conservation authority in existence. We also examine more of the physical factors that have to be considered in approving subdivision plans.

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, before the orders of the day, may I make a brief statement?

Yesterday, I spoke to the House in answer to a question with reference to the automobile safety conference called by the Canadian government specifications board in Ottawa. I mentioned that I was not prepared to comment until my Deputy Minister had returned and reported. It so happened that unknown to me, my Deputy had just returned, even as I was rising to speak and I want hon. members to know that I was not endeavouring to mislead the House in any way.

I should like to point out that this was not a formal Dominion-provincial conference, but a closed committee meeting under the chairmanship of a member of the above-mentioned board. The request initially made to our department was that a member of the staff of The Department of Transport sit on this committee to review an automotive vehicle safety code which the federal government could then use in the purchase by them of motor vehicles.

Insofar as the press reports of unanimous endorsement of various recommendations proposed at the meeting are concerned, my Deputy advises me that those members of provincial government staffs who were in

attendance refrained from voting on any matters concerning provincial government policy.

**Mr. Young:** May I ask the Minister a question, Mr. Speaker?

**Mr. Speaker:** The member does not ask the chair; you will have to ask the Minister if he will answer a question.

**Mr. Bryden:** He is in such deep water he does not want to answer any questions.

**Mr. Young:** He shakes his head at me; he does not want to answer.

**Mr. Speaker:** Orders of the day.

## THIRD READINGS

The following bills were given third reading upon motion:

Bill 2, An Act to amend The Algoma Central and Hudson Bay Railway Company Act, 1941.

Bill 4, An Act to amend The Railway Fire Charge Act.

Bill 67, An Act to amend The Corporations Information Act.

Bill 78, The Mental Health Act, 1966.

Bill 115, An Act respecting abandoned orchards.

Bill 118, An Act to amend The Artificial Insemination of Cattle Act, 1962-1963.

Bill 119, An Act to amend The Plant Diseases Act.

Bill 121, An Act to amend The Highway Traffic Act.

Bill 131, An Act to modify the rule against perpetuities.

Bill 132, An Act to amend The Accumulations Act.

Bill 133, An Act to amend The Trustee Act.

Bill 134, An Act to amend The Conveyancing and Law of Property Act.

Bill 137, An Act to promote ambulance services and improve their standards.

Bill 148, The Vocational Rehabilitation Services Act, 1966.

Bill 149, An Act to amend The Homes for the Aged Act.

Bill 150, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 151, An Act to amend The Schools Administration Act.

Bill 152, An Act to amend The Separate Schools Act.

Bill 153, An Act to amend The Department of Education Act.

Bill 154, An Act to amend The Public Schools Act.

Bill 155, The Public Libraries Act, 1966.

Bill 158, An Act to amend The Pesticides Act.

**Clerk of the House:** The thirtieth order: House in committee of supply, Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF PUBLIC WELFARE
*(continued)*

**Mr. Chairman:** On vote 1708:

**Mr. R. Brunelle** (Cochrane North): On the subject of Indian training, the hon. members know that a large number of Indians are living in my riding. Naturally it follows that all matters which relate to the needs of these people are vitally important to me.

I believe that one of the first essentials in treating conditions which we are prone to look upon as being injurious to the Indians is to provide them with the kind of opportunity and life experiences which other citizens consider normal day-to-day occurrences.

I notice the hon. Minister of Public Welfare made no mention of the Hespeler project which, in my opinion, is the prime example of the kind of programming being designed to assist Indians. The reason for my interest in this operation, which is far removed from Cochrane North, is that a number of participants in the programme come from the James Bay area.

I have been told that for some time now there has been considerable concern over the dying of elms as a result of the Dutch elm disease, and the constant blight on the landscape and the serious hazards to life and property presented by these large dead trees. Contrary to common belief, the removal of such trees—particularly in the vicinity of buildings, overhead wires, and roads—requires a high degree of skill and experience. At present there is a severe shortage of people with this skill, a shortage which is felt by government bodies, municipalities, utilities and private tree contractors alike.

In examining the situation, it was apparent to the federal-provincial committee that Indians were the logical choice to fill this need as they have a ready aptitude for forestry work. I am sure this morning many of you who had the opportunity to look over

the *Globe and Mail* read this very interesting article by John Gillies on the Indians fighting the elm disease.

A number of government agencies have coordinated their effort to bring into being a pilot training project in Hespeler. The community development section of The Department of Public Welfare has recruited 34 trainees on a selection basis from a number of locations in northern Ontario. On Monday, June 13, these men assembled at the training site, a Crown property near Hespeler.

The forestry department of the hydro-electric power commission of Ontario has undertaken the task of conducting the training programme. This involves the signing up of instructors and assembling of all necessary equipment for training, which will be conducted on Crown-owned and managed property. Ontario Hydro is the acknowledged leader in the province in this type of work, and conducts the only training school in Ontario for the dismantling and disposal of trees.

The Department of Agriculture has arranged for financing the bulk of the out-of-pocket cost of the project under the ARDA programme. Camp management aspects of the project are being handled through The Department of Lands and Forests. Continuing counselling, guidance and leadership training is being provided by the community development division of The Department of Public Welfare.

Indian men involved in the programme range in age from 17 to 32, and represent reserves in northern Ontario. They will be participating in a six-week course, and will be paid $12 a day based on a five-day week. The campsite facilities consist of three 12-man sleeping trailers, one shower and equipment trailer, and one kitchen tent. Meals provided by a catering company are of good quality and the food is plentiful. Progress has been excellent in all areas, men are taking to the work enthusiastically, and instruction supplied by Ontario Hydro is outstanding.

Recreation, Mr. Chairman, is a very important aspect in providing a well-rounded life for the men. A good sports programme has been arranged including softball, volleyball, football and soccer. The prospect of exhibition games with other groups in the immediate area is arousing considerable interest. Swimming and fishing are available near the site. For evening entertainment, portable television has been supplied in one of the trailers. Arrangements are now being made for transportation facilities in order that these men may become acquainted with the broad aspect of life in southern Ontario, feel at home and want to remain here.

The training project is a prime example of interdepartmental teamwork in testing the potential of the Indians of this province in the skilled job of tree removal and disposal. The services of these men will be made available to a number of agencies that have a need for this type of skilled workmen.

I would also like to commend The Department of Lands and Forests for the excellent work it is doing on behalf of our Indian citizens. In Ontario there are about 50,000 registered Indians and an estimated additional 50,000 who are not registered under The Indian Act.

The approach which The Department of Lands and Forests has taken, is taking and will continue to take in its dealings with this sector of the population, is that it is dealing with people, not just registered Indians, or, as they are frequently referred to, treaty Indians.

The department at the present time is employing some 620 Indians and it estimates that it will have 1,004 additional and standby Indian personnel for the remainder of 1966, which makes a total of 1,624. I would emphasize that these standby people are definitely employed full-time for at least 90 days.

This employment includes tree planting, firefighting and forest protection, silvicultural work, rangers' general duties around the numerous bases, scaling, manning towers, working in the fisheries and parks and supervising junior ranger programmes.

A number of full-time employees have taken various courses and these are qualified for such jobs as chief ranger, fish and wildlife assistant supervisor, conservation officer, and so forth.

Mr. Chairman, you will be interested to learn that "Big Chief Shoot the Puck", George Armstrong to most hockey fans, will be working with the department at intervals throughout the present summer and his reputation, his experience and his flair for working with young people will be of great value to the department. George Armstrong will be a real morale builder to the young boys.

The department will be continuing this year a firefighters' training course for Indians which has been very successful over the last several years. It expects to train an additional 600 this year. These constitute a section of the permanent firefighting force

of the 1966 fire season and they will be distributed at strategic points throughout the province.

The training schools will also be located in these areas and their programme consists of a 10-day course followed by at least 90 days of steady employment. The department is drawing for this manpower from Indians in our local areas right across the north country.

Under the federal-provincial resource development agreement some $200,000 per year is expended on an equal basis between the federal and provincial governments and, on the recommendations of a joint committee, the work is carried out under the supervision of The Department of Lands and Forests.

For example, management of commercial fisheries was established in the Patricia district. These fisheries are run by the Indians themselves and they are getting guidance and assistance in the proper management and resource inventories.

Work in the field of tourism, parks and forest inventory is assuming major proportions in this field. I refer very briefly to a master plan for park development set up for the Garden river reserve at Sault Ste. Marie, another at Thessalon, and another on lake Nipissing.

The establishment of a tourist camp at Fort Severn, on James Bay, mainly for goose hunters, has proved quite satisfactory to the band there. It is hoped that these camps will be extended to such places as Winisk, Attawapiskat and Kapiscau.

A trapper education programme has been instituted by The Department of Lands and Forests to introduce trapping techniques, handling methods, and marketing procedures and this has proved very helpful in getting better products and higher prices for the Indian trappers.

The Ontario trappers association's fur sales have now become an appreciable portion of the total sales of furs in the province. These sales are held in North Bay. There is still room for further development of this project with trappers further north in the Patricia area who still deal, in the main, with the Hudson's Bay Company and who sell through their own sales agencies in Montreal. The department is trying to realign some of this fur production to the Ontario sales agency.

In The Department of Lands and Forests three positions have been established recently, one with the specific purpose of giving assistance in the fur field through the trapper education programme, particularly in the Kenora area, another to give assistance to Indian bands by setting up pulpwood operations which are run by them. A third position has also been set up for a fisheries officer to assist the Indians in the management of their fisheries and all three positions filled by properly trained Indians.

Mr. Chairman, I think you will agree that The Department of Lands and Forests and The Department of Public Welfare are to be congratulated for the excellent work they are doing in employing Indian personnel for which it is getting first value.

The department should also be commended for its policy of consulting with Indian personnel on problems relating to the Indians and having consulted with them, for taking their considered advice.

I would like to speak briefly on the participation of Indian and French-speaking Quebec boys in the junior rangers programme.

Eighteen Indian and 12 French-Canadian high school boys from Quebec will be among the 1,800 junior forest rangers reporting to 73 camps on July 4. These camps are located in 17 of The Department of Lands and Forests' 22 districts.

The 1,800 17-year-olds (and this is 300 more than last year, Mr. Chairman) is the largest number of junior rangers recorded in the 22 years of the programme.

This year, the merging of Indian, French-Canadian and English-speaking cultures will be accomplished when two new camps open on the Bruce peninsula and Wade lake.

Eighteen Indian and six white boys will be located at the Bruce peninsula camp in the lake Huron forest district, and twelve French-Canadian lads from Quebec will join twelve English-speaking boys at Wade lake in northern Ontario.

**Mr. G. Ben** (Bracondale): Mr. Chairman, first of all I rise, not as a member of the Liberal party, or any party, I rise just as an individual who lives in this country; I rise because, frankly, I am getting disgusted listening to the discussions we have about Indians.

Every time an Indian qualifies for a job in our modern society, we treat it as a miracle. If they accomplish anything at all similar to what an average citizen does, we treat it as the eighth wonder of the world. We always condescend towards them as if they are lost children; as if we need morale boosters for them; as if we have to look after them like you would children in a nursery school. I do

not agree with that concept at all. And I have never agreed with the concept.

During my association with the Toronto community folk art council, I have had many discussions with Indians who formed part of that group. They talk like you and I; they discuss problems like you and I; they have feelings like you and I, and I find them just every bit as intelligent as you and I. I feel there is no reason to cater to them except to satisfy our old lust for superiority, and have an underdog.

We have been perpetuating the conditions of the Indian, in my humble opinion, for that one reason. We continually talk about the treaties we have with these Indians, and how sacred they are; that we must preserve these treaty rights as long as the grass waves or grows and as long as the rivers flow. We say that but we have not lived up to it in the past. We have taken away their rivers; we have taken away their grass; we have taken away their land but, if it suits our purpose, we say we are going to preserve their treaty rights.

Well to me, as a lawyer, a purpose of a treaty or contract is to preserve benefits that accrue to people. It is not for the purpose of preserving inequity, and I sometimes suspect—as a matter of fact, I firmly believe that we speak of these treaty rights because we much prefer to preserve the inequities rather than the benefits.

When the Indians signed these treaties, 50, 75, 100 years ago, they signed them under prevailing conditions. At that time, Canada was a wilderness. Even those that came over from Great Britain never visualized the industrial nation that we would one day have. We were a country of farmers then. Land was the main commodity. Food was the main export, and there was nothing strange at that time in Indians asking to preserve their way of life, because it was not far from the way of life of the settlers that came into this country.

In 100 years, things have changed immensely, and I do not believe that these Indians should be suppressed and repressed and kept down, simply because their ancestors had the misfortunte to enter into a treaty with Her Majesty in Great Britain. And that is exactly what is happening.

Every now and then we dole them out a little pittance; we send some social workers up to them; we create a school some place else, and we think we are doing wonderfully by them.

As I said at the beginning of my speech, if they operate a tractor, we treat it as a miracle, or an eighth wonder of the world. Yet one tribe of Indians, I think it is the Ticonderoga, is famous throughout the world for its ability to work on steel structures and the ability to handle great heights. Nobody says it is a miracle they can climb up there and handle complex planes and rivet guns and live in a modern civilization, but those that we do not want to liberate, those we feel cannot do it, we cater to.

Treaty rights are fine, but as I say, the treaty rights should be to preserve benefits. I think we are using the treaty rights to preserve the inequities that exist. If this country thought anything of the aborigines in this country, they would have wiped out these reservations long ago. They would have said, those treaties are just keeping them in subjugation and we are not going to perpetuate the inequities in these treaties, we are going to start on a forced programme of education of all the Indians in this country.

Dealing with the Doukhobors in British Columbia, they took the children from their mothers and they sent them to school, even though the parents did not want them to go. The nation thought it was a good thing that the children should not suffer for the ways of their parents. If it was a good thing in British Columbia to force the Doukhobor parents to send their children to school, in fact take the children from the Doukhobor parents and put them in school, then why should it not hold true as far as the Indian children are concerned?

What right has a great-grandfather who has been dead for 50 years to dictate how his great-grandchildren are going to live? Now that great-grandfather, Big Chief whatever-his-name-was, did not know what kind of a country we were going to have in 1966. As far as he was concerned, he thought the grass would still be waving and the rivers would still be flowing just the way they did back in 1830. So why should we punish the children for that?

It is about time that this country, not just this province, did something constructive. They can start a crash programme of upgrading all the Indians in this country. Perhaps the reservations should be broken up. I do not know, but if they are broken up, their rights, their benefits under the treaties, as far as the ownership of the land is concerned, could still be preserved.

If the reservations are to be sold—after all they did sell land around Sarnia to the hydro-electric power commission—they could set up

a new corporation and every Indian alive at this date, or the date of the forming of this corporation, would have a share in that corporation. The transfer of those shares would be restricted to the descendants of Indians, so that they could not waste the money that they received from it. At least the capital would be intact to pass on to their children, and to their children's children, and to their children's children's children, as long as the grass grows and the rivers flow.

They can invest in Gordon's Canadian development corporation if it will be of good security, or they can have their own corporation. At least that part of their heritage would be preserved. But I think it is sheer hypocrisy to say we are sending teachers here, or we are getting Big Chief Shoot-the-Puck Armstrong there and that he is going to be a big morale booster. As I say, it is just as if we were pandering to little children, as if they were mentally retarded or something. They are not, they are citizens of this country and they were citizens long before we came here.

If anybody is entitled to rights, it is they who are entitled to these rights. They are the ones who are entitled to a proper education, because this is their country and no matter what kind of a treaty we have, we took this country away from them and we ought to do something at least to give them back their dignity, if not all their land.

**Hon. H. L. Rowntree** (Minister of Labour): Is that not what we are trying to do?

**Mr. Ben:** What we are trying to do is procrastinate so that 1,000 years from now we are still going to be sending social workers up to the reservations in Sault Ste. Marie, and Brant, and elsewhere at the rate we are going.

In 50 years, in two generations, there should be no more reservations. They should be nothing but first-class citizens of this country, which they have not been since the white man came here.

**Mr. R. Welch** (Lincoln): Mr. Chairman, the member for Bracondale, during the course of his remarks called for something constructive to be done among these people. It was my impression that the speakers who have preceded me have been attempting to give some evidence of the constructive programme which is in fact being carried out. If I might be permitted, I would like to say just a few words in connection with the educational and recreational programme for Indian workers in the area from which I come.

In recent years sizable numbers of Indian workers have been recruited in northern Ontario to work on fruit farms in the Niagara peninsula, particularly during the harvesting season. By and large these people have done a very acceptable job and the employers are anxious to rehire them each year.

One of the problems is with the change of environment and some difficulties are experienced by the workers—as already indicated by the other speakers—in filling in their spare time in the evenings and on weekends.

This year officials in the Ontario Department of Agriculture and Food held discussions with officials in the Ontario Departments of Education and Welfare, with the thought of instituting an organized programme which would be of benefit to the Indian workers. In this connection a meeting convened by the Ontario Department of Agriculture and Food was held recently among interested people in the Niagara peninsula.

I would like at this point to pay tribute to many in the Niagara peninsula who have been vitally interested in this particular concern and have actively engaged in the work on a voluntary basis.

The meeting to which I am making reference was attended by officials of the community programmes branch and the vocational training and trades branch of The Department of Education, representatives from the YMCA and the national employment service, various church groups, the business community, the local recreational council, The Department of Indian Affairs of the federal government and a number of the growers from the Niagara area.

As a result of this meeting, Mr. Chairman, a local committee, composed of representatives from the above-named groups, was organized to put together a programme which will be offered to the Indian people during their stay on the farms in our area. The programme will include special educational tours in the area, as well as opportunities to improve their educational, as well as their recreational skills. It is proposed to use the YMCA and other recreational facilities in the area, as well as whatever educational facilities are required for the programmes that will be setup.

The Department of Indian Affairs has appointed special liaison officers to work with the Indian workers and the employers themselves during the harvest season. They will be working very closely with this committee in organizing the educational programme and they will tend to co-ordinate the activities which are to be carried out.

Another point that will be given some consideration, Mr. Chairman, is that any workers who show a particular aptitude for some type of permanent employment will be encouraged to stay in our area after the harvest season, if suitable employment can be found for them. At the same time, they will be offered opportunities to take special courses under the technical and vocational training programme of The Ontario Department of Education in order to upgrade their education.

It is felt that if a number of Indian workers coming in to the area each year would avail themselves of these opportunities they could find for themselves a permanent type of career opportunity in our part of the province.

This will be a pilot project in the Niagara area this year and if it shows promise, I am advised that it will be encouraged in other areas where Indian workers are employed.

A number of Indian workers, in excess of 200, is expected in the Niagara peninsula this year and, in the province as a whole, attempts are being made to recruit approximately 800, as against the 600 employed in 1965.

I would point out that we in Lincoln county are encouraged by the performance of our Indian brothers in assisting with the harvest operations and we also feel that the opportunity for upgrading their skills for permanent employment is just as important. I commend, and I encouraged the departments of this government, Labour, Agriculture and Food, Education and Welfare, in expressing our interest in developing this worthwhile programme further, in co-operation with other areas of government as well as our private individuals and groups who are very concerned to be their brother's keeper in this regard.

**Mr. W. G. Noden** (Rainy River): Mr. Chairman, I would like to make a few comments on this vote 1708—Indian development branch, especially the item—Indian advisory committee. I want to join with the members from this side of the House in commending the hon. Minister of Public Welfare and his officials on the programme outlined, taking a definite step, doing something about the supposed problem that has had considerable publicity, which only applies to confined areas.

It was my privilege to be a member of the select committee on civil liberties and rights of Indians in Ontario, appointed April 2, 1953. I find I am the only member of the committee sitting in the House today. The recommendations as submitted have been carried out, except for one. The Indians have been given the provincial vote. The committee visited 37 bands throughout Ontario. Former Prime Minister Frost of the day said in the Legislature, when moving the establishment of the committee:

> The desire of all of us, I am sure, is to give the Indians the same status which we have given to all our people, that is, that there should be no discrimination on the grounds of race, colour or creed.

My own personal view when travelling throughout this province, visiting the different reservations, is that I find each reserve had its own way of doing things to a great extent. They have their own thinking and they carried on in a normal fashion. This, I feel, is their right. It is my humble opinion the bringing together of an Indian advisory committee makes possible the practical functioning of the Indian development branch. This committee permits the first citizens of Canada—Indians—to retain their autonomy, and for them to make the final decision on whether they want to participate in any of the provincial programmes as they apply to organized and unorganized municipalities. As the Minister stated in his report: "The Indian advisory committee acts as the connecting link between the reserves and the administrative structure of government.

The first pilot project for retraining and relocation of 15 Indian families will come under the supervision of the Quetico conference and training centre, situated on Eva lake, adjoining Quetico provincial park in the Rainy River district. The co-ordinated programme will move the families to Sapawe, a sawmilling community, where on-the-job training will take place, as well as homemaking.

Some 15 homes will be built for these people and the training they will receive in homemaking will assist those families in bringing their standard up to our standard. I would like to bring to the attention of this House some of the functions of the Quetico conference and training centre, it being a creation of the people of northwestern Ontario. It is essentially a volunteer organization. The centre is not a government institution, although the Ontario government has helped and co-operated to make it the successful venture it is today. The centre has provided in the past the following courses in the interest of our Indians, in co-operation with the department of Indian affairs at Ottawa: Training for tourist guides; training

for women who work in resorts; leadership for Indian chiefs and councillors; souvenir craft manufacturing; community development for Indian people, and basic carpentry for Indian men.

I might say I have attended these different courses and have taken part in presenting of awards. These young women who come from Moosonee, Red Lake and other places throughout the north have had only a third or fourth grade education. They have not mixed with the outside world and this has created a problem, but it has only taken a matter of two to three weeks and they have integrated themselves into the programme of the course they are taking. This course consists of about three months and I must say when they are through with this course these girls go out, secure jobs in the tourist resort industries in northern Ontario and are an asset to the industry, because they command the respect of those guests who are staying at these resorts. Then there is leadership for Indian chiefs and councillors. This is rather intriguing to sit in and to see the procedure that takes place trying to bring before them the study of how a municipal council should operate in its different forms. How quickly these people grasp the meaning of it all! They have the understanding, make no mistake, they may not say too much but they do understand.

Then they have a course for souvenir craft manufacturing, community development for Indian people and basic carpentry for Indian men. These are some of the courses that have been set up and our Indians from northern Ontario have participated in these courses and I am sure today that any of these people who have taken part in these courses have added something to their own people when they go back to their reserves.

A great deal more could be said for the different programmes that have been undertaken by industry, private citizens and governmental agencies. I am aware of the large numbers of Indians employed by The Department of Lands and Forests, throughout northern Ontario. The mines also provide employment, as well as training for these people, and the mill and wood operations of the forest industries. I can provide individual cases where our first citizens, the Indians, have given a good account of themselves as capable and understanding people, wanting to do a good job.

I have a sincere respect for the first citizens of Canada. The Indians are able to look after themselves. All they require is our humanitarian understanding, to assist wherever it is required in the same manner assistance is provided for other Canadian citizens, no more, no less.

Let us not be stampeded, but move forward with a programme as outlined, allowing the Indians in their own quiet way, to assess the needs, as decided by the Indian advisory committee. May I inject a few words in Ojibway dialect Mekanon ogemah.

**Mr. J. B. Trotter** (Parkdale): Mr. Chairman, I would like to add a few remarks on this matter of the Indians. I was particularly moved to speak after hearing the Minister of Mines last evening give one of the most ridiculous talks I have ever heard in this House.

**Hon. Mr. Rowntree:** Why does the member not respect the man for what he said—

**Mr. Trotter:** I am going to say something in answer to him. If you have a talk coming from a Minister of the Crown that we had last night from the Minister of Mines, it is a disgrace to Ontario, I do not care what his party was.

**Hon. Mr. Rowntree:** We have been listening to that from you fellows over there.

**Mr. Trotter:** Mr. Chairman, I am on my feet, perhaps the House leader can respect the rules of this House, it is about time he did.

**Mr. Chairman:** Order, please, I should remind the Minister that the member for Parkdale has the floor.

**Mr. Trotter:** The hon. Minister of Mines got up and gave us quite a talk on how well treated the Indians are in northern Ontario. Now, particularly, the Indians of northern Ontario, along with the Indians of Alberta, are the worst-treated Indians in the Dominion of Canada, bar none, and this is borne out by numerous statistics prepared by one or two groups and especially by the survey carried out by The Department of Indian Affairs in 1962. Unfortunately, the Minister of Mines is not here, but the member for Rainy River is, and he can probably convey some of this information to his fellow member.

Just on our own investigations, being on the committee for the aged, I had the opportunity to listen personally to some of the Indian chiefs from the district of Rainy River. Believe me, it is a sad situation that these people have to tolerate in a wealthy province like Ontario. Just let me give you briefly some idea of what standards northern Ontario Indians have—and I will mention those in the south—compared to white settle-

ments in Canada and also with other Indians in other provinces of Canada.

Just look at their housing conditions. Of all the Indians in northern Ontario, one per cent have an indoor toilet—one per cent of all the Indians in northern Ontario. Some may say that is the way the Indians like to live. I think the Minister of Energy and Resources Management said he liked living in their wigwams. I think that was the remark he made.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): I wonder if the hon. member would look up the definition of "wigwam". I use the word "wigwam" as I would "home" to "house". I do not live in a house, I live in a home, and a wigwam, to an Indian or anybody else, is a home.

**Mr. Trotter:** I was present when those remarks were made. The Minister and the hon. member for Simcoe East were making a mockery of the whole Indian problem. I was here at that time, so do not try to excuse it!

Here we have one per cent, and some may say this is what they like. In the province of Quebec, 32 per cent have indoor conveniences, and even in the maritimes, considered a poorer section of Canada, nine per cent have it, and in British Columbia and the Yukon 20 per cent have it, but in northern Ontario there is only one per cent.

Down in southern Ontario, this prosperous part of literally all the world, it is only seven per cent. You could go down the whole line with the conveniences they have. Here again, in northern Ontario, one per cent have an indoor bath; in Quebec, 26 per cent have one. Why would 26 times the number of Indians in Quebec have these conveniences than would the Indians of northern Ontario? Even in southern Ontario, it is only six per cent.

Obviously, over the course of the years, there has been a sad lack of administration in handling the Indians in the province of Ontario. We cannot blame it on the federal government because they do that much better in Quebec; they do that much better in British Columbia and in the Yukon, and when I use that figure, one per cent, be it on indoor toilets or indoor bathrooms, it is similar throughout in the housing conditions of the Indians in the north.

When we bear in mind that only seven per cent of the Indians in the south have these conveniences, we should keep especially in mind that this even includes the Indians in Brant who have a relatively high standard of living and are among the most outstanding Indians on the North American continent. They compare with the Cherokee tribe in the United States. That tribe produced such men as Will Rogers and I think the movie actress, Linda Darnell. I think the Indian people have, if we go back into their history, produced some very outstanding people.

We are all glad that the federal government and the provincial government have some new scheme in mind. Millions of dollars are going to be poured into this problem, but I would like to make sure that this is not going to be something that is to be milked for headlines and is going to be a façade behind which nothing is really happening.

I am glad, Mr. Chairman, that the Minister of Economics and Development is in the House because I know that he is a good businessman and a good salesman and no good businessman and good salesman wants to be played for a sucker. But this is what has happened to this government and The Department of Economics and Development in one particular situation having to do with Indian housing. When I was on the northern trip we were up at Red Lake, going to see the Indian housing development. This was going to be something new. We got there and what a shock it was! What a mess! This had had a real build-up—what they were doing for the Indians. These were better than some shacks, but not much better. I learned that they came through The Department of Economics and Development. I know it was before the time of the present Minister, but I wish he would check into what actually happened there. These so-called houses put up in Red Lake were prefabricated; they were bought in Montreal. I was told that they could not be obtained in Ontario, but it looked as though no thought had been given to this project. Some friend of a friend must have been given a contract. The people could have done a far better job building the houses on the spot. There was no landscaping and nothing was done to keep the place and the grounds nice, because they had very little to start with in the first place.

Why those houses were purchased in Montreal through The Department of Economics and Development deserves investigation and I wish that the Minister would look into the matter and find out why these houses were bought there. Surely the houses

could then be bought in Ontario? Even better, we might even encourage the Indians to build their own. We could supply the materials and give them some encouragement to build a decent home.

If we are going to have new plans and do something about this situation, let us do it in a businesslike manner, because this is going to be a tremendous problem. With the growth of Indian population, we fall behind 300 homes per year—20 per cent per year. The Indian population is growing so quickly and we are building so slowly; instead of keeping up with the expansion of the Indian population, we are falling behind by 300 homes a year.

Today, 90 per cent of Indian housing in all of Canada is considered substandard and none of the housing in the province of Ontario in which Indians live on reservations is considered equal to the standard set up under The National Housing Act.

These figures either come directly from the department of Indian Affairs or they come from a brief prepared by the Indian-Eskimo association of Canada in May of 1965. They are not figures taken out of a hat or for the purpose of embarrassing the government. These are the stark facts that we have to face up to. It is going to take a lot of money, a lot of patience and a lot of hard thinking to solve this problem.

It is true that none of us want to take the Indians from their fishing and hunting, if this is what they want to do, but the Indians today are expanding at such a rapid rate that there just is not that much hunting and fishing to do. There just are not that many souvenirs to make and sell in the tourist market. We simply have to find for the Indians a better life and a better education.

I think it is obvious from what I learned, even this summer, from talking to the teachers who had been teaching our Indians that they are just as capable as anyone else in applying themselves to the workaday world.

It is true that they have different mores than we do but they, too, are undergoing a great change. A large number of Indians are going to be integrated into the white society. The fact that our society is expanding on the frontier and the fact that the Indians are increasing vastly in numbers makes it inevitable that we are going to have to do a great deal more for them than we have done in the past. But as long as people are allowed to exist in such poverty-stricken circumstances, devoid of any culture as we understand it, just look as a comparison between what we have and what the Indians have. Nine per cent of Indian housing has only six rooms; on what might be called the white man's standard, 44 per cent of our homes have six rooms or more compared with the Indians' nine per cent.

The Indians have larger families; in some cases there are seven or more in a room. How can you expect people to grow up and to have the proper educational and cultural standards to face the second half of the 20th century? It simply cannot be done, so we have to arouse ourselves from the lethargy that we have been in over the years in this matter of our Indians. We owe them a tremendous debt. This was their land and you cannot change history. It was inevitable that the white man would come here, but it is also inevitable you are faced with a tremendous economic and social problem.

To try to glaze it over and to point out there are one or two good places helping the Indians here and there is too much—this is true, there have been many dedicated people—but it simply has been like a drop in the ocean to what is needed. When I look at some of these statistics—there are pages of them—it shocks me, and when I have gone to see it for myself I admit I am depressed at the tremendous size of the problem that we have. I must repeat again, Mr. Chairman, that knowing this and seeing this I am disgusted when I witness what I saw last night from the Minister of Mines.

**Hon. Mr. Rowntree:** I object to that; that just lessens the stature of the hon. member in this House.

**Mr. Trotter:** There were many speakers in this House who spoke well and I really had no intention of speaking in this debate because the member for Brant did such a wonderful job, but after he spoke I saw the whitewash job attempted by the Tory members of this House, and we cannot let that go unanswered.

**Hon. Mr. Rowntree:** Mr. Chairman, can you not stop this?

**Mr. Trotter:** It is all right for the leader of the House to sit there and act the way he is doing, but the difficulty is that for a quarter of a century we have had a lethargic Conservative government in a rocking-chair here.

**Hon. Mr. Rowntree:** You represent the federal people and they have not done a confounded thing.

**Mr. Trotter:** Why is it that with the same federal government it is 26 times more in Quebec than in Ontario with the same federal government?

**Mr. Chairman:** Shall vote 1708 carry?

**Hon. L. P. Cecile** (Minister of Public Welfare): I think it is time we should get back on the proper plane in this matter now that all the speeches have been made. I appreciated them very much and when the member for Brant got on his feet to speak, I could see another figure from another era in the same riding making a speech about the Indians. His contribution was one I enjoyed and I think that it was very proper.

I would also say that I was very interested, too, in the comments of the member for York South. This is a very difficult subject and it is one that has been with us for many, many years, and nobody makes any bones about it because we are all in our different positions at fault in this thing. I think this programme that has been introduced for that purpose between the federal government and ourselves will produce the results that are desired.

I am pleased to see that everybody agrees nothing can be accomplished at all unless we have the full co-operation of the Indians themselves and their blessing in wishing us to work with them.

To answer generally the questions that were put to me I thought that I would possibly advise the House of the composition of the committee and also of the projects they are studying and what stage they are at. I suppose that might answer part of it and if there is anything else I should add to it I would be pleased to try and answer further.

As you know the agreement was signed on May 9 of this year, first of all let me give you the members of the federal-provincial co-ordinating committee on Indian affairs.

The provincial is: Mr. S. N. Asbury, chairman of the federal-provincial committee and director of community development in my department; Mr. C. H. Westcott, executive assistant to the Minister of Education; Mr. H. W. Suters, vice-chairman and managing director of Ontario housing corporation, Department of Economics and Development; Mr. C. H. V. Bayly, at the time assistant Deputy Minister and now the Deputy Minister of The Department of Lands and Forests. They are for Ontario.

The federal is: Mr. J. G. McGilp, regional director for Ontario, Indian affairs branch; Mr. T. L. Bonnah, regional superintendent of development for Ontario, Indian affairs branch; Mr. H. B. Rodine, regional school superintendent for Ontario, Indian affairs branch; and Dr. R. B. Splane, director general, welfare assistance and services department of National Health and Welfare.

The Indian advisory committee is composed of Mr. Elliott Moses, Ohsweken, chairman; Mr. Lorenzo Big Canoe, Georgina Isle band, lake Simcoe; Chief Flora Tabodadung, Parry Isle band, Parry Sound; Mr. Thomas Archibald, New Post band, Moosonee; Mr. Ralph Bruyere, Couchiching band, Fort Frances; Mr. Fred Greene, Shoal lake band, Kenora; Mr. Melville Hill, Tyendinaga band, Deseronto; Chief William Meawasige, Serpent river band, Cutler; and Chief Wilmer Nadjiwan, Cape Croker band, Wiarton.

The staff engaged in Indian programmes at May 31, 1966: Non-Indian—S. N. Asbury, director; Mrs. E. Whyte, secretary; Miss M. Wolfer, stenographer; A. E. Johanson, development officer; C. Willis, development officer; S. Levy, anthropologist. Indian—C. R. Cromarty, development officer; F. Kewaquedo, development officer; William Cromarty, welfare officer; R. Montague, welfare officer, and M. Ciaus, sociology undergraduate. A total of 11 persons.

At this stage in the planning a possible staff complement of 42 within the next 12 months is envisaged. It is not known who these people will be. The personal qualifications of those appointed will play a large role in determining the ultimate success of whatever programmes are undertaken. I personally believe that it is of utmost importance that all who take to the field be grounded in the basic concepts of Indian cultural, social and behavioural patterns.

About the Kenora project, the programme envisaged for this area is to be a complex plan which involves all the people in the area. Components will include housing, welfare, health education, employment, recreation, in addition to several innovations in the form of economic development and an alcoholic treatment centre. Special attention will be given to the promotion of leadership development in which Indian personnel are to be trained, and in turn will initiate similar semi-formal activities on the reserve.

This comprehensive programme will include job training, placement, custodial care for children and the aged, homemaking, development of the band government as an effective administrative body, the development of local native skills and the provision of

recreational facilities in co-operation with the Kenora recreation commission. The matter of a reconstituted friendship centre is a significant factor in these plans. Tourism, the development of natural resources and handicrafts are additional sources of employment on the reserve that will be dealt with in this proposal.

When I mention these, they are already under study by this particular group.

Moosonee: Extensive plans are under consideration for Moosonee. However, immediate emphasis is on the social development centre. This centre is intended to provide skilled training to suit individuals for employment and home management. In addition recreational facilities, adult education and language training will be given. Nurseries and kindergartens will aid mothers taking courses and provide an early basis in the English language. Economic development is the major requirement in rectifying conditions at Moosonee. This, along with problems of sewage, water supply and housing, are certainly being studied. I am advised by the chairman of the federal-provincial committee that a recommendation will be forthcoming before the end of July.

The Widsitiwin project is a private company operated for the benefit of Indians. It is located at McIntosh, which is the site of a former Indian residential school. Widsitiwin has been a consistent financial problem. Consideration of the conversion of this operation to a full co-operative under skilled supervision is thought to be the solution. There are definite indications that with adequate financing at this time it has high potential for becoming successful. Employment in pulpwood cutting, guiding at nearby tourist lodges, fishing and the harvesting of wildlife are only a few of the resources that could be supported under this fine programme.

Furthermore, other Indians in the area are in need of housing and steady employment. The inclusion of these in an expanded, reorganized co-operative is thought to be highly desirable. Also utilization of the former McIntosh residential school for adult education, skill training and recreation is under consideration.

This proposal is receiving the attention of the committee at the present time and I would hope to have its recommendation within the next two months.

Batchawana: The province has been involved in the affairs of this Indian community for some time. Unemployment, shack town conditions, child neglect and disruptive drinking were the outstanding features of this settlement. Through the efforts of our staff some social organization has taken shape, unemployment is no longer a problem and community organization has brought about activities which focus attention on the needs of children. An additional problem exists from the fact that the low-standard shelters are situated on land not owned by the Indians.

However, the Batchawana community development organization consisting of local residents has largely been responsible for negotiations whereby 62 acres of land are to be conveyed in trust to The Department of Lands and Forests. The department will then convey the parcel of land to the individual Indians by deed. Proposals are not only to subdivide the land and to give deeds to individuals concerned but to include provision for a housing development.

The federal-provincial committee has given consideration to these and other development proposals for this community which should materialize before the end of the summer.

Pickle Crow and Central Patricia: The problems of this area are known to the government and are receiving the attention of the federal-provincial committee at the present time. The closing of the Pickle Crow mine will seriously disrupt the economic base of the settlement. Furthermore, many of the amenities for living, such as a hospital, a theatre, water supply and so forth are provided by the mine. Because of the remoteness of the area these facilities must continue to serve the people who remain. At this early stage in the proceedings it is not possible to say what arrangements can be made but negotiations are under way and we are fully apprised of the situation.

The Ontario government supports the principle of local government for Indian reserves, and the fact that the reserve has no tax base places it outside the application of The Municipal Act. However, it is not inconceivable that a new form of local government acceptable to the province will arise on the reserve. At this time, The Department of Municipal Affairs, together with the federal-provincial committee is examining this possibility and I understand that a meeting is scheduled before the end of the month to deal with this.

I might say that I have already mentioned that the Sapawe project has already been accepted by both governments, Treasury board and Cabinet, the whole thing is ready to proceed.

I have I think a question from the hon. member for Brant about Indian claims and

grievances. We are well aware that these exist and had hoped that by this time a definite means to deal with them would have been established. There is no question that the federal government is the trustee for Indian lands where the rights of Indians are concerned. In any normal situation the trustee would initiate action to protect the right and property of those for whom it acts. The federal government introduced Bill C-130 in 1964, which was to provide for a commission to deal with claims against the government arising out of acquisition of land from Indians. However, the proposed legislation was not given second reading and has not been reintroduced in the current session of Parliament. We assume that an authority will be established at some time by the federal government to deal with this matter.

Although the province has no legal jurisdiction, we are convinced that these matters which are in dispute must receive consideration at some level of government as early as possible. For the present and until such time as a federal claims commission or other authority is established, the federal-provincial co-ordinating committee will consider claims and grievances which are directed to the attention of the province.

The committee will indicate whether the claims relate to the provincial government, the federal government, or elsewhere. In the case of claims directed to the provincial government, the Ontario members of the committee would advise the Cabinet committee on its findings and I am sure action would be taken.

Now, I do not know if I have answered the four-part question of the hon. member for York South. I might have, in part. If I have something I have left out, I wish he would tell me.

**Mr. R. F. Nixon** (Brant): Mr. Chairman, there are two or three things that I would like to ask about specifically. I know that the Minister's colleagues are absent this afternoon from the front row of the Treasury benches so they will be unable to assist with a statement on game and fish laws as they apply in the province of Ontario. Is the Minister prepared to make any comment on the matters that have been raised by the supreme court cases in the last year?

**Hon. Mr. Cecile:** No, I am advised, no.

**Mr. Nixon:** Then I would ask, if among the members of the co-ordinating committee, are there any but civil servants? Are they all civil servants on the co-ordinating committee?

**Hon. Mr. Cecile:** Yes—four from Ontario, and four from Ottawa and they sit with the Indian advisory committee.

**Mr. Nixon:** Let us not mix that up.

**Hon. Mr. Cecile:** No, there is another committee that I mentioned a moment ago, or did I not mention it? What I mentioned a moment ago was the staff engaged in Indian programmes consisting of non-Indian and Indian.

**Mr. Nixon:** The co-ordinating committee is made up entirely of government personnel, is that right?

**Hon. Mr. Cecile:** Yes.

**Mr. Nixon:** Then the advisory committee itself has been reactivated in the last year.

**Hon. Mr. Cecile:** That is right.

**Mr. Nixon:** I was wondering if the members of the advisory committee do, in the Minister's opinion, represent the opinion and view of the Indians on the reserves? Perhaps to clarify: Is there any way whereby the Minister knows that they do represent the Indians' opinion? Are they elected, or how are they selected?

**Hon. Mr. Cecile:** I have this here some place, I was looking for it. Seven are elected and two are chosen by the province. Does that answer the question? Seven are elected by the Indians themselves out of the nine.

**Mr. Nixon:** I hope I will not be misunderstood when I say that I feel that the advisory committee would be at least as effective for the Minister and more effective in their own areas if all of them were elected by the Indians themselves. There is no question in my mind that the members of the committee are individuals of outstanding ability themselves, but as we get deeper into this whole area it becames more and more apparent that the Indians are afraid something will be done over which they have no control and no direct contact with the people who have control, such as the Minister himself. It might be useful in the future if the Minister would consider using elected people on his advisory list.

**Hon. Mr. Cecile:** I see the hon. member's point, but as I stated the big majority of them are really elected—seven of them.

**Mr. Nixon:** Yes, I would say the majority of the members of the committee are elected

but they do not represent a majority of the Indians perhaps. I would think about that.

**Hon. Mr. Cecile:** Yes, I will take that under consideration.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, I do want to comment on some of the observations of the Minister and perhaps put a question or two to him.

Let me begin by going back to the hon. member for Rainy River with reference to a select committee that looked into the rights of Indians back in the first half of the 1950s. I was interested to learn that he was the only politically surviving member of that committee in this House today. I also had my attention captured by his suggestion that there was only one recommendation of this committee that had not been implemented. I am a little curious as to exactly which one that is. Perhaps it is the measure of the progress that we have made when one looks at what this committee did and note how peripheral were the problems they were dealing with—important peripheral problems, I would hasten to add, such as voting rights, and the question of whether or not they would have the right to buy liquor like anybody else, and relationship with children's aid, and homes for the aged, and things of this nature.

But the real core of the problem with the Indians is that on zeroing in on the difficulties in establishing a new economic base and livelihood for the Indians, so that they would have the self-sufficiency and the capacity for looking after themselves in dignity and self-respect. This problem was only glimpsed in an embryonic way in one recommendation, which pleaded for all levels of government to encourage the Indians to make use of huge acreages of good agricultural land at their disposal.

Quite frankly, I do not know to what extent that recommendation has been implemented. It has been my impression that, generally speaking, the economic development on reserves, whether it be from the land they have, or the potential development of secondary industries or anything else, is the real core of the problem. We simply have not gotten at that, and I would hope that we, within the framework of the new agreement that has been reached with Ottawa, can come to grips with that rather quickly.

I do not want to go back and review the three or four areas I presented to the Minister yesterday. They were presented directly out of the contents of the announcement of the proposal from Ottawa of these new agreements. They dealt with the prospective expenditure of some $10 million a year for 50 years, some astronomical figure of $500 million, but over a half century. I was curious to ascertain how it was expected that an appropriate proportion of those expenditures would likely be spent in the province of Ontario. If there are 139,000 Indians in Canada, and 55,000 of them are in Ontario, on the straight mathematical basis one would expect some 40 per cent, some $4 million of that $10 million would be spent in the province of Ontario. I spelled out the areas within which they were contemplating spending it, such as housing, such as water and sanitation on the reserves; such as the development of the physical characteristics of the reserves, roads and bridges; such as rural electrification, and finally, the whole economic development. The Minister, quite frankly, has not replied specifically to that.

What he has done is to give me five areas within the province, where presumably there have been discussions with regard to projects, sometimes provoked by the focussing of public attention, as in the instance of the Kenora situation. Out of those discussions there has emerged at least enough of a proposal that there is some hope they can go forward with it in this year.

But this is going to be a piecemeal kind of approach. I am not objecting to it being piecemeal, because by definition, if each reserve and each band of Indians is going to make the decision—we are leaving the decision to them—inevitably it will be piecemeal. But I am curious as to how the piecemeal process can be made—what I would describe for the moment to make my point—into a mass piecemeal process, so that all of the Indians who share in this continuing poverty and these deplorable conditions will be able, as quickly as possible, to share in an alleviation of those conditions.

If I caught the Minister's statement yesterday accurately, there was one phrase that I noted, because I thought it was of considerable significance. He said: "Until such time as the Indians identify their needs, then the federal-provincial programme cannot go into effect."

Well again, if we are leaving the Indians to take the lead and not appearing to be imposing upon them paternalistic decisions in the fashion that has been done traditionally in the past, this may be inevitable, until they have made up their minds. But how do we assist them, without pre-empting their rights to make up their minds?

For example, one specific question I am

rather curious to get an observation about from the Minister is: Does he envisage the advisory committee as playing a role, in terms of the detailed development of projects, in all of the literally hundreds of areas where projects might be developed in conjunction with the Indians across the province of Ontario? I personally find it a little difficult to see how the advisory committee can do anything other than to discuss the problem in general terms and leave it to the band, or the reserve, or whatever group it may be, to then take the general discussion of the general problem, and apply it to their particular circumstances.

I think it would have to emerge in that way, and this is going to be an awfully slow way. Some of my friends on the Opposition side here were saying that they were afraid that five years from now we would find ourselves in precisely the position where we are now. This is what I am afraid of, and this is what I want to avoid. How can we step up this process?

The second point on which I would invite a comment from the Minister arises, I think, because of the traditional inhibitions and suspicions that have been created in the minds of the Indians, vis-à-vis government action. Tragically, I think this Minister—and I would hasten to add that I think it was unwittingly done—deepened these fears by the whole difficulty that arose from the announcement last January, and the bickering back and forth between here and Ottawa, and a five months lapse of time before you could rebuild confidence to the point that you could get the agreements signed, with some hope that the Indians were going to participate in them.

But the point that I wanted to dwell on, is that if you are going to circumvent or overcome this suspicion, vis-à-vis government action—and it is perhaps deeper vis-à-vis the Indian Affairs branch at Ottawa than it is with the province of Ontario—it seems to me that independent agencies have got to play a very critically important role here. In my observation, the kind of work that is being done by the Indian-Eskimo association is worthwhile, by going in and having workshops right on a single reserve, and by bringing in a panel of people who represent experts in all of the various fields and who know in advance that they represent the problems in that particular area. These experts discuss it. The Indians themselves have an opportunity to participate in the discussion. In other words, they act as a catalyst in arriving at some sort of a decision that the Indians can feel is their decision. Then they are in a position to make their proposals to the joint committee and move forward to the use of these funds that have now been made available federally and provincially.

Now, if this is the case—if my assessment is correct that for historic reasons it has got to be these independent agencies that play that role—conceivably as the years go by, aided and abetted by leaders within the Indian community who get the benefit of the Quetico training courses and things of this nature, then it seems to me, that the government, if it really wants this programme to get off and into action as quickly as possible, should acknowledge the important role that independent agencies like the Indian-Eskimo association are going to play and channel some of the funds in their direction.

You cannot hold conferences and you cannot bring experts to these conferences, with all of the detailed preparations, without the expenditure of money. This is going to have to be duplicated in literally hundreds of places across the province of Ontario, taking it right to the grass roots so that the Indian can take a look at his own problem with the benefit of all the expert advice, and come to a conclusion which he can feel with some genuine validity is his conclusion.

So my queries to the Minister are these: Does he feel that the advisory committee can play a role, or does he share my doubts that it can do anything other than to survey the problem? Second, does he agree that the answer to it has to come by some organization acting as a catalyst, and conceivably an independent organization like the Indian-Eskimo association going in and working with the Indians and helping them to formulate the plans so that they can avail themselves of the resources that have now been made available in these agreements?

**Hon. Mr. Cecile:** Mr. Chairman, first of all, I think what possibly my friend had in mind—and I should have stated that in my first remarks about it—that apparently the $500 million was really a surmise of the reporter. I assume what the member really had in mind a moment ago is the $112 million housing, roads, sewage and electrification development for reserves recently announced by the federal government.

At this stage of the proceedings, it does appear the authority at Ottawa—I am speaking therefore for all Canada—intends to undertake this development alone and would involve the province only in those areas of convenience rather than as a full partner.

Therefore, we have to reserve our views on this approach and we will wait for developments.

For the second part, as I recall it last night, I refer the hon. member to that section in my statement that dealt with programmes which might be undertaken with reserve Indians, which we elaborated on a moment ago, I believe.

The following categories appear to be the spheres in which our participation with bands might be helpful: First, to concentrate on bringing about increased production and income through specialized job placement and to provide current information on labour requirements in the vicinity of reserves. To promote modern, efficient methods of lumbering, fishing, trapping and agricultural pursuits. And to provide advice and guidance to band leaders on business and marketing processes and promote local enterprise in the form of co-op stores, shops for the sale of handicrafts and small-scale industries.

I cannot disagree with the member in the fact that this is one area that has to be dealt with piecemeal. How much piecemeal is the story? I am advised by the people in the field at the present moment that we have first of all to sell them to idea. I think—and I say this in all candour—that for once the white people would like to get the confidence of the Indians and retain that confidence and have them stay on our side. The committee's purpose, as far as I could see, would be as the selling agent for this group to enable them to make the Indians understand, not by a white man coming in there and telling them what the score is but by somebody of their own, who has been fully educated along that line, who has been working hand-in-hand with the committee and knows their purpose and their sincerity. Then they sell it over there and they get their view.

I honestly believe, Mr. Chairman, that if we can provide one or two projects, large or small, and the thing works out, then they will realize that maybe for once we have been sincere with them, and that we really wish to work. Then I think the matter will receive a lot of acceleration. That is my personal point of view from the work that I have done so far and the consultations I have had with these people.

So for the time being I would very much like to go fast on this because it is very necessary. But I am afraid that if I drive too fast, I might hit a rut some place and I would rather, to use the famous phrase, go slowly but surely. If my friend thinks he can do a fast job on this thing I would gladly hand it over to him, because I am afraid this would not happen. This is one thing that has to progress very carefully. So if those are the kinds of remarks the hon. member had in mind coming from me, I think he has that fear too, although we both agree that every means at our disposal, whether it be financial matters or otherwise, should be used to see how far and fast we can go. There is between Ottawa and ourselves no objection. This agreement has been made and the question of money is not one really that will be an obstructive feature of this matter.

I might say this has been brought up a couple of times in respect of what happened last fall. I can assure members there was no intention on my part to play any politics with this matter. The reason is these discussions were started way back; I believe the first Minister who had to deal with this matter was a gentleman by the name of Favreau, who did not stay there too long. Then we had to deal with Mr. Tremblay, and then after that with Mr. Nicholson. Then we really got going. Unfortunately after I got these agreements from Ottawa to sign, I was very pleased to sign and send them back, by the time they had left here and went over there, there was another Minister who took over. Apparently he did not think the same way as the former Minister, so I was blamed for creating a situation which I can assure you, Mr. Chairman, I never created nor ever intended to create.

**Mr. MacDonald:** With respect, I do not think the difficulties arose in the Minister's signing of them. The difficulties were like the problems Mr. Cass had—it was not what he did so much as what he said at the press conference afterwards—that blew the lid off things. However, that is a closed chapter and the sooner we can forget about it, conceivably the better.

I want to go back and just clarify one point. Then as far as I am concerned, I have to leave the matter rest and with the benefit of a year's experience find out how this whole plan is going to develop. But the Minister, for example, stated the instance of the housing, which is going to involve $112 million. Now $75 million of that is presumably coming from the federal government and presumably is part of the $500 million overall figure that we have been talking about. At least, it was announced from Ottawa. Now the Minister indicates that Ottawa intends presumably through the central mortgage and

housing corporation, to deal with this directly and the province will not be involved.

However, what I am curious to get clear in my mind is that there are other aspects of the programme spelled out specifically in the Ottawa proposal, namely the water and sanitation services in which they indicated they were going to be spending $10 million over the next five years. That is $2 million a year. The electrification of Indian reserves, on which they expect to spend $7 million; quite frankly, in the announcement it does not indicate over what period of time that is going to be spent. Roads and bridges: $17 million over the next five years.

Is all of this money federal? And to what extent does the province have to come in agreements having to do with water and sanitation, electrification, roads and bridges, economic development, apart from housing, which the Minister said they are doing directly? All the money is federal and you have to come in on a joint arrangement with the others?

**Hon. Mr. Cecile:** That is right.

**Mr. MacDonald:** That is completely right?

**Hon. Mr. Cecile:** That is completely right.

**Mr. MacDonald:** I asked my question and I answered it.

**Mr. Nixon:** Mr. Chairman, I was interested in the remarks made by the Minister on the government of the reserves. He pointed out that there is no tax base on the reserves and therefore it is difficult for them to take part in a normal way with the provincial plans as they have presently been in operation in reguliar municipalities. But I would recall to his mind that most of the reserves now do democratically elected councils.

These councils, with the acquiescence of the Indian superintendent, who sits in as an adviser in most cases, have carried out good work and have done a great deal for the furtherance of the reserves themselves. It is in this connection that I would agree with the Minister. If we can have Indian people, either on the advisory committee or associated with it, who would take the views of the government and the advisory committee back to the reserves and form a real liaison between the democratically functioning Indian councils and the efforts of the government, this would be preferable to having an agency such as the Indian-Eskimo agency, take over this responsibility for liaison.

The Indian-Eskimo agency is well known to us and has done excellent work. It has built up a tremendous body of confidence among the Indians and the Eskimos themselves. The members of the association are no longer considered as intruding, meddling non-Indians. They are well accepted on a good many of the reserves. But I agree with the Minister that if we can upgrade the advisory committee and those associated with it so that it can form the connection between the Indians and the government that is prepared to assist them in these plans, this would be far preferable. In this connection, I would say, Mr. Chairman, that the chairman of the advisory committee, Mr. Elliott Moses, is a good friend of many of us here in this House; he is a well-known Indian and as well-known Canadian, well respected across the province and the country. He attended the Ontario agricultural college years ago and has been a leader in agriculture among the Indians, as well as a leader in very modern views regarding the reserves.

It must, however, be recognized that he does not represent the council and is not elected by the Indians of the Six Nations. He represents a well-formed view of what should be done to assist the Indians, and in this regard the Minister is fortunate to have his services. But I would suggest very strongly that with regard to the Six Nations, which in many ways are leaders among the Indians, they really merit even more representation on the Minister's advisory council than in a sense having a chairmanship.

As I say, they do have an effective, elected council there—just as good as any reeve and council in any other township in their deliberation. The chief counsellor is himself a very able man, and I would recommend that he be added to the Minister's advisory council; if not the chief, then someone elected on the council of the Six Nations. This would be an addition to the advisory group that would be of great value, and I would make this recommendation to the Minister at this time.

**Mr. Chairman:** Shall vote 1708 carry?

**Mr. MacDonald:** Mr. Chairman, before we leave that, there is one question I wanted to ask the Minister, off these particular proposals altogether.

I was very disturbed by an event within the past month or so in the Golden lake area in eastern Ontario, where two homes burned down on a reserve. They burned down because the north Algona volunteer fire department refused to fight the fires

until the Indian agent authorized payment. Apparently that authorization would not be granted until it was too late—the buildings were destroyed.

Obviously this, in the first instance, may be a matter between the local firefighting corps and the Indian agent, a federal officer. But it would seem to me in a province where a fire marshal has responsibility in a broad sense for the whole question of fires in the province of Ontario that we cannot completely shrug off this is being beyond our jurisdiction altogether.

Is the Minister aware of this incident? What kind of assurance can he give us that this nonsense will not be repeated again where buildings are permitted to burn down while there is an argument as to whether they can get the Indian agent to authorize payment to a volunteer firefighting force?

**Hon. Mr. Cecile:** I must say, Mr. Chairman, that I am not aware of this situation but I certainly will look into it. It surprises me because I understand that most reserves in the southern part of Ontario have standing agreements for firefighting equipment to go to the reserves from any local municipality that is close by. Now, apparently that does not exist there. I will be very glad to look into the matter.

**Mr. MacDonald:** Conceivably it did exist there but relationships had broken down to the point that they were demanding an authorization of payment in advance of going to fight the fire. Now, taking advance payment is maybe a justifiable thing under some circumstances—

**Hon. Mr. Cecile:** That is done in the white world, too, I must say.

**Mr. MacDonald:** But when a fire is under consideration it would seem to me to be a little ludicrous. I leave it with the Minister and I would hope that we could avoid that kind of thing in future.

Vote 1708 agreed to.

On vote 1709:

**Hon. J. Yaremko** (Provincial Secretary): Mr. Chairman, I would ask the indulgence of the House and the Minister to break in at this time. For it is my very great pleasure to welcome to this Legislature and to introduce to you, Mr. Chairman, and to the members of the House, two distinguished visitors from Italy.

The first is Senator Oliva, the Italian undersecretary of state for foreign affairs for immigration. Senator Oliva has had a distinguished career in the public service of his country. After graduating in law, he was active and held key positions in the local administrative affairs in the Venetian district from 1927 to 1948, and since 1954 has been a member of the directing and policy-making body of the Christian Democratic Party.

He was elected Senator in 1958 and was re-elected in the same district with an outstanding majority in 1963. During his parliamentary career, he has served with distinction on commissions of finance and treasury, elections and education.

In a previous smaller government, he served as secretary of The Department of Industry and Commerce, and was appointed to the present position in February, 1966.

We are most delighted to have this opportunity of extending to him a warm-handed welcome and saying most sincerely "ben venuto."

We also welcome his companion on this occasion, Mr. Paolo Savina, the Minister and plenipotentiary, deputy director general of the immigration branch of the Italian ministry of foreign affairs. He has been consul of immigration in the Italian embassy in Belgium and the United States, a member of the Italian delegation at various meetings of the ILO and UNO in Geneva and Mexico, and the consul of Europe in Strasbourg. He has held his position since 1962. And, sir, we would like to have the pleasure of welcoming you.

Thank you very much, Mr. Chairman.

**Mr. Chairman:** Thank you. On vote 1709. The member for Ottawa East.

**Mr. H. S. Racine** (Ottawa East): I know that this vote is for a very small amount and this is perhaps the reason why I would like to say a few words about it this afternoon. I think the members on this side of the House —I mean in the Opposition parties—were quite disappointed at the small amount of money provided by the Minister for this newly formed office on aging.

It is quite disappointing, Mr. Chairman, because much is expected from that office. During the debate on The Homes for the Aged Act, it was pointed out that the entire programme of that branch was badly in need of co-ordination, together with a similar programme in The Department of Health. This is but one of the many problems that could be looked into by the office of aging.

There is also the problem of housing for

the elderly, which requires immediate study. There is also the problem of geriatric studies which have already been started as we see in this token amount of a few thousand dollars allotted for these studies. I believe, Mr. Chairman, that this office should also initiate all the research that has to be done by all departments of the government on the problem of our senior citizens.

I would like the Minister to assure this House that the department really intends to make full use of this office, and give its director all the encouragement possible and the staff and the facilities he requires in order to make the work of this new office as effective as possible.

Mr. Chairman, I know there is not much else to say, but I was very pleased when the Minister announced the organization of this new office. I hope that he will take these remarks to heart and that he will see to it that the new director and his staff are really given all the opportunities possible to do an effective job.

**Mr. Trotter:** Mr. Chairman, I would just like to make a few remarks in regard to the office on aging. Like the previous speaker, the member for Ottawa East, I heartily agree that this should be done. It is one of these matters we are glad to see and we wonder why it was not done long ago.

I hope, as to those who have had the opportunity to see thoroughly what has been needed in this field, that the other members in this House become aware, and the general public becomes aware, that a lot needs to be done in educating the people of the need of the aged and in the co-ordination of the work that is already going on.

On our trip throughout Ontario in the committee on aging, we discovered that a lot of public officials—and the reeves and the mayors—had no idea what services were already available for the people in the province. Certainly this office can carry on that work.

The problems of the aging are with us in ever-growing numbers because of the increasing coverage of the aged. And a lot of surveys are going to have to be done.

Now in this Budget all that is allowed for surveys and investigations is $17,000. At the value of today's dollar that is not very much money. In fact, that just pays the dinner tab at one of these trade crusade dinners that The Department of Economics and Development throws from time to time. So if you compare it on that scale, $17,000 is a very poor beginning.

This is the thing you have to watch when a government creates a new office, particularly the one we have before us—the office on aging. We agree with it. We say that it is a good thing and that it is long overdue and it has a very great deal of work to do. But I hope that it does not in the years ahead prove to be a façade, something that is set up and then one or two men are brought in who are good and who are interested and want to do a job, but they are not given anything to work with.

This is something that we on this side of the House are going to watch over the years. I would like to see more money put into the office on aging so that it would have real muscle and do a real job, because I am highly conscious that a lot of work has to be done. To be fair to the department, they have done work on research into the problems of the aging and I mentioned this before. They have done research where probably it might have been the job of The Department of Health.

The Department of Health did not measure up, unfortunately, in one or two circumstances and The Department of Public Welfare came to the rescue so that in this office they have quite a job of co-ordinating and educating to do. They are going to have to start with The Department of Health, because I am certain that The Department of Health does not appreciate what The Department of Public Welfare has done in relation to the problems of aging. That is a medical problem and has nothing to do with the welfare problems. But strictly on the medical problems this department has done some worthwhile work and has encouraged others to do worthwhile work, and this is the type of thing that the office of aging must do.

I am happy to see it, but I regret that the funds—$89,000 are not nearly sufficient. To say that you need $17,000 for surveys and investigations, then you cannot be planning anything very much in the way of surveys and investigations because I know one thing about this department, it does not know fancy dinners, so that at least you are going to be doing some work.

I hope in the next budget that we see this work has been greatly expanded because it is a worthwhile work. When we see what is being done in the United States and have an opportunity to see what these various similar offices in the United States do and the budgets they have—I know that the United States of America is a very wealthy country, but even in comparison with our wealth, the wealth of Washington and the

wealth at Queen's Park, we still do not measure up on a pro rata basis. We have a long way to go in this field and I hope the Minister will see to it that when we come back here next year he has greatly expanded the office on aging.

**Mr. A. Carruthers** (Durham): Mr. Chairman, I would like to extend my congratulations to the Minister. I know I express the appreciation of all the members of the select committee on aging for the establishment of this new office on aging in his department.

Indeed, it fills a great need, and as has been pointed out, it brings together and co-ordinates the various services which are made available to our senior citizens, and I would say that it is a result of the growth of our aging population and the needs that have grown too, over the years. Indeed, I am sure I speak on behalf of some 508,000 senior citizens of this province when I say this is a major step toward providing greater and better services for the senior citizens of this province.

**Mr. Chairman:** Vote 1709 carried.

On vote 1710:

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, may I ask the Minister if, under the new programme he announced in his original comments, there would be some assistance to private welfare services, such as half-way houses for released prisoners, and would the province provide the full 80 per cent from its own resources because these expenses will not likely be shared by the Ottawa government?

**Hon. Mr. Cecile:** That does not come under this vote.

**Mr. Newman:** Does this not come under this vote at all?

**Hon. Mr. Cecile:** Mr. Chairman, it comes under institutions.

**Mr. Newman:** I am looking at this from the view of rehabilitation of the criminal—such as St. Leonard's house in Windsor is conducting. Would they come under this, then?

**Hon. Mr. Cecile:** That is under institutions and we are at the present moment sharing 75 per cent with them and we are glad to say that we will be able to raise that share to 80 per cent. This is one place where we will stand alone because the federal government will not participate in these matters.

**Mr. Newman:** Mr. Chairman, then I can assume that St. Leonard's house would qualify for financial assistance from the department?

**Hon. Mr. Cecile:** Yes, they are getting it now. Under charitable institutions they are eligible for 75 per cent to 80 per cent on maintenance and $5,000 on construction and other capital expenditures.

**Mr. Newman:** The maximum is 80 per cent, is it?

**Hon. Mr. Cecile:** It will be that, yes.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I wonder if the Minister could clarify something. We raised certain objections last year during these estimates concerning the groups who are rehabilitated and how the Minister goes about assessing the needs of this rehabilitation service. Could the Minister tell us how many people are in need of rehabilitation across this province?

**Hon. Mr. Cecile:** I am afraid that I do not have that kind of a figure. That would be a very far-fetched—it would be merely a guess if I ventured a figure. I would say this, however, for the information of the House that as the programme has become more widely known, increasing numbers of persons have been served. At the close of the fiscal year, 1963-64, the caseload was approximately 2,000; by 1965, it had risen to 2,500, and at the present time it has reached about 3,100. Assessment, counselling and restoration services account for the greater portion of this increase. For example, the number of persons receiving restoration services this year rose from approximately 300 to 500, while expenditures increased from approximately $50,000 to $85,000.

The referrals might come from children's aid societies, hospitals, municipalities and groups like the crippled civilians, and so on.

As I stated with the new Act, at the present time we are paying training allowances for 24 of the 66 workshops. Under the new Act we will pay grants to all workshops and that will be increased quite a bit.

We will also be paying the capital costs and we hope that the Ottawa agreement will allow capital sharing on their part.

The old rate for a single person living at

home was $100 a month and for single persons living away from home was $120 a month; persons living at home with dependents was $180, and living away from home, it was $220. The proposed new rate for a single person living at home is up to $140, and away from home, $160; for persons living at home with dependents, $300, and living away from home, up to $360.

**Mr. Thompson:** Mr. Chairman, this is obviously a very vital service and I wonder if the Minister could tell us what the categories are of people who apply for this?

**Hon. Mr. Cecile:** I beg your pardon?

**Mr. Thompson:** What are the categories of people? You talk of crippled civilians. What kinds of people can apply for this; are they eligible to apply for rehabilitation?

**Hon. Mr. Cecile:** Anyone who might have a physical handicap, or some sort of mental handicap also, is medically assessed on his ability to do things or to be able to learn things. Then they are sent out and trained at home or they might be trained in factories. They might be trained in many places. Then those where we call possibly sheltered shops, are those who are not eligible to go out to the outside market but are desirous to earn a certain amount so they are employed in a sheltered workshop. As for the training of most of these persons, this might be done any place, in the factory, shop, school, the home, any place.

**Mr. Thompson:** What kind of relationship do you have with the workmen's compensation board? I raised the question of people who had to take light jobs and need retraining. The workmen's compensation is emphasizing retraining more and rehabilitation.

**Hon. Mr. Cecile:** They have their own also and I understand that there is full co-operation with the workmen's compensation board programme. There might be some referrals from them, some from us—that is the way it works out as far as I know.

**Mr. Thompson:** Could I get a little more specific on that?

**Hon. Mr. Cecile:** Pardon?

**Mr. Thompson:** Get this thing down in particular. You say there might be a referral. Why would the workmen's compensation rehabilitation service refer cases to this branch? What do they not have that you have?

**Hon. Mr. Cecile:** For instance—when I mention this I do not want to be misunderstood—compensable cases, naturally, we have none of those, they stay with the workmen's compensation.

If they are not compensable any more, and they might be just civilian cases, then we get them. If I make myself clear, as long as they are compensable, they do not come to us, they stay with the workmen's compensation board. But it might happen that cases applying to the board might not be compensable for one reason or another, though very seldom, if the person was not eligible under workmen's compensation for rehabilitation he might come to us.

**Mr. Thompson:** If I understand the Minister correctly, compensable, the term we are using, means they are under treatment and getting some remuneration from workmen's compensation.

**Mr. K. Bryden** (Woodbine): Covered by workmen's compensation?

**Mr. Thompson:** I just want to get this clear.

**Hon. Mr. Cecile:** Yes, covered by workmen's compensation.

**Mr. Thompson:** They are covered by workmen's compensation. In other words, a man who under workmen's compensation has been told he can get light work, and he was going to get a pension, is referred to as being just a "civilian." He might have to come to you to get rehabilitation?

**Mr. Bryden:** No.

**Mr. Thompson:** I want to know what workmen's compensation cases were referred to you and why?

**Hon. Mr. Cecile:** If it is an industrial accident, that is strictly workmen's compensation, it does not come under us at all. If, for any reason, there should be some further disability that case might come to us.

**Mr. Thompson:** You have said you get the fullest co-operation from the workmen's compensation, that you get referrals from workmen's compensation. Now, what kind of referrals do you get?

**Hon. Mr. Cecile:** I did not mean it in the particular sense my friend possibly has in mind. I stated we get them if they happen not to be under cover of workmen's compensation for some reason or another, and I cannot name anything that comes to my mind now—a civilian, in other words.

**Mr. Thompson:** Has this ever happened?

**Hon. Mr. Cecile:** I cannot answer that right now. I understand it has happened, but it is a very rare case.

**Mr. Chairman:** Shall vote 1710 carry?

**Mr. Bryden:** Mr. Chairman, as far as I know, if a person has qualified for workmen's compensation, even though he has come off compensation and is not receiving any allowance of any kind, he is still the responsibility of the workmen's compensation board for the rest of his life in relation to that disability. Their rehabilitation staff should be available to be of service to him.

There is one area in which these two agencies could co-operate and I would like to know if they do to any significant extent. That is in exchanging information as to job opportunities for partially disabled people.

**Hon. Mr. Cecile:** I am informed they do work together like that, especially on the placements.

**Mr. Bryden:** That is what I had in mind.

**Mr. Thompson:** I would like to follow through. I think there are other areas where they could work together. For example, the hon. member for Bracondale mentioned a man who breaks a leg. If he is crippled or is handicapped in some way, and he is not at work, then I presume he goes through the whole procedure of welfare and he would probably end up using your rehabilitation services.

The point is that the workmen's compensation board rehabilitation services, from the knowledge that I have in talking with people who have received them, are of the highest order. I suspect that they are really a duplication of services provided here, depending whether you were injured at work or off work.

On this rehabilitation service branch—I come again to what I said last year. You do not know if you are answering the need or not. You publicized last year, a certain agency so that people could be referred to it, but you have never done any survey around this province of the kind of people who, because of handicaps, are not able to get employment. Or have you? I ask you that.

**Hon. Mr. Cecile:** This is a very widely known matter right across the province, for all the groups I mentioned a moment ago—crippled civilians, and all groups of that description. Surely, I am satisfied, I have never met anyone yet who does not know about these services that exist in the province of Ontario.

**Mr. Thompson:** Let me ask you this. Assuming that I lived in, say, North Bay, and I have some kind of inability so that I cannot stand to work; what kind of opportunity do I have of getting rehabilitated?

**Hon. Mr. Cecile:** As I say, it could be a doctor, a hospital, red cross, a municipal officer—it could be anybody who would do this, for instance employment officers.

**Mr. Thompson:** But what would I do, what would they do with me? Just let us take North Bay. It could be a doctor. What would he say to me?

**Hon. Mr. Cecile:** Well, then the referral is made to us and the assessment is made to see what placement we would have for you.

**Mr. Thompson:** Would you pay for me to come down and to go to a centre and take training?

**Hon. Mr. Cecile:** Yes, yes.

**Mr. Thompson:** Where is the nearest centre for a person from North Bay?

**Hon. Mr. Cecile:** That depends on the assessment that is made of the party who comes. The assessment is made, and he is placed at the most convenient place for him. I might read some of these here: Rehabilitation works offices in Ontario—rehabilitation industries, Toronto; twin cities kiwanis branch—Kitchener, Port Arthur, Timmins, Sudbury, Sault Ste. Marie, Ottawa, Hamilton, Windsor, London, Toronto; and the Canadian national institute for the blind, at Brantford, Hamilton, Kingston, Kitchener, London, Ottawa, St. Catharines, Sudbury, Windsor, Toronto.

Mentally retarded: Barrie, Brantford, Burlington, Chatham, Cornwall, Fort Erie, Belleville, Brampton, Canfield, Cooksville, Essex, Fort Frances, Galt, Guelph, Kingston, Newmarket, North Bay, Oakville, Goderich, Hamilton, Kirkland Lake, London, Niagara Falls, North Halton, Hornby, Oshawa, Ottawa, Pembroke, Port Arthur, Richmond Hill, St. Marys, Sarnia, Owen Sound, Peterborough, Port Colborne, St. Catharines, St. Thomas, Sault Ste. Marie, Simcoe, Tillsonburg, Stratford.

Rehabilitation centres: Toronto, Wallaceburg, Windsor, Sudbury, Timmins, Toronto, Walkerton, Welland, Woodstock.

And the Canadian national institute for the blind, as I mentioned a moment ago, under these different names has similar centres.

So I think, Mr. Chairman, that this is pretty well known across the province of Ontario, generally speaking. I am not saying we have all the centres we would like to have, but we have centres, it is acknowledged across the land.

**Mr. Thompson:** Well, if a person from North Bay—let me just follow up in taking that example, assuming that the necessary training to help him get rehabilitated is in Toronto—has a family, would you pay for him to come to Toronto and pay him some kind of subsidy for his family while he is being retrained?

**Hon. Mr. Cecile:** Yes.

**Mr. Thompson:** What would you pay him?

**Hon. Mr. Cecile:** I mentioned these figures a moment ago. The new proposed rates will be now: single person, $140 a month; living away from home, $160, with dependants living at home, $300, and living away, $360 a month. Those are the new rates.

**Mr. Thompson:** Do you have some kind of committee which is examining new areas in which handicapped people can work? I am asking this because I was on the board once of a Canadian national institute for the blind, in one of the cities in Canada and I felt that perhaps we had a historic approach there. We would go in for basket weaving and some other things, the kind of pursuits that the blind could follow, while there were many opportunities that could have been developed. We were searching for these, such as telephone operators and so on. Do you have a committee which is constantly looking at new areas into which handicapped people could work in industry?

**Hon. Mr. Cecile:** Mr. Chairman, I do not know, does my friend mean a special committee that would be just doing that, looking for these people?

**Mr. Thompson:** It might not be the structure of a committee, but what do you have trying to encourage industry—

**Hon. Mr. Cecile:** I would say that all these centres I mentioned a moment ago are interested in this. So far as concerns this research matter, they bring in these disabled people as referrals. The committee that we have is more for purposes of assessing the disability and what they should take on and what course they should take, or what kind of trade they should learn.

As far as a special committee just looking around the province and determining how many there are here and there, no, I am sorry, I have not got that.

**Mr. Thompson:** What new trades or training have been developed for the people taking rehabilitation in the past two years?

**Hon. Mr. Cecile:** I do not think there is any restriction in trades.

**Mr. Thompson:** No, what new ones?

**Hon. Mr. Cecile:** They are taken into a place where they think they can learn whatever trade is chosen—it might be just packaging—they might go to university and take a course there to become—

**Mr. Bryden:** How many, in fact, do that?

**Hon. Mr. Cecile:** Not too many.

**Mr. Thompson:** How many, if any, have?

**Hon. Mr. Cecile:** I am advised there was one who did and won a gold medal in architecture.

**Mr. Chairman:** Is vote 1710 carried?

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, just before vote 1710 carries, I am quite prepared to admit there is always room for improvement in a government branch, but I want to tell the hon. Minister that although I am not really familiar with the personnel in rehabilitation—except for a couple of workers, as the Deputy Minister knows—I think this branch is doing a superlative job and it should be recognized by this Legislature.

Vote 1710 agreed to.

On vote 1711:

**Mr. Bryden:** Mr. Chairman, there are two or three matters I would like to deal with under this vote. I do not know if you have it in mind in this case to call the individual items. If not I can now raise the matters I have in mind.

**Mr. Chairman:** I think under the circumstances we would be better to call them by item.

Items 1 to 3, inclusive, agreed to.

On item 4:

**Mr. Racine:** On item 4, Mr. Chairman, in my remarks on the estimates, I did mention

something about dental services. I think there has been considerable correspondence—I know there has been from my area anyway—regarding the supply of dentures to welfare cases.

I know the Minister has been in correspondence with the Ottawa welfare council and other people in this respect. Has there been a change, or can we expect a change in the department's attitude regarding the supply of dentures to welfare cases?

**Hon. Mr. Cecile:** As I stated in the other matter, you know the dental services are much better here than they were under the other programme of dental welfare assistance. But this again is a matter that is now being considered, for dentures and glasses.

I suppose I could repeat what I stated in the other statement of the general welfare assistance under this same vote.

Items 4 and 5 agreed to.

On item 6:

**Mr. Bryden:** Mr. Chairman, with respect to item 6, there is a matter that I have discussed, under these estimates, with the Minister in previous years and I am not quite sure what has happened. That is why I am raising the matter.

It relates to a woman on mothers' allowance, who has a claim against the father of the children in family court and who runs into difficulty in collecting on the claim.

I have suggested in the past that this mother should, if she wishes, have the right to assign her claim to the Crown and let the Crown collect anything that can be collected from the father. She can then continue to collect her allowance without interruption and without all the nervous tension of having to go down persistently to family court.

A year or so ago, I gathered from a statement the Minister made that something along that line was going to be done, but I am not quite sure if, in fact, anything has been done.

**Hon. Mr. Cecile:** We are doing that, Mr. Chairman, but unfortunately I cannot say that we are doing it across the province, because of certain difficulties that arise. But we have a working agreement with the courts and we are doing that.

**Mr. Bryden:** These mothers are advised of that, are they?

**Hon. Mr. Cecile:** That is right.

**Mr. Bryden:** So a mother then is not in the situation where she has to keep going to family court if she chooses not to?

**Hon. Mr. Cecile:** I think my friend's suggestion was very good and it has been working rather well.

**Mr. Bryden:** Okay.

Items 6 and 7 agreed to.

On item 8:

**Mr. Bryden:** On item 8, Mr. Chairman, I have one or two comments to make on both 8 and 9, as a matter of fact. I may possibly be able to get them in before 5 o'clock. I do not want in any sense to resurrect the debate of yesterday on the legislation that was before us. I want to approach the problem now from a slightly different point of view.

It seems to me our treatment of blind persons is unsatisfactory and I do not think it is going to improve under the Canada assistance plan. At least it is not going to improve sufficiently, or in the way I would like to see it under The Canada Assistance Act and the complementary legislation that is now in process in this House.

I think the time has come when we should, in this country, be prepared to pay pensions to blind persons, simply by virtue of their blindness. I am not suggesting this is a direct responsibility of the hon. Minister of Public Welfare. I think such a pension should be paid by the federal government. Obviously they are the only people with the money to do it. But on the other hand, the Minister of Public Welfare I am sure, since he represents the most populous province in Canada, can have substantial influence with the federal government. I would like him to use whatever influence he might have on behalf of blind persons.

We have now recognized the fact, and have for some substantial time, that pensions are payable to aged persons by virtue of their having attained a certain age, and we are in the process of reducing that age until it will soon be 65.

Pensions for the blind, as a matter of fact, originally came in, I think, in 1937 under the previous old age pensions legislation. At that time, of course, old age pensions were entirely on a means test and blind pensions were put on a means test. Then in 1952 we recognized the principle of pensions without any means test for people of 70 and over simply by virtue of the fact that they had reached that age. But at this

point we reached the parting of the ways as far as the blind were concerned. They were continued under a means test programme.

I am aware there have been a few blind people in this country who, by what I would consider to be most extraordinary ability and moral strength, have managed to get themselves into positions where they earn substantial incomes. But let us face it, they are a very small minority. The handicap of blindness is really much more than any ordinary person, as most of us are, can overcome. It is simply too great a handicap for a person to be able to compete on anything like a basis of equality with sighted persons. So most of the blind people are living at the poverty line. They constitute a significant group of the poor. A few, by superior ability as I said, have managed to lift themselves above that level, but the majority are hovering at the poverty line.

Some of them are entirely dependent on the blind persons' allowance which is quite a small allowance. The means test provisions for the blind persons' allowance are somewhat more favourable than for old age assistance, but they are still not very favourable. Thus a person who is getting that allowance, if he manages to earn a bit of income on the side, it is no time at all until his allowance starts to go down. It is a great disincentive to the average blind person to try to earn what he can notwithstanding his handicap when we continue to keep him in this disadvantageous position. A substantial number of them earn enough money that they disqualify themselves for the blind persons' allowance altogether. They go on and work and the net result of their working is that they get no allowance. But very few of them get what I would consider adequate income through gainful employment. Their incomes are usually quite low—$40 or $50 a week, in that magnitude. Often they are trying to bring up families on those very limited incomes. Why should we expect them to do that?

I say, Mr. Chairman, that any person who meets the technical qualifications with respect to blindness should automatically be eligible for a pension of $75 a month for the present, as that is the amount that is payable in the old-age security. If the amount for old-age security should subsequently be raised, as I hope it will be, the blind person should similarly get the higher pension as of right, simply by virtue of the fact that he is blind. Then, if he is able to earn an additional amount, and most of them want to earn—they are like all of us, they want to work, they dont' want to do nothing—if they can earn a supplement, let them have the supplement in order to get themselves at least a few of the amenities of life. If they are totally incapable of earning a supplement I would say that they should get some sort of supplement above the basic pension under the new Canada assistance programme whenever it comes into effect.

I say the time has come in this country when at least we will give all blind people the basic security of a guaranteed pension regardless of any other source of income they might have. The cost would be very small in relation to the budget of the federal government. I do not see why the federal government does not go ahead and do that. I hope the Minister of Public Welfare will use his good offices and his powers of persuasion, which are quite substantial, to talk the government of Canada into that proposition.

**Mr. J. H. White** (London South): Mr. Chairman, if I may take just a moment. The hour for moving into the private members' debate has come, but I want to take 30 seconds. I am in substantial agreement with the remarks of the hon. member for Woodbine (Mr. Bryden). About a year ago I conferred with senior officials of the CNIB, in both London and Toronto. I came to learn of the inefficiencies and, I think I could say, injustices in the present system. I made my views known in private correspondence to the Minister of Public Welfare and I have had the assurance of the Minister that he is pursuing the matter with the federal authorities. I think that we should eliminate the means test for reasons of equity and for reasons of efficiency so far as they affect blind persons' allowances.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, I did have a few comments I wanted to make, but I will confine them—

**Hon. Mr. Cecile:** One word. As a matter of fact, I enjoyed the speech made by my friend from Woodbine with respect to the blind. If I was making that speech myself I might even insist more so for the disabled cases.

**Mr. Bryden:** I was waiting for the next item.

**Hon. Mr. Cecile:** I agree with him entirely. This we have been discussing at some length, as a matter of fact, with Ottawa. If you think I can wield any influence over there I will certainly take it up, and I have

been doing so. I cannot disagree with this statement.

**Mr. Chairman:** We are still on this vote but we are encroaching on the 5 o'clock members' hour.

**Hon. Mr. Rowntree:** Might I say, Mr. Chairman, that the estimate of time required for the private members' hour would give us some few minutes, if the remarks could be made in that time.

**Mr. Chairman:** Do the members wish to continue with the vote at this time?

The member for Parkdale, please.

**Mr. Trotter:** I wanted to mention my agreement with what the hon. member for Woodbine has said, Mr. Chairman. When the workers were on strike at the Canadian national institute for the blind, some of us had an opportunity to learn what these men were earning. One I talked to was earning $44 a week and he supported a wife and two children. It is ridiculous to ask almost anybody with all their faculties to try to exist on that type of salary today, but when a person is disabled—and I think the worst type of disability is the loss of sight—it is even more difficult to ask them to exist on such a small amount of money. The means test, insofar as the blind particularly are concerned, should be completely done away with. The very fact that they are blind means that they are going to have extra costs. It is not as easy for them to find a place to live, and many of the men that I talked to who were on strike live in one or two rooms with their families. It is only in the name of decency and humanity that we should see to it that the means test is wiped out.

Item 8 agreed to.

On item 9:

**Mr. Bryden:** Mr. Chairman, I also want to say a few words about disabled persons. I separated this question from my comments on the blind persons because I think there is some difference in the problems concerned.

There is, of course, the problem that I raised in the case of the blind person. The disabled person finds himself in exactly the same position. He gets an allowance on the basis of a means test. If he tries to earn some money on the side he very quickly finds that all he is doing is saving the federal and provincial governments some money. He is reducing his own disability allowance and this is bound to be a disincentive to him to work. Yet I think we all recognize that a valuable therapy for a disabled person is work, and gainful work is more meaningful to him than work for no remuneration. So I think everything we said about the blind person could apply to the person who is disabled for other reasons.

After all, the blind are also disabled people. But the people who are disabled for reasons other than blindness find themselves under certain other disadvantages. Under the system we now have, allowances are payable to such persons only if they are totally and permanently disabled. I think the federal government pretty well calls the shots as to the definition of total and permanent disability. I do not think the provincial Department of Public Welfare has much to say in this; they are pretty well ready to contribute their share whenever the federal government is willing to contribute.

I have had the impression on occasion that the federal administrators are extremely strict in their interpretation of the term. Sometimes it struck me that one of the doctors would say; "Well, the man's toe wiggled; he is not totally disabled." Sometimes I have difficulty understanding what their definition of total disability is. If a man can move around sometimes they seem to think he is not totally disabled. Also there is the problem of determining what is pernanent disability. There are many types of disabling conditions which may or may not be permanent, but as long as they continue to exist, they have the same effect on the man; he is unable to earn any income and he needs assistance.

Furthermore, it seems to me that even a person who is not permanently disabled should be entitled to an allowance. Why should he not be entitled to the same allowance as a permanently disabled person while he is disabled? And if he is not totally disabled, why should he not be entitled to a partial allowance? About ten years or so ago —it may have been a little longer—I think The Disabled Persons Act was passed about 1954. This programme was initiated on an extremely narrow basis. The federal government did that and the province more or less agreed to go along with anything they were ready to support. So it was initiated on an extremely narrow basis. Now, I think it is time we started to broaden it; it is time we started to face the fact that a partially disabled person is also in need of assistance other than that available under general welfare assistance. A person who is totally disabled, but only temporarily, also needs assistance.

In the workmen's compensation we have worked out principles for dealing with both partial and temporary disability. Why can we not work out similar principles for people who do not qualify under workmen's compensation? I believe that if we took a more realistic and more liberal approach to the problem of benefits for disabled persons, we could greatly assist in the rehabilitation of people who are temporarily disabled. We could also assist in the rehabilitation of those partially disabled. But we cut them off (a) if their income is above a certain level, (b) if they are not permanently disabled, (c) if they are not totally disabled. All three of those factors can operate to cut a person off entirely. That narrow interpretation, in my opinion, creates grave injustice and hardship for a great many disabled persons in this province. It prevents them from making a contribution both to the economic development of the province and to their own personal well-being and the improvement of their standard of living.

I do not imagine I will run into any serious argument with the Minister on this, but this is another matter which I think we should take up quite vigorously with the federal government.

**Mr. Trotter:** Just to give some idea of the number of people who are turned down because they are not considered permanently disabled, I do not have the figures for Ontario, but in all of Canada there are 10,000 people turned down every year, because they are not considered to be disabled enough to collect this pension. Yet the vast majority of them, so far as known, are disabled enough that they are not able to find work. So this is a major problem. Now, with 10,000 across Canada, it is safe to assume that a very large proportion of those people are in the province of Ontario. There is in Canada just under 1,000 people a year turned down because they do not quite qualify for the $900 a year. The income allowance is very low, I believe it is about $1,260 per single person per year—I think I am close in that figure. But how the government decides who is permanent and who is not permanent, to me is a very confusing situation and I think the present regulations are extremely difficult for even our professional staffs to understand.

Again this is one of these matters that is going to be solved, we hope, under The Canada Assistance Act. But it is one of these things that is coming, it is a better day coming. We have again a very long way to go and there are 10,000 people, at least, who have been turned down and we may assume many do not apply because they know they are not completely permanent. It is again a very similar problem to The Workmen's Compensation Act and we have a number of improvements to make there as well.

**Mr. Newman:** Mr. Chairman, may I ask the Minister if under the various schemes in 6, 7, 8 and 9—mothers' allowance, old age assistance, blind persons' allowance and disabled persons allowance—the amount that is to be paid for rent is fixed, the amount allowed for rental, is that fixed?

**Hon. Mr. Cecile:** Right now there is a maximum amount for these matters—a flat amount.

**Mr. Newman:** The allowance is a maximum amount. The Minister does not take into consideration the sudden rise of rentals in any given community?

**Hon. Mr. Rowntree:** Mr. Chairman, might I simply say this on the subject of these last votes? I think, of all the estimates that would come before this House, that in these estimates, all of the parties and all of the members find themselves in agreement and I think the legislation coming from the federal government—or at least which is before us—would put us all in a position where we might go forward in a unified joint effort to see that the matters which are outstanding, and on which we agree, might be advanced and resolved in the immediate future. I think, speaking for the government, that is our position and I gather it is the position of both parties of the Opposition.

**Mr. Bryden:** Will we have a march on Ottawa?

**Hon. Mr. Rowntree:** Almost; there may be a time when we will have to do that.

**Hon. Mr. Cecile:** They are revised.

**Mr. Newman:** May I have the Minister's reply to the question that I put to him just a while ago?

**Hon. Mr. Cecile:** Yes, these matters are a flat rate but they are revised periodically.

**Mr. Newman:** Are they set at no more than 25 per cent of the person's total income? I do not think more than 25 per cent of the income of a person who is under any one of these schemes should go toward rental. If the rent is more than the allowance, I think the difference should be made by a special grant or special assistance from the department. No individual should be

required under any of these schemes to have to contribute—

**Hon. Mr. Cecile:** Oh, the member is talking about the housing corporation in Windsor?

**Mr. Newman:** I do not necessarily mean Windsor, I can speak for Windsor because I know a lot of people who are having to pay more than 25 per cent of their total income under one of these schemes for rental, and as a result they are depriving themselves of other necessities of life. And it is in Windsor only because rentals have skyrocketed spectacularly within the last 20 months or so.

**Mr. Gisborn:** I will be very brief. I want to refer to one of the rules, procedures or what you might call them, in regard to the disabled persons' allowance and I will refer to a particular case to avoid lengthy comments.

A young person that I had established with my efforts and the co-operation of the department was placed on a disabled persons' allowance, sir, and the girl had a degree of epilepsy. With the condition it left her in, she was able to admit herself into the Ontario Hospital for treatment.

When she felt like going out into the community, she did so. The tragic part of it is—and it may seem small—but I think it does work a hardship on many.

In this particular case it has affected this girl's disposition — that when she readmits herself when her ailment strikes her to the point where she feels she should go back into the treatment centre, her allowance is immediately cut off and she is left without a cent. Of course they have certain rehabilitation programmes such as going to the knitting rooms and the sort of thing. There is a tuck shop there and many of them have a few dollars and can visit the tuck shop and spend a dollar now and then.

I wonder if the department could not look at this procedure of cutting them off completely and establish them with an allowance when they are in an institution of that type. It would not have to be high, say, perhaps $10 a month to use as they see fit in the tuck shop when they readmit themselves to the institution.

**Hon. Mr. Cecile:** At the present time the federal Act does not allow us to do this, so this is what they will have to move into also and make available a "comfort" allowance or something of that description. But right now the federal regulations prohibit us from doing this.

Has the hon. member any special case that he has in mind?

**Mr. Gisborn:** I could certainly give one particular case that I am interested in.

**Mr. Chairman:** Is item 9 carried? Is item 10 carried?

**Mr. E. G. Freeman** (Fort William): Mr. Chairman, in item 9—I hope that this is under the proper heading.

**Hon. Mr. Rowntree:** Mr. Chairman, it was indicated to me that the remarks of the Opposition would be brief and that they might be concluded within a few minutes after five o'clock. We have a commitment to the private members' hour and I think that must be honoured.

Does the hon. member want to finish? Will it be brief?

**Mr. Freeman:** Yes, it will be brief. It has to do with an area that I have not heard discussed, Mr. Chairman, through you to the Minister. At least, I have not heard it discussed and that is the group of people who have become known in certain areas of the province as—perhaps this is a misnomer but it is in fairly general use—"certified unemployables," those who have been certified as unemployable by two or more doctors. They simply cannot gain employment. The doctors tell them not to take any type of employment and they exist on general welfare. Now in some of these cases, single men are receiving in the area of $60 a month. As a matter of fact, some of them have less than $60 a month, and it has been suggested so many times in the last day or two, nobody in today's picture can hope to exist on this pitiful sum of money. I wonder if The Department of Public Welfare in its action with the federal department has come up with any answer to this very pressing problem. It is something that would arouse the sympathy of anyone to see these cases. Some of them cannot even buy proper food, and it is impossible to buy enough food. It is impossible for them to keep clean because of their physical incapacity, their inability to buy—

**Mr. Chairman:** I do not want to interrupt the member, but I should remind him that possibly this has been dealt with under 1706, "general welfare assistance branch."

**Mr. Freeman:** I bring it up here, Mr. Chairman, because, in my opinion, these, too, are disabled persons.

**Hon. Mr. Cecile:** Let me say this, Mr. Chairman. The new Act coming in will change the classification and the definition of what is now in the regulations and in the Act. What the hon. member mentioned might very well come into it. As a matter of fact, we have discussed this also.

**Mr. Freeman:** Mr. Chairman, can the Minister assure us this is under consideration and is going to receive—

**Hon. Mr. Cecile:** Yes, I can assure the hon. member that this is so.

Items 9 and 10 agreed to.

Vote 1711 agreed to.

Vote 1712 agreed to.

**Mr. Chairman:** This concludes the estimates of The Department of Public Welfare.

Hon. Mr. Rowntree moves that the committee rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, I wish to call Resolution 32 standing in the name of Mr. Rowe on page 8 of the order paper.

Should the debate go on? I have not had an opportunity of checking it, but it is my observation that the clock is probably fast.

## NOTICE OF MOTION NO. 32

**Clerk of the House:** Notice of motion No. 32 by Mr. R. D. Rowe.

Resolved,

that, in the opinion of this House, An Act to provide for the expansion and improvement of privately owned woodlands should be broadened in interpretation and application.

**Mr. R. D. Rowe** (Northumberland): Mr. Speaker, I move, seconded by Mr. Reuter, Resolution 32 standing in my name.

Mr. Speaker, when Bill 22, an Act to provide for the expansion and improvement of privately owned woodlands, was introduced in this Legislature some time ago, I noted, first of all, the enthusiasm with which is was received by all members of the Legislature—in particular, those who represent rural ridings.

During second reading some worthwhile comments and suggestions were also made, and I am certain all of these will be noted and carefully considered by those officials in The Department of Lands and Forests who will be charged with the administration of this Act. I am just as certain they will continue to welcome any suggestions from any source which may serve to improve its application, and thus better serve the citizens of Ontario. I might further say that I personally have had several questions asked about this Act and, indeed, at least one group is already doing some active planning, even though it is not intended that our county will be considered this year. It does, however, indicate the interest that is being generated.

Hence, I am pleased to sponsor this motion which is to be discussed today. I purposely left the terms very broad, so as to encourage the fullest display of ideas about any phase whatever of the whole programme. Therefore, there will likely be very little duplication of suggestions and it is to be hoped a broad range of ideas may be developed.

This whole idea, of course, is of particular interest to the citizens of Northumberland, because the Northumberland county forest was one of the first co-operative schemes for the province and counties to establish community or county forests—about 1924, as I recall.

I think, first of all, it would be useful to review very briefly the history of reforestation in Ontario to point up the actual present situation and to isolate the need as it exists or is expected to exist in the near future.

The period 1867 to 1904 was a period in southern Ontario when many responsible people voiced misgivings about the extravagant exploitation of the timber resources. The onslaught of the white pine harvest, coupled with the search for agriculture lands, denuded considerable acreages of lands of a light sandy nature.

By the end of the 19th century, once the organic accumulation of centuries had been removed from the soil by fire and farming, these light sands began to erode. Many settlers in Norfolk, Simcoe, York, Durham and Northumberland counties were dismayed at

diminishing crop yields and the appearance of deserts of shifting sands.

In 1908, a comprehensive report by Mr. E. J. Zavitz set forth the situation and needs where reforestation could best be started in southern Ontario. The report provided the impetus for subsequent action, as follows:

1. The provincewide policy approved and implemented the distribution of free nursery stock to land owners, principally farmers, coupled with a courtesy advisory service in farm forestry problems.

2. The establishment of the provincial forest station or tree nursery at St. Williams and the provision made for demonstration plantations on adjacent sand plains purchased for this purpose.

3. Then in 1911 legislation was passed, authorizing a co-operative scheme for the province and counties to establish community or county forests. The Hendrie forest in Simcoe county was the first established in 1922. The Northumberland forest followed about 1924.

4. In 1946 this arrangement was expanded to include the newly formed river valley authorities, known today as conservation authorities.

5. In 1952 the distribution of forest trees for planting purposes was restricted to windbreak and forest plantation use, and a nominal charge was introduced.

6. In 1962 a land acquisition programme was started by The Department of Lands and Forests to actually acquire certain lands for resource management purposes.

7. In 1965 a five-year federal-provincial rural development agreement was signed which allows for tree-planting and woodland improvement assistance for private landowners by the province.

Let us see how this programme has worked out. The acquisition of private land for public purposes was used mainly for establishing tree nurseries and for demonstrations of plantation management. Approximately 9,000 acres had been acquired for this purpose up to 1962.

During the period from 1922-1964, the co-operative agreement forest scheme resulted in 178,000 acres being placed under management. Forty-two per cent, or 74,260 acres, needed reforestation and were planted. Under the programme to provide nursery stock for reforestation purposes, a total of 800 million trees have been grown. Of this total, 422 million were used by private land owners, some of which came by assistance from the conservation authorities. Woodland management service was provided to land owners over the past 40 years as requested.

The new land acquisition programme for resource management purposes, which was announced in 1962, has enabled the purchase of 8,700 acres for reforestation during the year 1964-1965. During the same year, 9,075 acres were acquired for agreement purposes and approximately 4,000 acres were planted. Of the 9,075 acres placed under agreements, 5,734 acres, or 63 per cent, was in partnership with conservation authorities.

Currently we are providing 8.6 million trees exclusive of Scotch pine to private land owners annually. At an estimated 1,000 trees planted per acre, this results in 8,600 acres being planted by the private owners, some of which is in co-operation with local conservation authorities.

Adding these current efforts of 8,700 acres purchased by the Crown and planted—4,000 acres planted under agreement and 8,600 acres of private planting—we have a total annual programme as it affects private land of 21,300 acres.

In spite of the early start in planting up the wastelands and providing management advice to land owners, there still remains two million acres of idle forest land that is suitable for reforestation. This area of open land has been the result of a fallout from agricultural use of 3.8 million acres between 1941 and 1961. In addition, there are 5.8 million acres of existing private woodlands that are in need of improved management. Farmers own 2.8 million acres of these woodlands, or 48 per cent of the total. The weighted average size of these farm woodlands is 39 acres. Non-farmers own the remaining three million acres, or 52 per cent of the private woodlands. The weighted average size of their woodlands is 58 acres.

There is a need for a new approach. At the current reforestation effort on private lands of an estimated 21,300 acres annually, it will take approximately 100 years to complete the restocking of the two million acres of idle forest land. Similarly, by making only 700 management programmes per year, it will take much longer to prescribe management practices for the 5.8 million acres of private woodlands.

As this forest land is capable of producing the quantity and quality of forest products needed in the future, to ensure that the forest-based industries are able to compete on the world markets steps must be taken now to speed up the programme. If proper steps are taken now it will ensure the supply

of raw material needed for the future. For example, this 7.8 million acres of private forest land, if managed under a conservative objective of one-half cord per acre per year of various forest products could produce 3,900,000 cords annually, which is equal to the entire cut on Crown lands during 1961-1962.

This production of raw material will enable the forest-based industries to continue to successfully contribute to the well-being of the province's economy. This programme will also provide additional land with a forest base to meet the expanding recreational needs of urban dwellers. In addition, more forest cover will help to retain moisture in our countryside and thus raise the water-table to the benefit of all concerned.

Before a new approach could be worked out it was necessary to try to understand why progress to date has been so slow. A study of the characteristics of the Huron district woodlot owners by Kumar at the University of Guelph in 1965 shows that most private land owners are reluctant to make any long-term investments in tree planting. This theory has been tested, with similar results, during a two-year trial planting assistance project in the spring of 1964 and 1965 in the townships of Tiny, Tay, Flos and Medonte. In this project the owner dedicated his land to long-term forestry purposes and paid for the trees. The Department of Lands and Forests planted the trees for him. The report of this project shows that the scheme increased the private planting in the area by seven times the previous annual amount. Therefore, a tree-planting assistance programme for private owners seems to be a sure way to stimulate the reforestation of the idle forest lands.

Kumar's study also indicates that most private woodlot owners are also reluctant to make long-term investments in woodland improvement.

Requests for woodland improvement assistance received from the Lake Huron woodlots association and the Renfrew ARDA committee shows that some owners also are aware of what is needed. It was, therefore, concluded that rehabilitation of the private forest lands could only be accelerated if more positive assistance were given to the owner.

Thus, the Act which we are discussing today has been developed and provides for such assistance to the landowner in expanding and improving his forest land. The owner will be required to pay for the trees at a nominal cost and to protect the forest from fire, insects and grazing.

Because manpower and funds to provide the assistance must be acquired gradually, it is anticipated that this service will be available only in the designated areas of Waterloo, Simcoe and Renfrew counties in 1966.

As additional staff is acquired and trained to do this work, other areas will be designated as management areas in 1967 until about 50 per cent of southern Ontario will be covered. It is anticipated that by 1969 all of southern Ontario will be eligible for assistance.

An extensive publicity programme must be carried on to acquaint the private forest owner with the programme. Applications from interested parties must be encouraged and, when they are received, acknowledged. The number of applications from any area could help decide on a priority of areas for designation under the Act.

Assistance should be elicited from rural development officers of the ARDA branch of The Department of Agriculture, from agriculture representatives, conservation authorities and municipalities, especially in making the farmers in appropriate areas aware of this service.

How can this scheme be encouraged? It must be admitted that while at first glance this new scheme would appear to be a great blessing for rural Ontario, it may not be the easiest idea to sell to the farmer or owner of suitable lands. This is because the agreement must run for about 15 years, at least, and many will not wish, without great thought, to tie their property up for that seemingly long period without prospect of any financial return. Therefore, it may be necessary and advisable to offer some long-term incentive. This may have to be some form of tax incentive. Let us consider this aspect for a moment.

There are three types of taxes involved in these considerations, as they relate to forest land: income tax, property tax and succession tax. I invite comments of the speakers who follow on any one of the following suggestions. First of all, The Income Tax Act, and I realize this is a federal matter, but it does affect us here, states that the forest owner who sells logs, lumber, poles or firewood from his property—in other words, a professional forester—must include the proceeds of the sale in his income and pay taxes on it. But, the sale of timber from lands being cleared for agriculture or the sale of inherited timber is not taxable, and the owner can realize a capital gain from such a sale.

The result is that the owner who attempts to maintain a good productive woodlot is taxed, but the one who just simply liquidates his timber is not. This could lead to the

situation where, when the management period was over and the tree crop was ready to be harvested, there would be a strong temptation for the owner to decide to clear the land "for agricultural purposes" in order to avoid income tax. Thus the purpose of a long-term programme of good woodlot management would be defeated. So some thought might be given as to how to avoid this. And as I say in this regard, discussions would have to be instituted with the federal income tax department.

In another instance, the forest owner, who is employed principally as a farmer, can deduct all costs of improvement, tree planting and so on, from his income for tax purposes. But, the owner whose source of income is not from farming is not allowed this privilege. This anomaly actually discourages the investment of money in forestry.

Now, considering property tax, all patented forest land in Ontario is subject to a property tax, with assessment and payment being made at the township level. Present legislation allows for the exemption of 10 acres of woodlot per farm, provided it is fenced from livestock, and this does provide some small compensation to the owner. However, too often the tax is not uniformly applied across the province. The tax is supposedly based on the land alone and its productive capacity, irrespective of what is actually grown on it. Too often, however, the good, well-stocked, well-managed forest is taxed higher than possibly its neighbour with the same type of land but which may be poorly stocked and poorly managed. This is unfair, and removes the owner's incentive to practice good forestry. This is a difficult situation to remedy, but instructions to local assessors are about the only solution that I can think of.

Succession tax: In the settlement of estates, the forested part of the property often suffers. Quite often, in order to pay succession duties, the heirs liquidate the standing timber on the property. This may destroy the woodlot to such an extent that the new owner may have very little incentive to attempt to manage it properly.

In Great Britain, the woodlots are not included in the value of the estate for tax purposes. This tends to protect their needless liquidation and provides the new owner with an incentive to continue management in accordance with good practice. Perhaps such legislation should be encouraged here. This is another area for discussion, of course, with the federal authorities.

Mr. Speaker, as I said earlier, comments are invited on the proposals I have put forward and I look forward to hearing from the other speakers their ideas on how to further advance Ontario's programme of rehabilitating the nearly 8,000,000 acres of privately owned forest land.

By co-operative effort we may be able to replace what we have been destroying for the last 100 years.

**Mr. J. P. Spence** (Kent East): Mr. Speaker, as I take part in the debate on this Resolution 32 I have listened with great interest to the hon. member for Northumberland who has given it a lot of thought and some good suggestions in regards to the management of woodlands in the province of Ontario.

Of course this affects one area in a different way than it does the other in the province of Ontario, but I must say I know my hon. friend has come up with some good suggestions. When the Minister of Lands and Forests introduced this new bill, Bill 22, in the Legislature in February, we never heard any objections whatsoever from any side of the House. I am totally in support of conservation of our trees, and after listening to the hon. member for Northumberland he has brought out some different opinions and views in regards to more being done in the conservation of our forests.

One wonders at the waste of trees in different parts of the province. It is true that we should be doing more to conserve them. When we travel down the Macdonald-Cartier freeway and see the amount of timber The Department of Highways has cut through to make way for this huge project, we see great piles of trees piled up on the sides of the road. In southern Ontario these piles of wood have been left to rot. This is making us think we will live to regret the waste taking place.

We also notice in southern Ontario, farms in the farming area where woodlots have been piled in long lines on many farms, and they just stay there for so long and after a few years they set a fire and burn them. This is also a waste of one of our great natural resources to a great extent.

We see in other parts of the province where timbermen buy up woodlots, cut timber, and then take out the first-class logs and simply discard what is left. This looks to the average citizen, Mr. Speaker, as extravagant and wasteful. The cost of cutting these discarded lots is more expensive than the price they would bring if it was sold.

Many of us wonder why there should not be some more research whereby this waste could be halted and instead of the timber

being left to rot and decay, it could be turned into something that is useful. There are also many diseases that attack various species of trees. That should be given consideration.

A few years ago there was a disease that attacked the chestnut tree with the result that these trees were entirely wiped out in some areas in the province of Ontario.

At the present time, as you know, Mr. Speaker, the elm trees are being attacked by disease. The trees simply die and rot. I think the same as the hon. member for Northumberland; we should be doing more, as the hon. member suggests, to broaden the Act of the Minister; no doubt in the future we will regret that more action had not been taken in this regard, and to find out what uses could be made of discarded timber after it has been cut.

The bill set out that the Minister deems it proper to enter into agreement with owners of land that is suitable for forestry purposes, which I think is very good. We know of areas in the province where timber has been cut, land cleared, and then has proved not to be suitable for agriculture. I think that if such lands are reforested, Mr. Speaker, the returns would be greater.

I have no objections whatsoever regarding the resolution of the hon. member for Northumberland; his remarks were most interesting.

**Mr. R. G. Hodgson** (Victoria): In taking part in this debate I wish to say, at the outset, I add my support to this resolution.

**Mr. Speaker:** Order, order! The member for Fort William is next on the list of speakers.

**Mr. R. G. Hodgson:** I am sorry, sir.

**Mr. E. G. Freeman** (Fort William): Mr. Speaker, I will attempt to keep my remarks reasonably brief, so that the hon. member for Victoria may have an opportunity to speak on this matter. I know he is intensely interested.

We, in our party, Mr. Speaker, are very much in favour of this bill and we are happy that the Minister of Lands and Forests saw fit to bring it before the House.

We did, however, and I must be a little bit critical under the circumstances, regret that it has taken—since the Kennedy report, for instance, in 1947—nearly 20 years for some of the suggestions that were contained in the report to be brought into action. Even now, and it is understandable, the priority areas are Waterloo, Simcoe and Renfrew. The start must be made somewhere, we realize. We are in a little different position in northwestern Ontario with regard to woodlots than they are in the southern or southeastern portion of the province.

In our part of the province, as many of the hon. members may have had an opportunity to see at first hand during the past several months, many of our smaller farmers up there are actively engaged in some effort at woodlot production, and the sale of the timber or the wood on those lots. I think it is well known pretty generally across the province that the situation with regard to these people, who are presently owners of woodlots and try to harvest these woodlots profitably, is not too enviable.

The large paper companies, unfortunately, see fit to pay them reduced prices for the same quality of wood that they harvest in their own camps at considerably higher costs. This discourages the farmers who have good woodlots from really trying to do a job of work with them, really making them into a profitable asset, an adjunct to the farm operations.

So we find a ridiculous situation up there. You will find on one side of the road the timber company is harvesting wood at a cost of some $36 to $38 a cord. On the opposite side of the road the farmer is offered $20 to $22 or $23 a cord for the same wood. I have often wondered if the Lord so arranged it so that one quality of wood would grow in the timber companies' area, and a second or third quality of wood would grow on the farmers' area. However, I do not think that could be quite the case.

It is too bad that this obtains because the farmers up in our part of the country, up in northwestern Ontario, are in a particularly advantageous position to grow large quantities of wood and to harvest large quantities of wood if they got a fair deal from the large corporations.

I would like to just briefly check over some of the problems. While I am thoroughly in agreement, as has been said, with the hon. member for Northumberland's resolution, I would like to bring to his attention, and perhaps to the attention of some of the other hon. members in the House, the situation which I am a little bit afraid of and which I would hope the people in charge of this programme, as it progresses over the years, will pay continued and serious attention. It has been found, and I think it is pretty generally agreed, this is a true situation, that over

the past years one of the things that has militated against a satisfactory development of a woodlot operation in any portion of this province has been, first of all, utter indifference and lack of knowledge by the owner.

A second situation which is very important in various areas of the province has been the cost of fencing and it would be obvious why fencing should be required.

The third has been mentioned by the hon. member for Northumberland also, and that has been assessments which have been unequal and topheavy in many instances.

A fourth which deserves and must have very real attention is the matter of drainage schemes.

And again, another thing that the government of this province has to give attention to in future years as the development of wood lots come about, is the matter of supplying proper, up-to-date, modern marketing information to the grower, to those who are engaged in woodlot production operations.

Again, to call to your attention the owners' indifference and lack of knowledge, this too is divided into two areas actually. On the one hand, a minority who are interested for various reasons and only various reasons, and (b) unfortunately the great majority who are not interested, but who happen to have woodlots.

The Department of Lands and Forests all over the province, I know from my own experience in dealing with the department at the Lakehead as a member of the zoning committee there during the past three years, has had a good deal to do with this woodlot problem in the area from Long Lac to Ignace pretty well all through the whole Thunder Bay district, and we have had various and varied opinions expressed to us by owners of woodlots.

I had the opportunity when I was home just a week or so ago to get in touch with people who are leaders of the movement in the woodlot production area in our part of the province; and they were really very pleased. As a matter of fact, elated that this government had seen fit to bring in a bill which would at least start something going, they expressed the same fear that I had just a moment ago expressed here—that years would go by. In this case, it is from 1947, the date the Kennedy report was tabled until today in 1966, when The Department of Lands and Forests brings in this bill which is going to start the woodlot operation off in the priority areas of Waterloo, Simcoe and Renfrew. I would congratulate the hon. member for Northumberland in his presentation of his resolution and I would hope that this government will give real and pressing attention to this very, very demanding problem.

**Mr. R. G. Hodgson** (Victoria): Mr. Speaker, I would like to support the motion of the hon. member for Northumberland because I believe this resolution has a lot of merit. It is a resolution which has the support of my colleague on my left, the hon. member for Oxford, in his Budget address recently on page 4568 of *Hansard*, and it also is a programme that must be expanded across this province.

We must recognize, of course, the forests, as they occupy one-third of the earth's land surface, are found wherever temperature, soil and moisture suupply are adequate to support them. The foresters' task is to manage this land so that it yields abundant human benefits on a permanent basis.

I could also say that The Department of Lands and Forests is short of foresters.

These benefits include wood, water, wildlife, forage and recreation. Priority in a given area of our province can be such as to conform to the need of the locality of our people, and this priority could even change from year to year.

To carry out the aims and objectives of the Bill 22 of this session, we require more than the main duties of The Department of Lands and Forests as they are now, in very fact we are in short supply of the forestry technician, who could be the key personnel of the programme objective. The technician will have to be a person who recognizes processess in the system—the water cycle, the carbon dioxide cycle, the plant nutrient cycle, and the energy cycle, thus he would be thinking in the same terms as a modern forest ecologist. He will be required to recognize, as would a chemist, that wood is a basic raw material, and know how to select those trees capable of continuing the chemical conversions that the forest carries on by the diverse forms of life found there, in order to have a healthy forest in our lifetime. In his duties of tending the woodlots certain crops of timber resource harvests under this Act will be accomplished; this will involve an understanding of biological and engineering techniques.

Biological techniques are used to maintain the proper balance between trees and the insects, fungi and animals that feed on them. The engineering techniques will be used to survey land, to estimate timber by plot and photogrammetric methods to lay out and construct roads, and to develop new harvesting

methods and machinery use as will be needed. The technician will be required to do the field work of upgrading the forest resources. The Department of Lands and Forests have mainly left the engineering part of the forest activity to the woodlands industry as we now have it on a free enterprise basis. This aspect has always been carried out by the companies and involves felling the trees, transportation of logs, sawing lumber, building houses, furniture, creating pulpwood lengths, and so on.

To apply the woodlands improvement Act to private lands will require the department to enter a field with which, up until now, the department has only had some limited direct involvement. This endeavour will then, in my opinion, require technicians to be trained and apply this training in the actual field to have this programme effective. I would remind the members that it is a necessity to have such courses devised and personnel acquired to carry out this imaginative, necessary, forward progressive plan for the upgrading of forest resources.

The other factor which will require a great deal of effort will be the economic participation. This will, in my opinion, be urgent. We must have a utilization programme for the products produced by the plan operations. I believe this plan can only be applied at the outset in areas in which utilization plants now exist.

Therefore, we who live in the area for which the plan could have great economic benefit must have studies undertaken in order to have the establishment of a suitable wood utilization industry introduced. Such wood utilization industry does not have to be of types which would create burdens of competition harmful to present industry in this province. In fact, an import study of this province and this country, in particular of the products presently imported to Ontario, would show—I believe—we have a place for at least two or three industries, producing partially from the products of the woodlands improvement Act, that could be established in such areas we now have designated under the federal programme of incentives through taxation.

My riding suits this programme as outlined here today. The necessary studies can be part of the ARDA programme of Ontario. It would of necessity be carried out by The Department of Economics and Development, assisted by The Departments of Tourism and Information and Lands and Forests of this government. Such a plan can incorporate recreational features of the area for development or, in other words, a comprehensive plan of total economic rural development as to create in the rural areas a large measure of self-supporting new industry which will utilize and use the physical features as well as the resources. Under such a plan the basis of Bill 22 does not have to remain an exclusive government programme but could easily be expanded by private enterprise for their adoption or by a similar programme to ensure the upgrading of our forest resources and to carry out a sustained yield of raw material for our wood-using industries.

This, then, is the imaginative programme that can be a tool of use in unlocking the economic advancement of our rural areas of Ontario, to the introduction of new industry and employment of rural people at home and utilization of each area at full potential.

**Mr. Speaker:** This concludes the debate on the resolution. Before I declare the hour of 6 o'clock, the hon. Provincial Secretary wishes to table a few reports.

**Hon. J. Yaremko** (Provincial Secretary): Mr. Speaker, with the consent of the House I should like to present to the House the following reports:

1. The report of the Provincial Secretary of Ontario with respect to the administration of part 9 of The Corporations Act.

2. The second annual report of the pension commission of Ontario for the year ending December 31, 1965.

3. The 45th annual report of the public service superannuation board for the year ended March 31, 1965.

4. The annual report of the teachers superannuation commission.

5. The annual report of the Ontario college of art for the year ending May 31, 1965.

**Mr. Speaker:** It being 6 o'clock, I do now leave the chair. We will resume at 8 p.m.

**Mr. M. Gaunt** (Huron-Bruce): May I ask the House leader if we are going on to estimates after we come in at 8 o'clock?

**Hon. Mr. Rowntree:** This evening at 8 o'clock we will deal with bills on the order paper and possibly when they are cleared up—and I presume they will be quite early in the evening—we will proceed with the Budget debate.

It being 6 o'clock, p.m., the House took recess.

No. 153

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Thursday, June 23, 1966

**Evening Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JUNE 23, 1966

The House resumed at 8 o'clock, p.m.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, with the permission of the House, I would like to return to the third regular order of the day, the introduction of bills.

**Mr. K. Bryden** (Woodbine): May I ask, Mr. Speaker, what is the purpose of this request?

**Hon. Mr. Rowntree:** To introduce a bill.

**Mr. Bryden:** What is the bill?

**Hon. Mr. Rowntree:** The Municipal Act from the Department of Municipal Affairs.

It will be the introduction. The effect of it is to give you as much notice as possible, more notice than if we held it until tomorrow morning.

**Mr. Bryden:** Mr. Speaker, I do not give consent, and I believe unanimous consent is required.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, on behalf of the official Opposition, we have no objection.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, I move, seconded by hon. Mr. Rowntree—

**Mr. Bryden:** Mr. Speaker, on a point of order, unanimous consent is required for this purpose, and I as a member of this House do not consent, so there is not unanimous consent.

**Hon. Mr. Rowntree:** Well, Mr. Speaker, I think this is purely a technicality. I think you are interested in having the business of the government and the people of this province advanced as quickly as possible and this is what we are endeavouring to do. There is no element of surprise in the matter, the introduction of a bill with due notice. We will give you the introductory statements, and at a very early date you will have the opportunity of debating it on second reading, and I think it is a reasonable request to make and I ask the members of the New Democratic Party to—

**Mr. Bryden:** I am speaking only for myself.

**Hon. Mr. Rowntree:** I will ask the members of the New Democratic Party if they would support me in advancing this this evening.

**Mr. Bryden:** Mr. Speaker, the leader of the House is not willing to give any reasons why he wants this unusual procedure. He has had five months in which to bring in this bill. It is only a matter of a few hours until tomorrow morning, when it can be done in order.

I remember an occasion when the hon. member for Grey North wished to make a statement at 8 o'clock, and he was quite properly ruled out of order. I think the government should obey the rules of the House just as well as the Opposition. It requires unanimous consent to revert to introduction of bills. I repeat that I do not give consent, and therefore there is not unanimous consent.

I do not know what the government has up its sleeve, but there cannot be any conceivable good reason for this extraordinary procedure.

**Hon. Mr. Spooner:** Mr. Speaker, if I may make a few comments.

**Mr. Bryden:** No, that is out of order too, Mr. Speaker. We are not before the orders of the day.

**Hon. Mr. Spooner:** On a point of order, Mr. Speaker, I may say that this particular piece of legislation has some relevancy to legislation which was introduced this afternoon.

I was not aware that that other legislation was to be introduced this afternoon, therefore I had to prepare a statement after this other legislation was introduced, and therefore I would ask you as one gentleman to another—

**Mr. Bryden:** Why can you not wait until tomorrow morning?

**Hon. Mr. Spooner:** Because I would like to have it introduced tonight.

**Mr. Bryden:** The piece of legislation brought in this afternoon was out of order.

(a) there was no notice of it; (b) you missed introduction of bills. I think we have accommodated the Minister quite sufficiently. I do not see any need for this undue haste when no reason has been given.

**Hon. Mr. Spooner:** Mr. Speaker, again on a point of order. The legislation to which I had reference, which was introduced this afternoon, was introduced by my colleague, the Provincial Treasurer and by the Minister of Education.

**Mr. Bryden:** Oh, well, I know you introduced a bill. We accommodated you this afternoon for no good reason.

**Hon. Mr. Spooner:** Well, that bill was introduced to accommodate Metro Toronto, and was advertised.

**Mr. Speaker:** Order, order.

I understand that there was no bill introduced today without notice, so I am informed by the Clerk.

**Mr. Bryden:** A bill was introduced by the hon. Minister, notice of which was not on the order paper. Further, we had to revert to the introduction of bills; he missed it at the time.

**Mr. Speaker:** If we do not have the unanimous consent of the House, we cannot proceed with the introduction of the bills.

**Hon. Mr. Rowntree:** Let us deal with one point at a time, Mr. Speaker. I would take it that the hon. member for Woodbine would want to apologize firstly for his mis-statement about the lack of notice of bills.

**Mr. Bryden:** Mr. Speaker, I am quite happy to withdraw my comment with regard to lack of notice, but of course I reiterate my comment that once already today we have accommodated the Minister of Municipal Affairs by reverting to introduction of bills after the order had been passed. I think once in a day is enough.

**Hon. Mr. Rowntree:** Mr. Speaker, I am aware of the rules of the House. I have asked for the consent, the unanimous consent which has not been given. The duty of the government—we have a different function in this House than the Opposition has, we have the responsibility for the conduct of the business before the House—

**Mr. Bryden:** You are not doing a very good job of it.

**Hon. Mr. Rowntree:** —and in advancing it, if it is the wish of the New Democratic Party to obstruct the interest of the people of this province, that will be quite all right—

**Mr. Bryden:** On a point of order, Mr. Speaker, the Minister's comments are entirely out of order. The House leader has no business commenting. We do not have to listen—

**Mr. Speaker:** Order!

**Mr. Bryden:** —to the subterfuge of an arbitrary government—

**Mr. Speaker:** Order! The member now has been up three or four times on a point of order when I think perhaps once or twice would be sufficient.

**Mr. Bryden:** You did not call these gentlemen out of order, Mr. Speaker. The Minister was completely out of order.

**Mr. Speaker:** The House leader—

**Hon. Mr. Rowntree:** Mr. Speaker, I would not attempt to breach the rules of the House, I was simply answering what was an attack contained in the remarks of the hon. member for Woodbine. I think at all times the government has a right to reply to an attack such as he made tonight. We will not advance this bill tonight, we will advance it on another occasion. You have notice of it and now we will advance it tomorrow morning. We will now proceed with other matters, but in the meantime the objection and the obstruction is noted.

**Mr. Bryden:** Mr. Speaker, I submit to you that he has no right to comment at all and he should have been called to order.

**Mr. Speaker:** Order! Order! I think perhaps the House leader has an opportunity to reply if he is leading the House on behalf of the government tonight. I think it is always understood that the Prime Minister or the House leader surely should have an opportunity to reply to any remarks that have been given.

**Mr. Bryden:** Well, Mr. Speaker—

**Mr. Speaker:** But I do say that I would not want this particular discussion to proceed further. There has not been unanimous consent at this time, so I would ask the House leader to proceed with other business.

## ESTABLISHMENT OF THE MOOSONEE DEVELOPMENT AREA BOARD

Hon. Mr. Spooner moves second reading of Bill 175, An Act to provide for the

establishment of the Moosonee development area board.

**Hon. Mr. Spooner:** The purpose of this legislation, Mr. Speaker, is to provide a form limited in its application, but a form of local government, to the area of the present hamlet of Moosonee in northern Ontario.

Hon. members are aware of the development that is contemplated in that area, with particular reference to the services which may be improved to the Indian population of the north or of that area of the country and it is our feeling in The Department of Municipal Affairs and in the government that local people should be involved in attending to matters that are local in nature insofar as their government is concerned. So we have developed this particular type of local government to suit the particular purposes of this area of Moosonee.

Motion agreed to; second reading of the bill.

## THE DRAINAGE ACT, 1962-1963

Hon. Mr. Spooner moves second reading of Bill 182, An Act to amend The Drainage Act, 1962-1963.

Motion agreed to; second reading of the bill.

## THE ASSESSMENT ACT

Hon. Mr. Spooner moves second reading of Bill 183, An Act to amend The Assessment Act.

Motion agreed to; second reading of the bill.

**Hon. Mr. Spooner:** Mr. Speaker, this bill will go to the committee on municipal law, please.

**Clerk of the House:** The 24th order: Committee of the whole House; Mr. L. M. Reilly in the chair.

## PROTECTION OF BUYERS OF CONSUMER GOODS AND DISCLOSURE OF CREDIT COST

House in committee on Bill 101, An Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit.

On section 1:

**Mr. J. Renwick** (Riverdale): Now that the Attorney General has decided to go ahead with the committee of the whole House on this bill, would it not be much more appropriate if the bill were referred to the legal bills committee first of all before being brought into committee of the whole House? It is a complex bill, it has very significant matters which I think require the detailed consideration of the legal bills committee, and I would ask the Attorney General if he would consider so doing.

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, the bill follows the recommendations of the select committee on consumer credit, which was a very thorough study into the whole matter. It has been a considerable time in drafting and a great deal of study was devoted to the bill during that period by very eminent and capable persons. It has received a good deal of study since its drafting; it has been on the order paper for a very considerable time, and I feel that, while I must admit it is a complex bill, it is not a long bill, its provisions are quite plain, consisting of registration, and then provisions for disclosure of the cost of credit, and some sections regarding penalties.

It is not a difficult bill to follow and I think in our discussion here we should be able to deal with it in committee of the House, and I feel that due to the time we have reached in this session that this is perhaps the best place to get all the comment on it. The bill is not very long, and I feel that we can take the time to discuss it here. Most of the sections are quite simple. Part 2 might give some persons pause for study, but I think it is clear enough to be followed by the committee of the whole House.

**Mr. V. M. Singer** (Downsview): Mr. Chairman, there has been a complete about-face by government in connection with the processing of this bill. The last remark that we had from the Attorney General was an announcement of government policy that in view of the complicated nature of this bill, and in view of the representations he had received, and in view of questions about constitutionality, and in view of about half a dozen other things, he had decided, he, as the spokesman for the government, was advising the people of Ontario that this bill was not going to proceed.

Now, by some mysterious process—the process by which government works, and we get little advance notice of it—we only see

the end result—somebody changed somebody's mind and now we are short-circuiting the normal procedures of this House.

The Attorney General, when he said that this bill was being withdrawn—and he said it at a time and place when there was very little opportunity to debate it—removed the whole bill from the atmosphere of discussion. Now it is put back here into committee of the whole House and there is no opportunity to have public representations and committee discussion on it. I say that this is a highly irregular and improper procedure.

The government has changed its mind; it has made a complete about-face. The Attorney General stood in his place just a few short days ago and said that in view of all these weird and wonderful circumstances which cause us to give second thought, they were withdrawing the bill and would just let it sit there and let people think of it over the summer and next fall. Then in six or eight months from now, it would be considered again.

Now the Attorney General has changed his mind and he cuts out a very important part of the legislative process. I do not think it is fair. I do not think it is proper and I think that this bill should go to the legal bills committee. The public should have notice of it and be able to make such representations as are allowed.

**Hon. Mr. Wishart:** Mr. Chairman, in making the statement that the bill might be held this session, there was nothing "weird" or "wonderful" about that. I think if the hon. member refers to my remarks, he will find that the purpose of that was because the bill will require preparation of tables of interest, the cost of credit, the preparation of forms and actuarial work in the preparation of tables. But there is nothing difficult about the understanding of the bill. In the drafting of the bill we have had numerous representations and many opportunities which were taken advantage of by the people who are interested, the people who are in the merchandise business.

There were numerous occasions when they met us and discussed all these provisions. they sat very closely with us, made their point, and have generally accepted the bill and said that it was excellent legislation.

We felt that there would be some difficulty in applying it quickly to the mercantile world, bearing in mind problems of the small merchant and the large one.

Now, it is in my mind that it will still take time after the bill is passed before it will be proclaimed in effect. It was simply a matter of time to give those to whom the legislation will apply, time to fit themselves in the matter of their own internal organization and their own administration to the terms of this Act. But here is nothing that is mysterious about it. It follows exactly, almost, every recommendation of the select committee of this House, with the exception of two: one being the recommendation that wage assignments be done away with, and the other, that there be a central registry. Those two were omitted for good and sufficient reason. A central registry is planned in another Act, and wage assignments we felt, should not be abolished at this time.

The provisions of this bill follow right down the line the recommendations of the select committee in this House. Now, I am not anxious to stand here and cut off debate about this bill. I have great regard for this bill; I feel that it is an excellent piece of legislation. The very people to whom it will be applied have told us this time and time again, in our preparation of it and in our completion of it. I would like to see it become legislation.

**Mr. Singer:** Mr. Chairman, if I may continue—the hon. Attorney General was answering me, there—

**Mr. Chairman:** Does the Minister have any objection—

**Mr. D. C. MacDonald** (York South): I was just going to give you the privilege—

**Mr. Chairman:** I heard your voice first.

**Mr. MacDonald:** Of course you heard my voice.

**Mr. Chairman:** We will accommodate the member for Downsview.

**Mr. Singer:** Mr. Chairman, the Attorney General has explained in a very fascinating way, an abrupt government about-face in a question of policy. Now he may explain in the nicest language, as he always does, why he is doing something different today to what he did a few days ago. The fact remains that he presented a case to the House a few short days ago which we were not allowed to debate, and he set forth the reasons that appeared abundantly sensible, apparently to the government, as to why this bill should not go forward at the present time. Amongst those reasons was the thought that members of the various professions affected by this bill would want fully to con-

sider its effect, and make possible representations, and study the constitutionality of it.

Now, sir, he says that—

**Hon. H. L. Rowntree** (Minister of Labour): Just as a matter of interest, I do not understand the question of debating it. This bill was debated on second reading; there was a thorough debate on the principle of it.

**Mr. Singer:** I am talking on a point of order; if the House leader objects to this—

Interjections by hon. members.

**Mr. Singer:** The rules of the House are being breached and the known practice and procedure of the House is being breached. You are flaunting the democratic rights of this Legislature to have this bill proceed in its normal manner.

Had I known that this was going to be the procedure all the way through, I perhaps would not have been quite so eager to go along with the request and grant unanimous consent on the part of this party. I thought it was an exceptional instance and I consented. But if this is going to be the practice, then we will have to reconsider our position. I say this, that for some reason best known to the government—and we have not been taken into the government's confidence—the government is attempting to short-circuit the normal, democratic processes of this House, and to stifle the proper discussion of this bill.

Therefore, I will move that this bill not now be proceeded with, but that it first be referred to the standing committee on legal bills.

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** Mr. Chairman, speaking to the motion which is the formal embodiment of what my colleague suggested, I would like to say that the hon. member for Downsview may, or may not, be correct when he said that this was an abrupt change. It was a change that took place over some six, eight or ten weeks and there is no mystery as to why it took place. It took place because the arguments that were advanced in the Opposition here and generally by the public, in demolishing the weak and feeble excuses that the government advanced for laying this bill over for a year, resulted in a real kick-back in the Tory caucus. It is as simple as that!

Now, Mr. Chairman, the point I want to get to—

**Mr. W. D. McKeough** (Kent West): Nonsense!

**Mr. MacDonald:** Nonsense or no nonsense—when we rub a little salt into the open wound I suppose you can expect a few howls.

**Mr. McKeough:** When did you go to a Tory caucus?

**Mr. MacDonald:** I did not go to a Tory caucus.

**Mr. McKeough:** You certainly did not!

**Mr. MacDonald:** Sometimes the Tory caucus is like a lady's tea party, it is just about as secret.

However, Mr. Chairman, a point that is more relevant and that on which I want the House to focus attention, is that the government's decision to bring this bill in and proceed on second reading is not abrupt. As a matter of fact, it is a full three weeks ago that there was a story carried in the *Telegram* and nothing happened for a week after that. So one week later I put a question to the hon. Attorney General to confirm the story, and he confirmed it. In other words, for three months this bill that the Attorney General holds so close and so dear to his heart, he wants to get advanced, but he does not want the Opposition now to obstruct him—and I can just see him getting up like the House leader and now trying to paint us as obstructionists—for three weeks the Attorney General has been sitting on this bill. Any time during the past three weeks this bill could have been brought forward, and now you are bringing it forward in the dying hours of the session in the hope that that bolsters your argument that you could short-circuit the normal procedures of sending this to a committee, which brings me back to another point which I think is very—

**Hon. Mr. Rowntree:** The member is getting a little excited.

**Mr. MacDonald:** Right. As a matter of fact, I should not, but sometimes as I watch the House leader in action perhaps I emulate him, and in this case it is not the highest form of praise.

The second thing, Mr. Chairman, that I want to say to the Attorney General is that his reasoning in terms of this bill, and, therefore, his justification as to why it should go to the committee, is contradictory. When he introduced it first, he said there were certain complexities and difficulties in this bill. I do not recall him introducing excuses

like constitutionality and everything else, as the hon. member for Downsview indicated, but he certainly did say that it would take time for the trade to accommodate themselves to it.

Now, the argument in my view was a very fallacious argument because if this government wants to get into difficulty, just let them give the trade another year to "accommodate themselves to it" and they will raise every roadblock they can. They have given every indication through all of the hearings of the committee that they are opposed to this, so you are not going to add to your comfort by postponing it for a year. But belatedly, now you change your mind under pressure from whatever source, including the Tory caucus, and you bring it in. But there is all the difference in the world, Mr. Chairman, between recommendations of a select committee report and their translation into legislation.

I do not need to tell the Attorney General that when one translates things that are as complicated as this into a statute that there are many potential loopholes and the greatest possible concentration of brains and examination of that statute is desirable.

This is the reason why we send things to a standing committee. And this is the reason why there is every justification that this bill, particularly this bill, should go to the standing committee to be considered with care. We could have done it any time in the last three or four weeks, but I think we should do it before we rise.

**Mr. F. R. Oliver** (Grey South): I was just going to say, Mr. Chairman, this government really proceeds in a very mysterious way. We were astounded, and I said so at the time, as others did, when the Attorney General suggested that he not proceed with this bill this year because of the reasons that have been enunciated by other hon. members, by the hon. member for York South and by the hon. member for Downsview.

I spoke at the time, suggesting that this was an immature way of dealing with this matter, because the committee had heard all the representations that need be heard and that any delay on the part of the Attorney General to hear further representations would only mean, as my friend from York South has said, that there would be the sort of representations that had been made to the committee and had been sifted out, had been analyzed, had been gone into carefully, and that the committee had made their recommendation after hearing all the evidence.

Now, the Attorney General said at that time that he wanted an opportunity to delay the bill in order that further representation should be made, and the House agreed that he should be given this opportunity and that the bill be not proceeded with. And then out of the blue after a reasonable delay, my hon. friend comes back and says, "I have changed my mind and we are going to carry this bill through second reading and enact it into law."

Now, if my hon. friend was so concerned when he said he was not proceeding with the bill because he felt further representations should be made, surely he has not the legitimate argument in this House tonight as to why he should refuse the opportunity for this bill to go before the committee of this House and there be examined?

It would simply be following out what he said was the cardinal reason that he was not proceeding with the bill. I cannot understand it for the life of me, why my hon. friend says tonight that this bill shall not go to a committee. Why not? What is the reason?

**Hon. Mr. Rowntree:** It has been to a select committee.

**Mr. Oliver:** It has been to a select committee?

**Mr. Singer:** What utter nonsense!

**Mr. Oliver:** Now, my hon. friend, the House leader, says that this bill has been to a select committee; this bill was not to a select committee.

**Hon. Mr. Rowntree:** The principle of the bill.

**Mr. Oliver:** The principle of the bill was to a select committee, certainly, but the government sought to legislate on the result of the inquiry of the select committee. They went to second reading and they said: "Look, we don't want to proceed further because we feel that those who are interested should have a further opportunity to make representations." Then the government changed its mind.

There may have been validity, one could almost say that the Attorney General felt that further representations should be made. Well now, if he did, why does he not allow this bill to go to the committee where further representations can be made? To me, that is crystal clear.

If you were so determined that there should be further representations to the point

that you withdraw the bill, in order that those representations might be made, surely now you are prepared to go part way toward realizing the obligation that you felt at the time for going the whole way.

And I would say to you, Mr. Chairman, that there is not any reason, logical or otherwise, why this government should not allow this bill to go to committee. I think it will go through committee without any difficulty at all, but at least let those who have representations to make have an opportunity to make them. I cannot for the life of me understand why my friend is so adamant in this situation.

**Mr. Singer:** Mr. Chairman, our memories get a little vague as to what actually happened. While this debate was going on, I had the opportunity of consulting *Hansard* and if there ever was an example before this House of a complete about-face of government policy with no explanation other than a fit of pique, this is it.

Let me remind the House of what took place. This bill was first introduced by the Attorney General on April 22 and it is reported on page 2570 of *Hansard*. And the Attorney General says this: He moves the first reading of the bill and then he says—and I am going to read this in full:

> In view of the nature of the two bills which I have just introduced, I should like to make a brief statement which might assist the hon. members in their consideration of these proposals.
>
> The Consumer Protection Bureau Act, 1966, and The Consumer Protection Act, 1966, represent in legislative form the recommendations of the select committee on consumer credit as set out in the report which was made by the committee to this House last June. These bills represent a programme for implementation which I feel will suit the needs of the consumer and the businessman.
>
> The first bill provides for the establishment of a new government agency, the consumer protection bureau, which will primarily be responsible for the administration of The Consumer Protection Act. It is proposed that this bill will be proceeded with at this session so that the bureau may be established and brought into operation as soon as practicably possible.

Mr. Chairman, I pause at this point to point out that is not the bill that we are now discussing, that is the companion bill. And then he goes on to say this:

> The second bill provides for disclosure of the cost of borrowing in terms of dollars and in terms of percentage rate; for the registration of firms carrying on business by door-to-door salesmen if credit is given; for the two-day cooling-off period for executory contracts made by door-to-door salesmen. It provides new procedures to give relief to buyers who give promissory notes as security which are subsequently assigned and several other matters that carry out the recommendations of the committee. However—

says the Attorney General—

> —I would point out to the hon. members, Mr. Speaker, that the second bill introduces new principles which may be most significant to the business community.

In issuing these dramatic remarks, the hon. Attorney General was at his best, at his most convincing peak. He goes on to say:

> While we recognize the desirability of protection for the consumer we must also recognize that such protection should be realistic.

And I wonder if I can pause at that point to suggest that when the Attorney General is making these remarks, he has some doubt in his mind as to whether the provisions of the bill that he now wants to ram through, are in fact realistic—

Interjections by hon. members.

**Mr. Singer:** Now let me go on. There will be ample opportunity for the Attorney General and the House leader to reply when I am through.

**Hon. Mr. Rowntree:** In the meantime, be a little temperate.

**Mr. Singer:** I will be as temperate as this situation warrants, and the situation does not warrant too much temperance, because the government is trying to ramrod something through and while they have enough votes that they eventually get away with it, they will not get away with it until they have heard what we have to say about it. The Attorney General continued:

> While we recognize the desirability of protection for the consumer, we must also recognize that such protection should be realistic and not an unwarranted impediment to the ordinary course of business. This legislation has been closely scrutinized in an effort to achieve a reasonable balance between the interests of the consumer and of the businessman. But in order that

these new principles may be considered by all business people I am recommending that the second bill may be considered by all business people. I am recommending that the second bill, The Consumer Protection Act,

and that, Mr. Chairman, is the bill we are not talking about—

be given first reading only—

and we will come to that in just a minute, because just in a few minutes, the Prime Minister overrules the Attorney General and he overrules him in the House:

be given first reading only; submissions may then be received—

and who is he going to receive them from? From the business community. Where is he going to receive them, where is the logical place to receive them? At least in the legal bills committee, to which the public may come:

—submissions may then be received over the next few months by the consumer protection bureau when it is established by this House, and the proposals may then be considered at the next session in the light of the constructive comment then available to us.

Well, let us go on:

In this way, a complete understanding will be achieved for all persons that will facilitate the integration of these new principles with existing business practices. It will also be noted, Mr. Speaker, that wage assignments have not been affected by this legislation. I am sure that we are all aware of the use that is made of the wage assignment by credit unions throughout Ontario and I am loath to interfere with the lending facility which is so well accepted in our community. The wage assignment and its use is still receiving our consideration, but it will not be affected by these bills.

Then I managed, and you will recall, Mr. Chairman, that this is on first reading and the Opposition has no opportunity to debate this kind of a statement, I managed at that point to get in a question, and the Attorney General picks up and says:

As I have indicated, we will expect submissions, criticisms—constructive, perhaps, and otherwise—with respect to The Consumer Protection Act.

It will take time to establish an agency such as the consumer protection bureau. It would have to be, first of all, organized and established, it would receive submissions; it would receive, perhaps even before the Act comes into effect, complaints which are now prevalent in the business world, in the consumers' credit area; it would be organized so as to be able to march with The Consumer Protection Act when it comse into play.

I think it is essential—

says the Attorney General:

—that the bill establishing the consumer protection bureau get forward at this session so that we may establish that bureau. There are many duties which it can perform while we await final enactment of The Consumer Protection Act.

Then the hon. member for York South made a few remarks, and there were objections. Then the Prime Minister comes into the scene and he overrules the Attorney General. And the Prime Minister says:

Mr. Speaker, I might say that as I listened to this discussion I would think we would call it for second reading with the idea that it would not proceed beyond that stage. This means that after hon. members have had a chance to look at it, they can express their opinions on what is embodied in the bill. Those opinions will be examined with a view, perhaps, to making changes if they appear feasible and necessary or proper, between now and when it will be introduced into the next session.

Then there is a further discussion that goes on and we talk about an eight- or nine-month waiting period, to look, to listen, to hear objections.

Well now, sir, we are reversing, a complete overturn of government policy. And why?

**Mr. McKeough:** What was the date of that *Hansard*?

**Mr. Singer:** April 22, 1966, at page 2570.

**Mr. McKeough:** Two months ago.

**Mr. Singer:** Well the hon. member for Kent West obviously does not get the point, and let me explain, Mr. Chairman, for the elucidation of this particularly obtuse member, the point I am getting at. There is a standard procedure in this House, as to what the democratic procedure means and if this bill is going to be available for public discussion in the normal way that bills are available, then—

**Mr. Chairman:** I would ask the member to talk to the chair.

**Mr. Singer:** Well, all right. I wish, sir, through you to advise the hon. member for Kent West that if the democratic procedure is going to be observed as is the usual practice, and if the government is doing this complete about-face, and it is doing it now because it is pushing this thing ahead in view of certain remarks that were made in this House, surely to goodness the opportunity should be given for those members of the public who are concerned with the provisions of this bill to come to the legal bills committee and make their representations. Anything less than this is an abortive process to short-circuit the democratic procedures which we regard so highly.

**Hon. Mr. Wishart:** Mr. Chairman, there is no need for any hon. member to get vehement or disturbed about this matter. I have not been charged with being adamant about this bill being dealt with now.

**Mr. Oliver:** You are being adamant now.

**Hon. Mr. Wishart:** I am not being adamant now. I have never said that this bill could not go to committee. In fact, when I spoke a few moments ago, I said I had no objection to it going to committee. I have no fear of it going to committee. If I were wagering, and permitted to wager in this House, I would wager it would come back from committee without one word changed.

**Mr. Singer:** That may be, but at least we would have a look at it.

**Mr. Oliver:** That may be.

**Hon. Mr. Wishart:** That will be, I am sure. There is no objection to this bill going to committee. I merely felt this bill has been on the order paper. My announcement that we would proceed with it has been there for, I think, two weeks Nobody has requested—

**Mr. Singer:** May I ask the Attorney General a question? When did you announce to this House that you were going to proceed with it? In this House?

**Hon. Mr. Wishart:** Yes, in this House, while you perhaps were not present.

**Mr. Singer:** Well you did not announce it on first reading; you did not announce it on second reading.

Interjections by hon. members.

**Hon. Mr. Wishart:** I made a statement in answer to a question by the hon. member for York South that we would proceed with it, and it was on the order paper at that time, in the same manner it is tonight. Nobody said: "Well, will it go to committee or the legal bills committee?"

**Mr. Oliver:** Well we just assumed that it would.

**Hon. Mr. Wishart:** Well, perhaps you did, but there is no objection whatever to it going to committee. I merely feel that when the bill was called tonight, that the stage this House had reached in its deliberations, perhaps we could consider it here. I certainly am not worried about it going to committee. It will take a little extra time.

But let me say this, there was no request. I am not adamant about it at all. As I say, it is some two weeks perhaps that you have known it was going to be discussed. We can take it to committee. I was glad that the hon. member for Downsview was able to read my speech again, because it reiterated what I said, that there were some considerations which applied to the mercantile world, to merchants, and that some time should be taken to consider the application of this bill to that side of our economy. That however, can be accomplished by getting the bill through and holding its proclamation, and setting up the consumer protection bureau and preparing the forms and drafting the tables.

This bill, as I will say again, and I shall try and be brief, arises out of a very full and thorough report of the select committee representing all parties of this House. Unfortunately, and one reason perhaps why the bill may need some debate, is that that report, as such, has never had an opportunity for debate in this House. But I say to you that the bill, if you have read it and it has certainly been about this House since its introduction for long enough for everyone to have read it and to understand it, therefore, I felt it could have been considered tonight. But I have not the slightest objection and I am not avid at all. I do think there is some little urgency perhaps in time but we can take the time to do it. It will come back from the committee, I feel certain, just the way it is presented to you tonight. There is no attempt to ramrod anything through.

**Mr. Singer:** Well, if the Attorney General is prepared to accept that—

**Hon. Mr. Wishart:** I am quite prepared for it to go to committee. I am quite happy.

**Hon. Mr. Rowntree:** Mr. Chairman, on this subject some reference has been made to

consideration of bills in the committee of this House before a standing committee. There is no rule whatever, I just want to make this point, that says that any or every bill has to go to committee.

Now, the hon. member for Grey South—let us just call on his long experience and his short memory. There is none. The place for bills to be dealt with in detail was always in Parliament and it was when things were too busy for Parliament to handle all of the details of bills that the practice from time to time developed of sending them to a standing committee.

I am sure the hon. member for York South is aware of that—the primary place is here. I just make this point in the course of this discussion. I gather that this matter now goes to the committee by consent.

**Clerk of the House:** The order for Bill 101 is discharged and the bill referred to the legal bills and labour committee.

## LEGAL AID

House in committee on Bill 130, An Act respecting legal aid.

Sections 1 to 12, inclusive, agreed to.

On section 13:

**Mr. Singer:** On section 13, Mr. Chairman. Section 13 provides for the issuance of a certificate in cases other than those set out in section 12, upon the exercise of discretionary directive.

With regard to this section certain questions cause me some concern. Under 13(a), a certificate is to be issued at the discretion of the area director in the summary conviction proceedings where there is a likelihood of imprisonment. In summary convictions there is always this likelihood, and in other summary matters imprisonment upon conviction is mandatory. It is difficult on the basis of this wording to appreciate on what basis the area director will presume that there is a likelihood of imprisonment.

It should also be noted that some offences may be tried summarily or by way of indictment at the election of the Crown. And, of course, the accused will not know until his trial in what manner the Crown will elect to proceed. I wonder, therefore, if the hon. Attorney General could either elucidate on the way this section is going to be interpreted, or whether there could be or should be some further clarification of the wording of the section to permit an applicant to re-apply where he has been refused a certificate in a matter which appears to be prima facie a summary matter, but under which the Crown subsequently elects to proceed by way of indictment.

**Hon. Mr. Wishart:** This bill was before the committee, but I might offer some assistance to the hon. member. The discretion, of course, is to the area director who is advised by those who are associated with him in the administration of the Act at this level. I think it should not be a difficult matter for him to apply his discretion in the language of 13(a) to a summary conviction proceeding where there is a likelihood of imprisonment or loss of means of earning a livelihood. This should not be a great difficulty for him. He does not have to be exact about it; he just weighs the charge, the situation, and decides whether there is a likelihood, and then issues his certificate or withholds it accordingly.

**Mr. Singer:** I can recognize the original intention of that, but having been exercised and subsequently found that somebody made, under all the circumstances, a bad judgment or a wrong guess—

**Hon. Mr. Wishart:** Yes.

**Mr. Singer:** Then I think there could be some—

**Hon. Mr. Wishart:** I would simply say this: I think if the difficulty which my hon. friend has is that the case may then be tried in some other manner than summary—then, I should think, perhaps such person would be entitled to go back to the area director and say: "I am in deeper trouble than I seemed to be originally, could I now have legal aid," and I think it would be taken care of.

**Mr. Singer:** Is the Attorney General satisfied that he could go back?

**Hon. Mr. Wishart:** Oh, I am sure.

**Mr. Singer:** Within the wording of this Act? Some area director is not going to lean heavily, or too heavily, on the specific wording, saying: I have exercised my discretion once, and I really have no power or desire to exercise it again.

**Mr. Chairman:** Section 12?

**Mr. Singer:** No, I would like to hear the Minister.

**Hon. Mr. Wishart:** This will just take a moment, Mr. Chairman. We might go back then to section 12. I think he might come in and say: Now I am in the supreme court, or I am in the county, or district court and you shall give me a certificate.

**Mr. Singer:** Well, all right. I thought it was worthwhile drawing to the Attorney General's attention, and by the same token I do compliment him on withdrawing, or rephrasing the previous wording of section 13(c). I think we made a most violent objection to that on the way through, and the effect of these objections made both in the House and in standing committee, did have an effect in persuading the government to change its mind.

Section 13 agreed to.

On section 14:

**Mr. Singer:** On section 14, Mr. Chairman. It seems to me that there might be a serious inconsistency in the section.

**Hon. Mr. Rowntree:** Mr. Chairman, was this section brought up in committee?

**Mr. Singer:** Mr. Chairman, we are now in committee of the whole House and I do not think really that the remarks of the House leader, unless he wants to get into this debate constantly, are too pertinent.

Section 14, I think, contains a serious inconsistency. It requires a double approval before a certificate will be granted in certain appeals and proceedings by way of prerogative writs, and in any matter referred by the area director to the area committee. In other words, very briefly, reading this section:

> Before a certificate can be granted, the application must first be approved by the area director and then by the area committee.

This, of course, presupposes that there will be an area committee in every area and, indeed, there must be such a committee to permit the proper operation not only of this section but also of the Act.

The inconsistency lies when you read this section with section 41, which provides that the law society may appoint—it has a discretion—a legal aid committee for an area. Therefore, perhaps 41 should have been made mandatory, and there should be a direction to the law society to appoint an area committee. And this is also important, I think, when we come to section 17(10) which provides for an appeal to the area committee following the refusal of the area director to issue a certificate. I think there is a sort of gap there in the middle which causes me some concern, I would like to hear the Attorney General's comments.

**Hon. Mr. Wishart:** Mr. Chairman, the only comment I have to make with respect to section 14, would be with respect to subsection 1(c)—which is a subsection added to pick up anything that might not have been specifically spelled out in the forepart of that section. It is a discretionary section again, and practically everything that one can conceive of I think is included in subsections (a) and (b). Then, if there were some matters outside of those which had been overlooked, this is to pick it up, subsection (c).

I do not think we need to make section 4 mandatory; in any case, the House has passed section 4. I think we can rely upon the law society to see that an area director does serve. However the areas may be defined or devised or limited, there will be an area director to whom these matters will be referred.

**Mr. Singer:** Is my friend satisfied that in spite of the permissive nature of section 4, that there will be full coverage over all sections of the province; that no matter where a problem may arise, the person who needs to resort to the provisions of this Act will have somebody or some group to whom he can refer?

**Hon. Mr. Wishart:** This gives me an opportunity, Mr. Chairman, to say that even now, and for some years past, under a purely voluntary system, we have had in every county and district of this province except two—and that is only for part time—we have had in every county and district a legal aid committee serving and working voluntarily for people in need of counsel and advice and help in the courts. So I have no doubt whatever that with this Act coming into force, and the provisions which it makes for the remuneration of lawyers, that we will have a legal aid committee in every area, whether they are counties or districts or whether they are combined larger areas. I have no doubt we will have a committee serving every part of this province.

**Mr. Singer:** Well, I hope my friend is right.

Sections 14 to 16, inclusive, agreed to.

On section 17:

**Mr. Singer:** On section 17, Mr. Chairman. Section 17, I think, is probably the most

important section in this Act, and I am sure my friend will agree with me. It deals with the functioning of the welfare department and I have already expressed my views as to this concept. I do not think we are going in the right direction. The entire concept of requiring investigation by the welfare department, apart from being costly and time-consuming and therefore tending to delay the decision as to the issuance of the certificate—and I think it will in certain cases and in certain other cases the aid can be given and then the assessment made later—is introducing the concept of a means test. Now, in England the honour system is being used with certain stringent provisions, and I recognize that there have been criticisms and real concern. There is an article which I came across quite recently, written by Alexander Irvine where he has expressed some reasonable doubt as to the functioning of the system in England. I commend that article to my friend, not necessarily as a guide, because I think Mr. Irvine is perhaps putting forward some ideas that would not be too apt to this jurisdiction. In any event, he does point out some of his concern in connection with the function of the system as it is in England.

As I was saying, with the honour system as it is used in England, it might perhaps be better if it could be surrounded by sufficient stringent safeguards which not only result in the immediate cancellation of the certificate but also in the creation of an offence were it subsequently discovered that the applicant had provided the area chairman or the area committee with false information in connection with his application. In other words, I think really a test has got to be the need. I am not prepared to go as far as my friend from Riverdale, Mr. Chairman, but I think there has to be less reliance than I fear there will be on the opinion of the welfare officer, and I think there are better systems whereby legal aid could be guaranteed than by bringing in the results of the studies and conclusions of a welfare officer.

My friend has said it is not a welfare officer who makes the decision, he only makes a report, and as a result of this report the area director or the area committee subsequently make their decision, but I am awfully concerned about how this is going to work in practice and whether or not we are not just going to see a perfunctory approval of a report made by a welfare officer who is welfare oriented.

Now, if section 17(2) is permitted to remain I would submit that there is some doubt about the general sense that it makes. Generally this section provides for the report of the welfare officer as to whether the applicant can pay part or all of the cost of the legal aid applied for. As most lawyers know, at the outset of any proceedings the cost thereof cannot be accurately determined. No one knows really whether all matters are going to go to court, whether they can be resolved by discussion, whether if they do go to court they might not be resolved on the doorstep of the court, whether if they do go to court the trial will last one day, two days, ten days, the result of examinations and so on.

Now, my friend the Minister of Labour is puzzled. Let me repeat what I said because I think he missed my first sentence. I say if 17(2) is permitted to remain I wonder about its proper implication. The section provides for the report of the welfare officer in advance—in advance. The welfare officer is called upon to report in advance of the certificate being issued as to whether the applicant can pay part or all of the cost of the legal aid applied for. I think the Minister of Labour missed that remark.

**Hon. Mr. Rowntree:** Not at all, I heard every word of it.

**Mr. Singer:** Well, because he heard every word of it let me repeat it. I say that, as he knows full well, it is most difficult, if not impossible in most cases that a lawyer deals with to determine accurately or even closely to accurately what the cost of the legal aid is going to be, or the legal assistance. Therefore, I wonder how can a welfare officer who is not at all familiar with the method of legal proceedings and the possible cost thereof, say at the very outset whether a person can pay all or part of the cost of legal proceedings.

Now, similarly, section 17(3) raises exactly the same question. I have got a few more remarks about the subsections of section 17. Perhaps I could deal with them all at once, Mr. Chairman.

The provisions of 17(10), and reconciling those with the provisions of section 14, cause me some difficulty. As I mentioned earlier, 17(4) provides that applications require a dual approval by the area director and by the area committee with the right of appeal to the director of legal aid if the area committee did not ratify the approval of the area director. However, if the area director did not approve the application under 14, the matter does not come before the area committee at all unless it does so presumably under the appeal provisions set out in 17(10).

It appears, therefore, that all applications other than those under 14 provide a right of appeal from the refusal of the area director to the area committee and no further appeal to the director of legal aid.

Under 14 there is an appeal to the area committee only where the area director rejects the application, but if he approves the application and it goes on to the area committee for its ratification, and it then rejects the application, there is in this case a right of appeal to the director of legal aid.

Perhaps I am reading too much in apparent difficulty but I feel that the situation is somewhat confusing and that there is no uniformity in regard to these appeals. I would think the very least that the director of legal aid should be able to do is to have the final say in matters where applications are rejected. I think I could go even further and suggest that an ultimate appeal might perhaps lie to a judge of the supreme court.

The essence of this Act is the discretionary power to area directors to issue or reject the issuance of certificates, and there should be—and I commend this seriously to the Attorney General's attention—I think there should be in the final event an ultimate judicial review to assure that area directors exercise their discretion in a proper and judicial manner.

**Mr. Renwick:** Mr. Chairman, I would like to place the position of our party clearly on the record as to people who should be entitled as of right to legal aid under this bill. Everyone knows that in our society, if you have the money you can get the legal aid; if you have not got the money you do not have legal aid. This leads to the oftstated proposition that there is a law for the rich and a law for the poor.

This bill is designed, as I assumed when I first heard that the Attorney General was going to introduce it this session, to make certain that that inequality in the law in the province of Ontario and its administration would be dealt with effectively by this bill. The member for Downsview has spent a great deal of time in his remarks both on section 17 and on sections 13 and 14, wondering in a very roundabout and diffuse way as to whether or not the discretion was properly exercised, or could be exercised. Now he has come up with the suggestion that there should be a judicial review of the area director's exercise of the discretion. Surely the very expression of that kind of concern by the member for Downsview should lead him to realize, as I would hope every member of this House would recognize, that legal aid can only be granted in this province and must only be granted in this province, to a person who has need of it. But once the need is established, there should be no discretion to decide whether or not he will be entitled to be represented by counsel.

I tried to express on the second reading of the bill, and again in committee, what our position was.

Our position is simply this: if a person has been summoned to appear in a court to answer an offence, or if a person has been sued in a court in the province of Ontario and is required to appear as a defendant or as a respondent, by that very act, if he has not the means to provide himself with counsel, he should be entitled to counsel and no discretion should rest in anyone to decide whether or not it is justified.

The other side of that case is the case of the person who has a claim against someone. The only way in which the ordinary layman can judge whether he has a claim which will be enforced in law in a court, is to go and consult a lawyer. If he goes and consults a lawyer as to whether or not he has a valid claim and if he gets an opinion in writing from a counsel that he has a case which should be adjudicated in court or in which a decision should be rendered by a board or an administrative tribunal of some kind or other, then again, in that case, the person, if he has not got the financial means, should be entitled as of right to be represented by counsel.

From our party's point of view, we cannot possibly conceive of a system which perpetuates the need in the province of Ontario for a person to have an effective right to be represented by counsel. The strange thing about this bill is that it is not section 12 which supposedly talks about the right of a person to get a certificate, or section 13 which reinforces the discretion or section 14 or section 15, it is in section 17. This is the substance and the only and the first place where the area director must look, and subsection 4 of section 17 states that the area director may issue a certificate only when he has received the report of the welfare officer, and that we are not disputing at this point; we made our proposition on that.

Then it goes on to say:

> —where in the opinion of the area director the issue of a certificate is justified.

Now that is at the discretion of the area director. It does not now matter what any other provision of the bill states. What this bill says is that the area director can only issue a

certificate if in the opinion of the area director the issue of it is justified. That is just another way of stating that it is at the discretion of the area director as to whether or not he should issue it.

This is our complaint about the bill. This is our fundamental objection to the way in which it is framed and because we stated this on second reading and we stated it in committee, I will not labour the point again because I think the Attorney General understands our position and I hope the member for Downsview does. I now move that subsection 4 of section 17 of the Act respecting legal aid be deleted and the following substituted therefor:

(4) Subject to subsection 5, when the area director shall issue a certificate to the welfare officer stating that the applicant is eligible for the legal aid applied for, the area director shall issue a certificate to the applicant

(a) in respect of any proceeding or proposed proceeding specified in sections 12 or 13 in which the applicant is a party as plaintiff, appellant or claimant, if the applicant has been advised in writing by a barrister and solicitor that the applicant has a claim or other matter which requires adjudication or decision by a court or quasi judicial or administrative board or commission, or

(b) in respect of any proceeding or proposed proceeding specified in sections 12 or 13 in which the applicant is the person charged or the defendant or respondent and in any other case the area director may issue a certificate if, in the opinion of the area director, the issuing of a certificate is justified.

Mr. Chairman, that again simply states the position which we have taken at all times in the course of consideration of this bill if a person is summoned to a court and must appear.

If he is sued in a court and must appear as a defendant or as a respondent he is entitled to be represented by counsel. If, on the other hand, he has a claim which he has been advised by competent technical advice is a valid claim which requires adjudication or decision in a court or before a board, then in that case, if he has the financial need he should be entitled as of right to be represented by counsel and in other cases such as the drafting of documents and other matters which do not deal with appearances before the courts in the province then we think it is quite proper that the area director retain the discretion which he apparently is going to be given in all areas under this bill.

**Hon. Mr. Wishart:** Mr. Chairman, we debated particularly the matter when speaking to the motion. I might say, however, that we debated in the second reading of this bill the matters raised by the hon. member for Downsview and to some extent, certainly, the substance of this motion which was debated and discussed at length in the legal bills committee.

This Act, Mr. Chairman, does not say and the principle and the purpose of this Act was not to provide legal aid for everyone. But it does say—and perhaps the best way to express it is in the negative—that no one shall be denied the right of legal aid, counsel in court or in these various proceedings spelled out in this Act by virtue of financial inability to pay. Now that is what it says.

**Mr. Bryden:** It does not say that.

**Hon. Mr. Wishart:** That is what it does say.

**Mr. Bryden:** You say it, but the bill does not.

**Hon. Mr. Wishart:** That is the way I interpret it, but what the hon. member for Riverdale wants to now insert in the bill by this amendment is a provision that if a person can go to a lawyer and get a certificate that he has a case, he is entitled automatically to legal aid.

Now, there are people—and every lawyer knows them by the dozen—who would keep a battery of lawyers in court every day of the week because they think they have cases. They go from one lawyer to another and they love to litigate and they love to be in the courts and most of them have no case. To say that because they could go to a lawyer —and probably some lawyers, with all respect to the members of my profession, would perhaps grant such a letter quickly—but to say that because he could get a lawyer who would say that he had a case and could get another lawyer to take his case in court, then this bill would be foolish, I suggest, in the extreme. This is not what it intended.

We have an area director and a committee to advise him and to assess the ability to pay and to an extent, the merits of the claim that this person has a claim to be litigated. He does not need to go to another lawyer. How many lawyers is he to be sent to?

That is the purpose of the area director and I can assure this House that to accept this amendment would be to throw the doors wide open to the greatest abuses under the Act and I remind the hon. members of this House that this is a new Act and we are allocating sums of money—unknown at the present in amount, but I am sure they will be substantial amounts of public money—to provide the services which this bill brings now in the way of legal aid. To accept this amendment would be venturing not into an unknown area but into an area which commonsense should tell us we should not venture.

**Mr. Singer:** Mr. Chairman, speaking to the amendment, I do not think that this amendment can or should be properly supported. There is a real problem—I can understand the principle the hon. member for Riverdale has put forward—but there is a genuine problem in doing what he suggests be done, what he suggested on second reading, what he suggested in committee and what he has now embodied in this amendment.

I mentioned just a few moments ago this article in the newspaper—and I know my friend reads it—the article in the issue of Friday, June 10, 1965, by Alexander Irvine. He points out just what did happen in England under similar circumstances, if the scheme that my friend proposes was a part of this bill. I share, unfortunately I share, with the Attorney General, his real concern—

**Hon. Mr. Wishart:** Why unfortunately?

**Mr. Singer:** Well, not unfortunately for the Attorney General, unfortunately for certain members of our profession, I share with the Attorney General his real concern about possible abuses. Irvine suggests—and I do not know how much of an authority he is, but I think he has written a very intelligent article—that the way the scheme has been used in England has been to the advantage, the very substantial financial advantage, of certain members of the legal profession.

I have discussed privately with the Attorney General and I am going to make brief reference to it here, one of my very serious concerns about the former so-called "free system" is that it was being abused by a minority of our profession. To do what the hon. member for Riverdale suggests I think just opens the flood-gates. It encourages people needlessly, completely needlessly, to get into court whereas the case might be settled on a lower level. Unfortunately, I say again—and not unfortunately for the Attorney General but unfortunately for a small section of our profession—there are lawyers who if they are sure their fees are going to be paid, will not pause at the first court. They will go on to the second and on to the third and on again if they can. There are defendants and accused persons who are naturally by their personality litigious and who, if they feel that they can carry on through as many courts as they want to go, will gladly do it if somebody else is paying the cost.

These are very serious dangers, and I think there has to be some form of protection. This is why I suggested to the Attorney General in my earlier remarks on this section that I am not too happy with the present wording. I recognize that it is difficult to come up with a better system, and this is why I suggested that perhaps there might be some merit in allowing an eventual appeal to a judge of the supreme court. I think this has merit.

I am concerned about the principle the hon. member for Riverdale makes, but I am far more concerned about the broad aspect and the real danger of this amendment. If this amendment was ever made part of our law, I think we would be buying ourselves a real peck of trouble. For those reasons, we in this party cannot support it.

**Mr. Renwick:** Well, Mr. Chairman, the Attorney General and the member for Downsview might as well be on the same side of the House, they are both Tories. Every time you introduce a measure of social welfare in this province you must insist for some reason or other that the people of the province of Ontario are going to abuse it. This is what is at the substance and at the background of every piece of welfare legislation—that somebody is going to abuse it.

I share more deeply than the Attorney General and more deeply than the member for Downsview my concern about the way the legal profession in the province of Ontario conducts itself. That is a matter for the government of the legal profession; that is a matter of the law society of Upper Canada. If there are unscrupulous lawyers who are going to misuse this legal aid for their own private benefit, then it is up to the law society, which has been granted the jurisdiction to discipline them by this assembly, to take action to do so.

There is no question whatsoever that the law society of Upper Canada is a society which is living in an entirely different

century. This is a different topic of debate than that which is before this House.

What is before this House is whether or not an individual person, going to a competent lawyer for technical legal advice and being advised that he has a claim which he is entitled to assert in a court, is as of right to be entitled to have counsel represent him; if on the other hand, he is summoned to a court, or has a claim made against him in a court, that he is entitled as of right to be represented in the court.

I do not share the concern of the member for Downsview about the legal profession. If the law society of Upper Canada cannot police and discipline its own profession, then that is its problem and we in this assembly can deal with it. In my opinion, it is about time we did deal with it.

On the other hand, I will not be able to countenance the proposition which the Attorney General puts forward that there are people in this province, a small number, no matter how marginal they may be, who are going to misuse this bill. If there are misuses of this bill, the Attorney General within a year can stop them; within six months he can stop them.

I say to him, for once let us in this province make the clear distinction that there is not a law for the rich and a law for the poor. Let us make absolutely certain that if financial need is proven and a person is required to appear in a court, that he is entitled as of right to be represented. Until this government will accept that proposition, this government is a Tory government and will stay that way. Some day it will disappear, and I assure you that when we are the government of this province, one of the first things we will do will be to rewrite this section of the bill.

I would ask the member for Downsview, and I would ask the Attorney General to answer the other side of my case.

**Hon. Mr. Wishart:** The member's amendment does not talk about money at all.

**Mr. Bryden:** That is covered in the bill surely.

**Mr. Renwick:** If you would just pay attention; I ask the Attorney General and the member for Downsview to answer the other side of the case. If a citizen of the province of Ontario is summoned to appear in a court, or has been arrested for an offence, an alleged offence, against him, why is that person not as of right, if he has not the financial means, why is he not as of right entitled to be represented by counsel? He is not under this bill. Let us answer that question, that simple question, in this House tonight. Then we will know where the Conservative Party stands, we will know where the Liberal Party stands, and you now know where we stand.

It seems to me that to hear the member for Downsview stand up and talk about people who take cases from one level of the courts to the next level, simply reverses everything which he and I as lawyers were taught to recognize. That is why you have appeal courts. He knows very well that there have been cases lost at the first level, the second level, the third level and have been won at the fourth level. Surely we are not going to reverse the whole system of the tradition of our administration of justice because someone says that some people are going to misuse a legal aid system which this government is prepounding.

Will the Attorney General answer me the simple question that if a person is charged with an offence and is required to appear in court and account for himself, why is he not as of right, if he does not have the financial means to pay for counsel, why can he not be represented by counsel as of right? If the Attorney General will answer that question and the member for Downsview will answer it, then we can have a useful debate about the matter.

**Mr. Singer:** Mr. Chairman, I might as well have first go. It is very fascinating to me to hear the tight-halo boys accuse everyone of being Tory if they do not agree with them. My friend, the hon. member for Riverdale, has been a lawyer for a long, long time. He knows as well as any lawyer in the province of Ontario that one of the greatest deterrents against the abuse of our courts is the advice of lawyers and a possible involvement in costs that might be needlessly thrown away. My friend, by this amendment, suggests both criminally and civilly that we toss away what is a safeguard insofar as protecting litigants; insofar as protecting accused persons on occasion. In the criminal field I have much more sympathy with his position, but in the civil field I think it is almost an indefensible position.

He says that if a man is charged for going through a stop sign, where he can have his day in court, and it is available to him as of right, he should be able to get counsel and to go to court and carry it on to appeal.

My friend knows full well, because he is

a clever lawyer in addition to having been practising for a long time, and he is able, my friend knows as well as anyone in the province of Ontario that one of the reasons why the fines are paid is because there is a feeling that the charge was properly laid and that there should be a conviction.

My friend knows as well that in civil proceedings, a client may come in and say to his lawyer: I think I have certain rights, I want to go to court, and I do not care what it costs me. I am sure there is not a practising lawyer in the province of Ontario who has not had a table-pounding client who has said just that to him. I do not care what it costs me, I want to get my rights. Then you sit down with him and attempt to explain what, in your opinion, his rights are. You attempt to explain that even though you might partially agree, perhaps a court might not agree. If the court does not agree, then that client who is insisting on his rights and does not care what it costs him, may be involved in the payment of $2,000, $3,000, $4,000 or $5,000. That client then sits back and takes a very careful second look, and a third look.

If you remove that brake, if you remove that safeguard, I suggest that you are threatening the scheme of this Act. I suggest, Mr. Chairman, that it is all very well for my friend from Riverdale to say if we ever take power one of the first things we will do will be to change it. I think he should look to his friends in the Labour government in England and recognize that they have not changed, and I think he should read the words that are written in a socialist newspaper coming out of the United Kingdom and recognize that these are not the suggestions that are made there.

These are high sounding ideals, but, Mr. Chairman, my friend from Riverdale runs around the real nub of this problem by suggesting that certain safeguards be removed and he endangers, I think, the proper working of this system.

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member for Downsview has so thoroughly dealt with the question, that the hon. member for Riverdale wished answered, that there is little left for me to say.

I would however, direct his attention to section 12 of the Act, which says there shall be a certificate issued to a person in respect of any proceeding, or proposed proceeding, in a supreme court, county or district court and the surrogate court, where the applicant is charged with an indictable offence, where the application is made for sentence, or preventive detention, under The Extradition Act, the exchequer court of Canada. Then there does remain a discretionary area under section 13, which covers almost everything else, but does leave the discretion.

I just do not propose to say that the question asked by the hon. member deserves an answer, in the sense that I just do not accept the philosophy which he has been putting forward, that anyone who thinks he has a case may go and have legal aid just automatically. I think there has to be an administrative area of discretion in the administration of this Act.

Perhaps after we have tried it out for a year, I think he will be convinced of the wisdom of it. If he is not, then certainly I shall be.

**Mr. Bryden:** Mr. Chairman, I think that the eloquence of the hon. member for Riverdale was quite convincing, and if there was anyone who was in any doubt after hearing his argument, I am sure that all doubt must have been removed in the mind of any person who was ready to look at the argument objectively after the arguments against the member for Riverdale were presented, because those arguments have no logic in them at all. They did not even bear on the point.

The hon. member for Downsview advised the House that all lawyers are aware that the possibility of costs is a matter which a client has to weigh in deciding whether or not he will proceed with a case. When the member for Downsview talks about a client weighing the possibility of costs, and whether or not he wishes to run the risk of incurring them, he is talking about clients who have means.

This bill relates to people who have no means. In the case of people who have no means, the possibility of costs is not a matter that can be weighed and a free choice made. It is a conclusive deterrent. The person with no means simply cannot proceed. He cannot even hire his own lawyer, much less consider the question of costs being awarded against him. The problem with the administration of justice in this country is and always has been that the rich man or even the moderately wealthy man can have his day in court, but the poor man does not have access to the courts. His access to the courts is when he is hauled in by a policeman and railroaded through police court, often without any representation at all; that is his day in court.

Otherwise, he has no access to the courts at all. This is the problem which the bill before us admittedly deals with in part, and

which my hon. friend from Riverdale wishes to have dealt with fully.

Let us bear in mind that it is not a matter that anybody can go to a lawyer and get a certificate and then have a lawyer assigned to him. He has got to, first of all, demonstrate he has no financial means. That immediately cuts down the area greatly. The only possibility of abuse at all would relate to people with no means at all. Even a person who is adjudged capable of paying part of the cost would still have this deterrent of cost, to which my hon. friend from Downsview attaches such great importance.

Only the person who has no means at all could possibly be in a situation where he would not face that deterrent and I agree with my hon. friend from Riverdale that we can surely take the risk of a possibility of abuse which would require collusion between the lawyer and the client. We can risk that remote possibility to ensure that that man, if he is adjudged by competent authority to have a reasonable case, will in fact have his day in court.

This is really the only matter that is at issue. The Attorney General says that the purpose of this bill is to ensure that no one will be debarred from access to the courts because of financial means. Well, if that is the purpose, then he should accept the amendment of the hon. member for Riverdale, because that is precisely what the amendment will establish. As it stands now, that principle is only partly established in the bill.

We in this group believe that it should be fully established. We are willing to run a small risk that a very small number of people might find ways of abusing it. If that happens, and if the law society does not take any action in itself, then I think that we will have to consider it in this House, but we would like to see the principle that the hon. Attorney General himself enunciated fully declared in this bill. It is not fully declared now. The amendment would so declare it, and I think that the House should vote in favour of it.

**Mr. Chairman:** Members have heard the amendment by Mr. Renwick. All those in favour will please say "aye."

All those opposed will please say "nay."

In the opinion of the chair, the amendment is lost.

Call in the members.

All those in favour of Mr. Renwick's motion will please stand.

All those opposed, please stand.

**Clerk of the House:** Mr. Chairman, the "ayes" are 6, the "nays" 46.

**Mr. Chairman:** I declare the motion lost and the section carried.

Section 17 agreed to.

On section 18:

**Mr. Singer:** On section 18, I think there are some difficulties in this. I can see the reasoning behind it, but if a person is granted a certificate to commence a civil case on the basis that he cannot contribute anything at all to legal costs, and he recovers a judgment, say, in the amount of $50,000 and the judgment is paid, he is obviously beyond the realm of indigency at that point, and should reasonably be expected to make a contribution to the fund.

However, what does the term "cost of such legal aid"—that is a phrase out of the section—what does it actually mean? Does it mean the legal fees and disbursements paid to the applicant solicitor of the fund? If so, no criticism would be valid because if a litigant is successful and he recovers damages, no doubt he will be awarded costs which he can tax against the defendant. And if the judgment is paid, costs will be paid as well. In this situation, the litigant should not be put to any hardship.

However, if the term "cost of legal aid" means something more than that, more than what is reasonably taxable on party and party costs, something is wrong. Because it would appear that undue advantage is being taken of the successful litigant in that administrative costs, and so on, related to his case would be demanded of him.

And further, I find it hard to appreciate why there should be a lien against the damages recovered in any event. It stands to reason that if the plaintiff is successful and recovers payment of the judgment award, he will also be able to recover costs, because the costs will be taxed against the defendant. A certificate of the taxing officer will be issued and, if necessary, a writ of *fi fa* will be taken out. Should not the Act simply provide for the assignment by the plaintiff to the law society of the certificate of the taxing officer? And all rights that flow from it?

I am sure the Attorney General can appreciate the concern that I have in this and I think there could be a much better way of wording this section 18.

**Hon. Mr. Wishart:** Mr. Chairman, what the hon. member has suggested might be a

feasible way of approaching this matter but I think this section as designed will meet the situations that we would encounter. Again I would just say that this is a new venture. I would suggest that we try this. Perhaps next year, Mr. Chairman, we may see fit to amend it.

**Mr. Singer:** I think it is worthwhile to list these things now in this debate so that in light of the year's experience we can have a very careful look at it. These are some of the points and I have a few more yet to make, Mr. Chairman, but these are some of the points that I think deserve some real attention. This Act has to be very carefully watched as it progresses.

Sections 18 and 19 agreed to.

On section 20:

**Mr. Singer:** On section 20, Mr. Chairman, I have made this point before and I am very concerned about the idea of panels. And I make a final appeal to the Attorney General at this time to amend the Act so that all lawyers will be on the panel. Then let the accused or the proposed litigant resort to any lawyer that he wants to choose from among the lawyers in Ontario. The client, whether it be the accused or a person who needs assistance in a civil matter, will be able to select his own lawyer and the lawyer will be able to select his own clients. I think that this would bring home in the most forceful way that anything could bring home to all members of the legal profession that they have a responsibility in this regard. It would make the availability of legal aid as broad as it could be and I grant you, the Attorney General, when commenting on the suggestion some time ago in a debate, said there are lawyers who do only involved corporation work or taxation work and so on. Well, these lawyers are most unlikely—if they are called, say, to go into a traffic case or a divorce case which they have never handled—undoubtedly they will refuse, because they will feel that they are not competent to deal with that sort of thing. But I do make this final appeal to enlarge the panel idea so that the panel will be all the practising lawyers in the province of Ontario.

**Mr. Renwick:** Mr. Chairman, I would like to echo the remarks of the hon. member for Downsview on this particular point. The Attorney General will recall that the treasurer of the law society at the committee hearing last week on this bill stated when this question was put to him, that under this bill as they understood it, anyone who is entitled to legal aid could select any lawyer among—I think he used the figure—7,000 lawyers in the province.

Now, I would like to have the Attorney General express his view as to whether this system of panelling is in fact going to reflect the view which the treasurer of the law society of Upper Canada expressed at that meeting and whether there is going to be a very clear right on a person who is issued with a certificate to select the counsel who will represent in any proceeding.

**Hon. Mr. Wishart:** Mr. Chairman, this Act arose from a joint study of a committee of the law society of Upper Canada and the law officers of the Crown, particularly in the Attorney General's department. It is the joint effort, therefore, of the lawyers. It contains their wisdom in its terms, the wisdom of the profession as it arose from those studies.

Now, it is a very beautiful idea, perhaps, to suggest that all lawyers in this province of Ontario, some 7,000 of them, be on the panel. But look at the practicality of it for a moment. There is nothing, to answer the member for Riverdale, to compel any lawyer to serve any client at any time for any rate of pay, whatever the fee might be. There is a right of discretion, there is a right of refusal. I cannot say to him in answer to his question that any person entitled to legal aid who gets a certificate may go to any lawyer and say, "You must serve me in this matter," because any lawyer, as my hon. friend knows, can say, "I am sorry, I am just not interested, I am too busy, I do not know that type of litigation, I am not an expert in that matter, you would be far better off to go to somebody else who is far better qualified. In any event, I do not care to take the case," and he may or may not give reasons. To simply clutter up a panel, a list of lawyers, knowing full well that many of them would not serve and could not serve and would not be competent if they did serve in certain types of cases, is to me an unrealistic and rather poor approach to this section.

Certain lawyers, as I did point out on second reading, are specialists perhaps in very high corporation work; some are very eminent persons in the field of criminal law and draw fees of perhaps $1,000 a day and more. Some are elderly. Some do not ever go into a police court, some never take a divorce action, which is permitted under this Act. And to put all lawyers in Ontario on a panel and then to suggest, particularly as the member for Riverdale suggests, that anyone having a certificate entitling him to legal aid

could go to any name there, if you put them all on, and say, "You must serve me," is just so impractical it is nonsense; it just does not make sense. I think it is far better and I think you will get a very substantial voluntary approach in offering of service by the members of the legal profession, as they have done voluntarily for many years, to serve on the panels. And they will be encouraged to do so not only by the law society, but I think, to be material for a moment, by the pay, the remuneration offered for their services under this Act.

I would suggest that we leave the section, try it out and see how it works.

**Mr. Renwick:** Mr. Chairman, just because the Attorney General and I are not communicating tonight—I did not suggest for one single moment that the right of a lawyer to decline a case is not his right, if he wants to do so. But the panels are going to be representative of the degree of interest that the bar of the province of Ontario shows in this scheme; the number of lawyers who are on the panel, the types of lawyers who choose to associate themselves with this scheme in order to make it effective.

What I was really asking the Attorney General to say in his own way—and I gave him the opening and I hoped he would take it—was that it was his express wish that the legal profession throughout the province of Ontario would take it upon itself to make certain that there was a wide representation of the practising bar and the practising solicitor profession involved in this scheme, because this is the one and only way it can work. Despite all the things that have been said about the former free system, I know very well that in most of the large law firms in downtown Toronto, they were represented by and large by perhaps one or two junior members of the firm. There was not a general sensation of individual obligation on lawyers to participate individually and to make themselves available within the framework of that scheme. I think the member for Downsview would support me on that particular statement.

**Hon. Mr. Wishart:** That is right, Mr. Chairman, that is true. I support you in that also, and I did, I thought, express the hope that there would be a wide representation by the urgings of the law society and by the inducements which are offered under this Act. I would hope it would be by the dedication and the wish to be of service by the members of my profession. My hon. friends spoke on both of them tonight. But I think it is an unrealistic thing to say that we should ask all lawyers, just to get their names on, when we know perfectly well that some of them will not be serving, and will not be helpful in the administration of this Act, in the sense that they will be able to go into court on the many cases—the great majority of them will be cases in the lower court, that they would not be helpful there in any event.

**Mr. Singer:** Mr. Chairman, the Attorney General says that it is ludicrous to have a cluttered-up list. Now this book would contain about 50,000 or 100,000 names. We are talking about 6,000 or 7,000 lawyers. Surely the list is available. It is on the books of the law society of Upper Canada. They have the names of all practising lawyers, and I do not think that there is anything that could be done that would more readily and quickly convince the public of the sincerity, not only of the Legislature, but the sincerity of the profession, that all these should be on the panel.

I do not think it is going to clutter anything up. I do not think it is going to be ludicrous, and I think it is going to have a very salutary effect, not only insofar as the public reaction is concerned, but also as far as the profession is concerned.

Therefore, Mr. Chairman, I am going to move that section 20 be deleted and the following susbstituted:

> That all barristers and solicitors who are entitled to practise law in the province of Ontario shall be members of the panel of barristers and solicitors referred to in this Act and the regulations passed hereunder.

**Mr. MacDonald:** Mr. Chairman, could I ask the Attorney General a question in this connection?

If all members of the bar are on the panel, you do not need a list at all. Anybody who is practising law is eligible for application. If you go to him to take your case, if he so feels, he can decline taking it. I think you would avoid even the problem of having lists.

**Hon. Mr. Wishart:** Well, that is true. If everybody was on. But I do not think we should legislate that everybody must go on, when we know perfectly well that many of them are not going to serve. I think it is just being idealistic and unrealistic. I do not see any sense in saying, just to have them all on by legislation is going to achieve

anything at all. I think it is far better for us to go out and say to our fellow practitioners: "Put your name on the panel, be willing to serve." But not just to get them on, just to get names on a list, or even, as the hon. member for York South, says: "You do not need any panel list at all, just leave that out, everybody will be there, and if they do not want to serve that is fine." I think it is well to know, I think it is well to have a panel, to know who is offering, who is taking part.

I think this will have a good effect on other members of the profession who might not at first blush, or at the first instance, feel that they would want to serve. I think we can achieve this. I think section 20 achieves it well. I would vote against the amendment, Mr. Chairman.

**Mr. Renwick:** Mr. Chairman, I would just like to ask the Attorney General another question for clarification.

It is my understanding, both in the debate on second reading and in committee, again, that this is not going to be an assigned lawyer plan, that if a person does get a certificate, then he is not told by the area director which lawyer he goes to.

**Hon. Mr. Wishart:** That is my understanding.

**Mr. Singer:** They will only be able to go to the lawyers on the list, on the limited list?

**Hon. Mr. Wishart:** He will go to the panel lawyers.

**Mr. Renwick:** I would like to have the Attorney General affirmatively state in the House that if a person receives a legal aid certificate, and therefore is entitled to be represented, having gotten over that hurdle, that he is then presented with a list and he makes his own selection and the area director does not tell him who he should go to.

I think it is very important that the Attorney General express these views, because I do not have the kind of confidence that he might have in the ability of the law society to make this function on a broadly representative base within the profession. I think this is the background for the hon. member for Downsview's remarks and his proposed amendment.

I think we will support the amendment because we want to make certain it is not an assigned lawyer plan. I tend to agree with the Attorney General that the best way is to have panels and to have all the impetus of the law society put behind it to have as many representatives who will possibly go on the panel. But I want, in addition, to make absolutely certain that no area director is going to take it upon himself in some way to name or designate what lawyer a person is to go to for advice, or to be his representative.

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member for Riverdale is as capable of reading the terms of this Act as I am. There is nothing in this Act which says that the area director shall direct the person to whom he gives the certificate to go to any lawyer.

**Mr. MacDonald:** Does that preclude him from directing the person to a specific lawyer?

**Hon. Mr. Wishart:** I would take it that in the administration of this Act, having had his certificate, he would go to the lawyers on the panel.

Now the panel is going to be a province-wide one, and I think it is well to be perhaps careful here. I do not know whether one needs to point out a situation which could be conceived, to say that they might go to any lawyer on the panel of the whole province.

I suppose there are some cases where a person receiving a certificate would say: "Well, I am charged with a most serious crime, and I want a most eminent lawyer and one is not available in my small community." I think in such a case he would be justified, and I think the persons administering the plan, the director and eventually the persons taxing the costs, would say that was justified. But I think to say that some of them are charged with a traffic case, or perhaps even a serious case—impaired driving or a case, say, in Kenora—that he would have the right to travel to Toronto and bring a counsel from Toronto to defend him in such a case, in the far reaches of the province. I think it would be ridiculous to countenance that for very long, or in very many instances.

**Mr. Singer:** That is not what—

**Hon. Mr. Wishart:** Well, I am just wondering. The hon. member for Riverdale wants me to be categorical and say that having got the certificate he can go anywhere and take any lawyer on the panel. I just want to spell it out very definitely that I think he is entitled to go but he is not going to be directed to any particular lawyer.

I think that is clear from the Act. But I do not think he has the right to go ranging

far afield and pick the most eminent counsel in the province to defend him in any particular small case. I do not know how much more specific one can be.

**Mr. Chairman:** Mr. Singer has moved that section 20 be deleted and the following substituted:

> That all barristers and solicitors who are entitled to practise law in the province of Ontario shall be members of the panel of barristers and solicitors referred to in this Act and the regulations passed hereunder.

All those in favour of the motion, please say "aye." All those opposed, please say "nay."

I declare the "nays" have it.

Call in the members.

All those in favour of Mr. Singer's motion, will please rise. All those opposed, please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 15, the "nays" 37.

**Mr. Chairman:** I declare the motion lost. Section 20 agreed to.

Sections 21 to 27, inclusive, agreed to.

**Clerk of the House:** Mr. Chairman, I did not read the financial resolution:

The Honourable the Lieutenant-Governor recommends the following:

That,

> the moneys required for the purposes of The Legal Aid Act, 1966 during the fiscal year 1966-67 shall be paid out of the consolidated revenue fund,

as provided in Bill 130, An Act respecting legal aid.

Resolution concurred in.

Bill 130 reported.

## THE EXPROPRIATION PROCEDURES ACT, 1962-1963

House in committee on Bill 142, An Act to amend The Expropriation Procedures Act, 1962-1963.

Sections 1 to 4, inclusive, agreed to.

Bill 142 reported.

**Hon. Mr. Wishart:** Mr. Chairman, I would just like to say with respect to Bill 130, that there did not seem to be a great deal gained by taking it to the committee on legal bills, where it took us a long time to deal with it.

## THE PHARMACY ACT

House in committee on Bill 156, An Act to amend The Pharmacy Act.

On section 1:

**Mr. Bryden:** Mr. Chairman, I would like to ask the Minister certain questions—

**Hon. Mr. Rowntree:** Very well, the Minister of Health is not here, we will defer this bill until he is present, to meet the convenience of the NDP.

**Mr. Bryden:** That is mighty nice of the Minister.

**Hon. Mr. Rowntree:** That is all right.

**Mr. Bryden:** It is terrible when you have to follow the rules.

## THE ONTARIO WATER RESOURCES COMMISSION ACT

House in committee on Bill 159, An Act to amend The Ontario Water Resources Commission Act.

On clause 10:

**Mr. J. P. Spence** (Kent East): Mr. Chairman, under this clause 10, I might say that a great concern of mine is the wide sweeping powers that are given to the Minister of Energy and Resources Management. In other words, it is vicious.

I might say, Mr. Chairman, that I am in favour of cleaning up the pollution in our lakes and streams in Ontario and I must say that many colleagues of mine on this side of the House have spoken on this subject and state that pollution should be taken care of. Clean water is one of the greatest assets we have in this province and in this country and I must say that since this bill was introduced in this assembly, I have been contacted by a number of municipal men who are very much concerned with these wide, sweeping powers that have been given to the Ontario water resources commission.

Mr. Chairman, many of our municipalities have reached the saturation point as far as debenture debt is concerned. Many of our municipalities, if it were not for the great debenture debt they have, would be most happy to put sewerage systems in. But because of this lack in some of our municipalities no industries will locate in them.

With this clause 10, if the municipalities do not co-operate with the Ontario water resources commission, the commission can go

ahead and put a sewerage system in, assess the cost back to the municipal council and about which the municipal council has nothing to say, but to collect the debt for what the Ontario water resources commission has demanded.

Mr. Chairman, I think this is vicious. The pollution of our lakes and streams is an obligation of the federal government and of this provincial government. There should be more assistance given to those municipalities which are burdened with debenture debt and I think if more financial assistance was given these municipalities would not hesitate at all to go ahead and put sewerage systems in.

I hope that the Minister or the Ontario water resources commission will give consideration to more financial assistance to these municipalities that are burdened with debenture debt.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): In answer to the hon. member, the Ontario water resources commission already have power to issue an order for sewage and water plants within a municipality. What we are trying to get at here is that where we are going into an area of one or more municipalities we may be able to deal with them the same way in which we would deal with one municipality; that we might put services in that would serve an area instead of trying to deal with three or four or maybe more municipalities, and never be able to get them together to clean up a problem which is of concern to most of the people in all areas, but the municipalities are not able to agree. This is what we are trying to clean up here.

**Mr. Singer:** Mr. Chairman, section 10 disturbs me very much. There are two types of orders that can be made here. One is that of determining the area, and the other is that of fixing rates and charges.

There are many people who believe that there is a real danger of a body that is not responsible to the electors, making arbitrary decisions and imposing them on municipalities and on sections of municipalities, on areas and on individuals.

This is an emergent situation, and certainly it is important that there be a proper system of getting pollution cleaned up. But what concerns me very much is the method by which this is set out in this statute.

Section 10, subsection (2) under 46a, says that:

> (2) Notwithstanding any general or special Act . . . the commission may, with the approval of the Minister, make an order defining and designating an area . . . and . . . may;
>
> (a) impose . . . terms and conditions . . . as the commission deems necessary;
>
> (b) require that any contract . . . be terminated or amended . . .; and
>
> (c) fix and impose rates or charges upon any municipality or person in the area.

These powers are very wide and very far-sweeping, and may, under certain circumstances, be necessary, but they are phrased in such broad terms that I am very concerned about how the various discretions being given are going to be exercised. Let us look at what the statute says: "the commission may, with the approval of the Minister, designate an area." The area could be a municipality, a series of municipalities, and it could conceivably be just the land occupied by one industry—

**Hon. Mr. Simonett:** Or a part of it.

**Mr. Singer:** Or a part of it. It could be as big or as small as the commission deems proper. In other words, by its bigness or its smallness, it could, just in the designation of an area, be most discriminatory.

It may well be necessary that this should be done, but where do people go to object, and how do they object? Once the order is made, the commission must hold a hearing. The very people who come to the conclusion that the order must be made, then have to have a hearing. In other words, they will be appealing from Caesar to Caesar, so Caesar is always going to be right. It is not really an appeal at all. The very people who made the original determination are the people who are being appealed to, and not even the whole commission is being appealed to.

The commission has made an order; they have the consent of the Minister; they then have a hearing and only two of them have to go and listen at the hearing; and two of them are sitting in judgment on an order that they made in the first place. Then what happens if they are not satisfied with that? There can be, by petition, an appeal to the Lieutenant-Governor in council. In other words, somebody submits a document to the Cabinet. There is no public hearing; there is no room for argument; there is no room to call witnesses; and there is an in-camera private select appeal made by a piece of paper, made by some writing.

Mr. Chairman, this is, in my view, giving very wide and sweeping powers to the Ontario water resources commission. I think

the government has to be most careful about appeal procedures. I think that we are into something just as dangerous as The Police Act was. You are giving to an unelected, an appointed body, the most arbitrary powers that can be given them. You are allowing them to designate areas, and the Minister agrees with me that they can be as large or as small as you want to make them. You are allowing them to fix rates. There is no indication in the statute that the rates will be sufficient to pay for the whole scheme, or for part of it. It may be that in a certain area that is designated, that there will be a subsidy. It may be important that there should be a subsidy. It may be that area A is preferred to area B, but I agree with the Minister that it is a very difficult situation—it is a dangerous situation and there have to be unusual powers given.

If this Legislature is prepared to decide that there should be such unusual powers given, surely there has to be a protection to those people who are going to be affected if these discretions are used. And what protections have you tried to write in? You appeal from the decision-making authority to the decision-making authority, and if that does not work, you then go to the Lieutenant-Governor in council.

I would suggest, Mr. Chairman, that in view of this, there should be a second look, and a very quick look, because I am sure that the government does not want another row about giving appointed bodies arbitrary powers similar to those they had under Bill 99. Giving them full credit, I think they are doing this unknowingly. I think there has to be an appeal to an independent body, not to the body who is making the original decision. I think perhaps there should be an appeal to the courts. I think perhaps there should be some opportunity to get at elected persons with responsibilities. I think the Minister should have a very careful look at this before we vote on this section tonight.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Chairman, perhaps the hon. members would like some Manitoba election results.

**Mr. Singer:** I would be interested in that, too.

**Hon. Mr. Grossman:** All right, Mr. Chairman. P.C.'s elected, 12, leading in 15; Liberals elected, 6, leading in 8; NDP 4, leading in 7; Social Credit elected, none, leadin 2. The Premier has been re-elected.

**Hon. Mr. Simonett:** Mr. Chairman, in answer to the hon. member, I, too, when I first saw this section, felt that perhaps we should have an appeal to the courts. I have discussed this matter, and it is felt that in order to speed up our procedures and clean up a situation that the Opposition and we all in Ontario worry about—and that is pollution —it was felt that an appeal to the commission —I must say we have not had too many problems with the commission, they have been very fair in all their dealings with municipalities and industry, I think they will still be fair—if for some reason it has to be appealed, it may be appealed to the Cabinet. They are the elected body, and I think they will see that the municipalities or individuals get their just dues.

**Mr. Chairman:** Section 10 carried?

**Mr. Singer:** No, Mr. Chairman, the Minister says—and I think with some justification —that the commission has not been arbitrary, in the past their actions have been pretty good, but there has been great concern by some people about certain actions.

Let us presume tomorrow morning we get a very arbitrary commission. I am not accusing this commission of being arbitrary, but tomorrow morning we could have a very arbitrary commission.

**Hon. Mr. Simonett:** No, we could not.

**Mr. Singer:** Oh yes, we could.

**Hon. Mr. Simonett:** Because these fellows are all here tonight.

**Mr. Singer:** Well, Mr. Chairman, we have, when we are writing statutes, to protect against the worst eventuality. Bill 99 could have been defended on the basis that the extraordinary powers being given to the police commission were not going to be badly used or misused. This bill can be defended on exactly the same basis.

But I suggest, Mr. Chairman, this is not good enough. You are giving extreme powers to an appointed body and those powers once exercised can be appealed to that same body. If that fails you can then go to the Lieutenant-Governor in council and the only way you can do it is by submitting a written document, because the Lieutenant-Governor in council is unable to hold a public hearing, it just does not mean anything.

The Cabinet is not going to sit as a court of review. Surely if there is going to be a meaningful appeal, there has to be an opportunity to go to a body separate and apart

from the decision-making body where witnesses can appear and be cross-examined, where there is a right to counsel. Now none of those safeguards are in this section. And you have here—and I do not want to overdramatize it—you have here another situation which closely parallels the provisions of Bill 99, the infamous Police Act.

**Hon. Mr. Simonett:** Oh, no.

**Mr. Singer:** Yes, and the Minister of Labour shakes his head. Now, he is a lawyer and he is an able lawyer, tell me—

**Hon. Mr. Rowntree:** I would just say, why does the member not just vote against it?

**Mr. Singer:** It is obvious who is going to win that kind of a vote, but I am trying to appeal to the government in a sense of cooperation, in a sense of trying to warn them what they are doing. I am hoping that they will see the wisdom of this argument sufficiently to put in a meaningful appeal system. We are not arguing—and this is important—that in view of the seriousness of the pollution problem, that there should not be this type of emergency power available. But we do say that where you are going to so infringe on the rights of individuals or on the rights of municipalities, that there has to be written into this Act a meaningful appeal system and you have not got it here.

**Mr. Chairman:** Is section 10 carried?

**Mr. Singer:** No. No, I think ayes and nays on that. I think we will have a vote on it.

**Mr. Chairman:** I do not have any amendment before me.

**Mr. Singer:** Well, you do not need one.

**Mr. Chairman:** All those in favour of section 10, please say "aye." All those opposed will please say "nay."

It appears to the chair the "ayes" have it.

Call in the members, please.

Shall section 10 stand as part of the bill? All those in favour, please rise. All those opposed, please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 35, the "nays" 13.

**Mr. Chairman:** I declare the section passed.

Section 10 agreed to.

Sections 11 to 15, inclusive, agreed to.

Bill 159 reported.

## THE PHARMACY ACT

House in committee on Bill 156, An Act to amend The Pharmacy Act.

On section 1:

**Mr. Bryden:** Mr. Chairman, there are a couple of questions that I would like to direct to the Minister, which apply to both this bill and the bill that follows it. Perhaps I can ask them in relation to this bill. I may say with regard to the Act to amend The Pharmacy Act, that it appears to me that the amendments are unobjectionable insofar as I am able to interpret them.

However, I would like the Minister to explain, first of all, why it was deemed necessary to proceed with this bill and also with the bill to amend The Dentistry Act when, as he advised us on an earlier occasion in this House, there is a commission established by the healing arts that will be considering all of the professional Acts affecting the healing arts.

**Hon. Mr. Rowntree:** On a point of order, Mr. Chairman, this is committee of the whole House and the principle of this bill was endorsed by this assembly prior to today's session. The hon. member for Woodbine stated that he has no objection to any of the amendments. He is now trying to talk about the principle and the overall picture of the bill and this is entirely out of order and I ask you to—

**Mr. Bryden:** Mr. Chairman, as the House leader knows and as you certainly know, when one tries to ask questions—I am not now discussing either of the bills, I am trying to ask certain questions—and whenever one tries to ask questions on second reading, the Speaker invariably advises, and I think quite properly, that the time to ask questions is at the committee of the whole stage.

**Hon. Mr. Rowntree:** Not on generalities.

**Mr. Bryden:** This is not—

**Hon. Mr. Rowntree:** Mr. Chairman, I must ask and insist that you enforce the rules of this House in the same manner that they were enforced at 8 o'clock this evening.

**Mr. Bryden:** Well, Mr. Chairman, the rules of this House—

**Mr. Chairman:** On the point of order on which the Minister of Labour has stood in his place, I would suggest to the member for Woodbine that we have discussed this in principle in the second reading of the

bill, with which he is familiar. I would ask him at this time, if he will, to stay with discussion of this bill section by section.

**Mr. Bryden:** I want to raise a couple of points with regard to the first section, Mr. Chairman, and I can raise them on another section too.

I want to know on what basis the hon. Minister is proceeding with this bill and the bill that follows it, when he refuses, for example, to consider any changes to The Chiropody Act, at this time, even though the people affected by it believe that that Act is a long way out of date and that it affects them very adversely in their practice.

The hon. Minister said that he could not consider amendments to that Act because of the study of the healing arts commission. Now on what basis does he consider amendments to this Act, either section 1 or any other?

**Mr. Chairman:** I really do not think this has anything to do with this bill under section 1.

**Mr. Bryden:** It has indeed, sir. I would like an explanation of why we proceed with this Act when we cannot proceed with others which are substantially more urgent, I would think.

**Mr. Chairman:** I do not really consider at this particular time that that is before us.

The order in which the bills are called is not before us at this time. I would ask the member if he will to stay with the section that is before us now.

**Mr. Bryden:** I will agree to section 1, and I will wait for section 2. I have some further questions on it.

Section 1 agreed to.

On section 2:

**Mr. Bryden:** Now then, Mr. Chairman, this section, as well as certain others, affects the government of the profession covered by this Act. I would point out, sir, that this bill did not go to any standing committee, according to my recollection. Why it did not go is beyond my comprehension. Although it is a bill sponsored by a Minister and therefore becomes a public bill, it has most of the characteristics of a private bill, in that it affects a specific group.

Now it seems to me that it would have been good practice to put a bill affecting a specific group before a committee, so that interested parties could make representations. I am wondering why the hon. Minister was not willing to allow any members of the profession who might be affected, or any members of the general public who might consider themselves affected, to make representations with regard to this and other sections of the Act affecting the profession.

**Hon. M. B. Dymond** (Minister of Health): Mr. Chairman, these amendments were brought in on the recommendation of the profession affected. Since they are very largely tidying up and housekeeping amendments, it was deemed that the council of the college spoke for the profession because it is the only body representative of the profession—truly representative of all of the profession—and because there was nothing in the amendments that appeared to affect the public interest, it was deemed unnecessary to go to the standing committee of the Legislature on health.

**Mr. Bryden:** Does it follow from this, Mr. Chairman, that, in the case of a professional group that has a preferred position in the thinking of the hon. Minister, he is simply willing to bring into this House any amendments that they request? How does he know that members of the public might not have considered themselves adversely affected? They were given no opportunity to make any representations.

**Hon. Mr. Rowntree:** They are all housekeeping items.

**Hon. Mr. Dymond:** Mr. Chairman, I would suggest to the hon. member that the Minister believes he is equally capable of judging whether a matter is in the public interest as the hon. member is and it was my judgment, backed up by the views of my advisers, that there was nothing in these amendments that affected the public interest.

Of course I do not bring in any amendment that affects a particular group without consideration. There are amendments that we deleted from those that were requested by the profession, as we do almost every year when the various professions ask for amendments to their special legislation. We screen it very carefully first in the department and it is screened very carefully by government. It is presented in the House. There has been ample opportunity for debate in principle presented to this House, and now it is before this House for committee discussion, sir, when every clause of the amendment can be thoroughly considered and discussed.

**Mr. Bryden:** I have no doubt that the Minister is at least as capable as I am to make a personal judgment as to what affects the public interest, but I believe it is the democratic way to let the public judge what affects the public interest.

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order. Is this House not elected to represent the views of the public? Is it not our job when we are elected to office to consider every piece of legislation and exercise our judgment as to whether or not it is in the public interest? That is why it is here. That is why we are debating it now.

**Mr. Bryden:** Mr. Chairman, I would point out that there was a long discussion a little while ago about another bill, which was ultimately withheld so that it could be referred to the standing committee. Now I think that the members of the House should also have an opportunity to hear any representations that any parties may wish to make with regard to legislation of this kind that gives special privileges to one group.

Now it is not a matter of the Minister's judgment or my judgment

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Mr. McKeough:** Mr. Chairman, on a point of order, might we ask whether the Minister or any other member of the House has had any indication that anyone wants to make any representation about this?

**Hon. Mr. Dymond:** None whatsoever, Mr. Chairman.

**Mr. Bryden:** This is no point of order.

**Mr. McKeough:** Well then, stop wasting time.

**Mr. Bryden:** I am not wasting any time. I am trying to establish a principle.

**Mr. Chairman:** One moment, if you will. May I suggest to the member for Woodbine that if he would like to discuss whether or not this should go to committee, perhaps he should have done so at the second reading of the bill. Really that is not before us now when we are discussing this bill clause by clause.

**Mr. Bryden:** I would point out to you, Mr. Chairman, that at the second reading stage of the bill, we did not have any opportunity to discuss that matter. I frankly assumed—

**Hon. Mr. Rowntree:** Of course you do.

**Mr. Bryden:** I frankly assumed that these two bills would go to standing committee because of their peculiar nature. They are public bills with the characteristics of private bills, what in the United Kingdom are called "hybrid" bills. Now, the regular procedure in this House is that when a bill passes second reading, the Minister will normally refer it to a standing committee.

**Hon. Mr. Rowntree:** Not necessarily.

**Mr. Bryden:** No, not necessarily, but if he thinks it is desirable. Frankly I assumed that, as a matter of course, a bill of this kind would go to a standing committee, that a bill affecting and giving privileges to a special group would—

**Mr. Chairman:** Well I must insist that the member for Woodbine stay with the bill, section by section, because what he is discussing now has nothing to do with the sections of the bill.

The Minister has indicated that there has been no indication of public interest in hearing this discussed at committee.

**Mr. Bryden:** That is often the case until it is announced that it will be discussed in committee. I am suggesting to the Minister that a bill of this kind should automatically go to committee.

I have made my point, I will not pursue it any further, but I would suggest that in future where he has amendments to professional Acts to bring in, or any other Minister has such amendments to bring in—

**Mr. Chairman:** I would ask the member to stay with this, section by section.

**Mr. Bryden:** Mr. Chairman, I do not know why I am out of order when there was a discussion of three-quarters of an hour on exactly the same point with regard to another bill. I do not know if there are different rules for different members, but why am I out of order when that other dscussion was in order?

**Mr. Chairman:** Shall section 2 stand part of the bill?

**Mr. Renwick:** Mr. Chairman, may I ask the hon. Minister whether section 2 of the bill was approved by the membership at large of the college of pharmacy?

**Hon. Mr. Dymond:** Mr. Chairman, the council of the college is elected by the members of the profession, everyone of whom must

by law be a member of the college, and they are elected to represent the profession just as we are elected to represent the people of Ontario. Of course, in that context it was approved by the membership of the profession.

**Mr. Renwick:** Well, Mr. Chairman, all I asked the Minister was whether or not the members at large had approved of this clause as would be normal in any self-governing society. And I gather from what the Minister said that the membership at large were not consulted about this change in the bill nor, I assume, about any other change.

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, the hon. member is putting words in my mouth when he knows perfectly well what I mean. And he knows also that it is not normal procedure for every amendment to be put to a profession. He knows perfectly well within his own profession, he as an ordinary member has very little to say about the government of his body. I, as a member of a profession, have a good deal more to say about it. But we elect our representatives to the council, the governing body of our profession, and we entrust them with the responsibility. And if they do not do their job well, we turf them out just the same as the public can do with you and me.

**Mr. Renwick:** Mr. Chairman, I do not know to what kind of societies the Minister belongs. All I asked was whether or not the members at large of the college of pharmacy had an opportunity to consider basic provisions of the constitution of their society, which relates specifically to the members. All I am saying is that if the members at large did not vote on it, then there is something seriously wrong with the constitutional setup of the college of pharmacy.

**Hon. Mr. Dymond:** On a point of order, Mr. Chairman, there is no room in the consideration of this bill for a discussion of the constitution of the government of the college of pharmacy, it is completely foreign to the bill in every sense, and the bill or its terms have no bearing on it whatsoever.

**Mr. Renwick:** Well, Mr. Chairman, I would like to know whether that was the point of order.

**Hon. Mr. Dymond:** Yes, it was a point of order.

**Mr. Renwick:** If it was a point of order then I fail to understand how the Minister can say that the membership at large in the college of pharmacy should not be consulted about changes which are proposed of a very substantial nature in the affairs of the society.

Now, this is simple, ordinary constitutional practice—that basic changes in a constitution proposed by an elected council are referred to the membership for approval before they are transmitted to this House. If it has not been done, that is fine, but I thought the Minister said—

**Hon. Mr. Rowntree:** The law society does not do it.

**Mr. Renwick:** Well, I have not been here when the law society has referred any amendments and I would certainly suggest that if the law society is going to come to this assembly without having consulted the membership of the law society, I for one will object to it.

**Hon. Mr. Rowntree:** What about the legal aid bill?

**Mr. Renwick:** The Minister told us that he considers that he can represent the public interest. All I am simply saying is that if he can represent the public interest, why can he not make certain that all the members of the college of pharmacy are consulted about basic changes in the constitution of their college?

**Mr. Chairman:** Section 2, please.

**Mr. Bryden:** Mr. Chairman, I would point out that the hon. House leader made reference to the constitution of the law society or the statute governing them. I do not think there have ever been any amendments to that Act that did not go to a standing committee.

The point I think we should bear in mind is that we are here—

**Hon. Mr. Rowntree:** The benchers of the law society speak for the profession on almost weekly—

**Mr. Bryden:** But what we are doing here is enacting public laws of the province, Mr. Chairman; if this section is carried it will become part of the statutes of the province. We all know that in any organization there can be dissenting minorities. It is possible that the rights of those minorities can be adversely affected in a way that we as responsible legislators—to use the phrase of the Minister of Health—should not agree to.

We should give them at least an opportunity to state whether or not they have any objection. If they have no objection, they

will not comment, but if they have objection they should be allowed to state it. The mere fact that the council represents the majority does not mean that what it proposes is just or that it should become a part of the statute laws of the province.

However, that makes my point, Mr. Chairman.

Sections 2 to 7, inclusive, agreed to.

On section 8:

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, under section 8 there is mention of the container in which the poison is contained. Has the Minister considered the use of a tamper-proof container such as has been produced and developed by a concern in Windsor, that would be child-proof, tamper-proof and would be readily available so that poisons would be contained in that? This would be a tremendous safety feature as far as the containing of poisons is concerned.

**Hon. Mr. Dymond:** Mr. Chairman, this has no place in this bill whatsoever. However, for the information of the member, we have considered this. It does not lie within provincial jurisdiction. We have recommended consideration of this to the federal government.

Section 8 agreed to.

Sections 9 to 13, inclusive, agreed to.

Bill 156 reported.

## THE DENTISTRY ACT

House in committee on Bill 157, An Act to amend The Dentistry Act.

On section 1:

**Mr. Bryden:** Mr. Chairman, I said with respect to the previous bill that there were no clauses in it that I could see were objectionable. I just did not feel that I should exercise my amateur judgment and rely entirely on it. However, the Minister saw fit to give no opportunity for outside representations.

In regard to the bill now before us, I cannot say the same. There is at least one section that I find gravely objectionable, but before we come to that section I would like to ask two questions. First of all, was there any consultation with the membership of the profession at large with regard to this bill as far as the Minister is aware? Secondly, what arguments were presented to him as to the need for these amendments at this time?

**Hon. Mr. Rowntree:** Again that is principle, Mr. Chairman.

**Mr. Bryden:** It has nothing to do with the principle.

**Mr. Chairman:** I would suggest to the member for Woodbine that we have a bill in front of us and the purpose of our committee now is to discuss the bill, section by section.

**Mr. Bryden:** As a matter of fact, I was trying to save time, Mr. Chairman. I can take each of these sections in turn and ask the Minister my two questions. I thought I could save some time by using section 1 to ask the questions generally, but if you would prefer me to be strictly in order, then I will ask those two questions with respect to section 1.

**Hon. Mr. Rowntree:** Would the hon. member not like to be in order?

**Hon. Mr. Dymond:** Mr. Chairman, to the best of my knowledge, I can put it in that way. These amendments were framed as a result of discussion held by the profession in open convention.

Whether every member of the college of dentistry attended the convention or not, I have no way of knowing. My judgment would be that they did not, that probably fewer than 50 per cent of them attended. I would take it from that they are content to leave matters of governing the body in the hands of their elected council. I trust their judgment when they come to me with their amendments, I discuss them along with my advisors in these matters within the department and outside of the department, if they are believed worthy of merit then they are put into legislation, brought again to government, again to the House, debated thoroughly and are now again open for section-by-section scrutiny.

**Mr. Bryden:** I regard that as a perfectly satisfactory answer to the first of the questions I asked. If to the best of the Minister's knowledge they were discussed in open convention of which all the members had notice —and I am sure they had—then it would seem to me that they had an opportunity at least to state their views within their profession.

But what about the other question? Perhaps I will defer my other question until we come to the section where I think it becomes particularly relevant.

Sections 1 to 11, inclusive, agreed to.

On section 12:

**Mr. Bryden:** Mr. Chairman, section 12 is quite a lengthy section. I am not interested in subsections 1 and 2 of it, but I would like to refer to subsection 3 which re-enacts subsections 17, 18, 19, 20 and 21 of section 25 of the original Act.

Now this deals with matters of discipline and the powers of the college in relation to discipline and also it confers upon the college certain powers to take action in the event that—well, to quote the bill:

> —the committee finds that a member is guilty of infamous, disgraceful or improper conduct in a professional respect—

Now some of the powers that are given to the college here are fairly routine in professional Acts. For example the college, where it makes a finding of the character I have just mentioned, is given power to suspend the certificate or licence, or to direct that the member be reprimanded, and so on. But it also gives the council power to impose a fine of not more than $1,000.

This is a very lengthy section, but the specific clause to which I am referring is clause 2 on page 7. Now the question I would like to ask is what reasons were given to the Minister as to why this power was necessary in this Act?

**Hon. Mr. Dymond:** Mr. Chairman, under The Dentistry Act the college has had the power to impose a fine in money for some time. I do not know when subsection 8 of section 23 of the present Act was introduced. I do not believe that it was during my ministry, but the principle of imposing a money fine was established some time ago.

The college has found this to be a very valuable power and believes that it can be rightly introduced into the section to which the hon. member has just referred and that the power to impose it should be given to the disciplinary committee.

This was, in essence, the reason they gave me for it. I expressed some surprise, and in fact it was only when I did express surprise that I learned that they had the power to impose a fine at all, because I know of no other body under any state register in Ontario that has such powers; it was only requesting that they be permitted to extend the power further in the imposition of discipline.

**Mr. Bryden:** Mr. Chairman, may I ask the Minister on his responsibility as a Minister, does he consider it desirable that the council of this professional body have what he himself has indicated is the quite unusual power of imposing a fine as a penalty? He has stated that they have had this power for a long time, but I think that is beside the point. The question I would like an answer to is: Should they have it?

**Hon. Mr. Dymond:** As a professional person I say, "no." I do not like it, and indeed if my own profession were to introduce it or propose it I would fight it bitterly. But this is a body charged with the responsibility of disciplining their own profession, and out of the depths of their experience they have found this to be good and worthwhile. They have asked for extension. I undertook to propose this and to recommend this to the Legislature, having regard to the fact that the commission, to which the hon. member has already made reference, will have all of these pieces of legislation under thorough scrutiny, and on the basis of their report and recommendation we may have to change the legislation greatly.

In the meantime, the dental profession believes that this is necessary in carrying out the duties which are their responsibility under the law.

**Mr. Bryden:** Mr. Chairman, I agree with the Minister this far, but I do not think that it is desirable that the council of any professional organization should have such a power. As I understand it, the basic purpose of professional Acts is to regulate the conduct and the competency of the people engaged in the profession. In my opinion, it is most unusual and quite undesirable that a private body of this kind should have a power of punishment. I certainly am not learned in the law, but I do not know of any other statute in the province where a power of punishment is entrusted to any body other than a court—

**Hon. Mr. Dymond:** Mr. Chairman, the most severe punishment of all that can be meted out to a professional person lies within the competence of the governing body. They have the power to withdraw the member's means of support. Now what could be more drastic punishment than that?

**Mr. Bryden:** I would agree with the Minister that that is an indirect consequence of the action that the governing council might take, but I submit to him that suspension or cancellation of a certificate or licence is not punitive in purpose. The purpose is to regulate the profession properly and to

ensure that it gives service to the public in accordance with the standards of the profession. It may be necessary to lift the licence of a given practitioner, but the purpose is not to punish him. The purpose is to protect the public by removing from the rolls a person who is considered either incompetent or a man of such character that he cannot be entrusted with the privileges given by the legislation. Now I think that is an important distinction.

It is true, as the Minister says, that if a man loses his licence it has a consequence to him that is tantamount to a punishment, but that is not the purpose. I have always been under the impression that the disciplinary bodies of these professional societies do not exercise their powers in a punitive way. They exercise them for the purpose of a proper regulation of the profession. It seems to me that the suspension of a certificate or licence or a reprimand, that sort of thing, is in accordance with that principle.

As soon as we give the power to impose a penalty which cannot be regarded as anything else than punitive, it is an attempt to punish a person, then we should not give it to a private body. Such a power should be given only to a court of law.

I would judge from what the Minister said that his own instincts are somewhat in the same direction. He is in perhaps a somewhat embarrassing position here in the sense that he does not feel too happy about the clause but the profession has suggested to him that they would like to retain it.

I think it is bad in principle and I do not think it should be retained. It is true that this bill and others will be before the healing arts commission, but this clause is before us right now. I think we should deal with it, and therefore, Mr. Chairman, I move that clause 2 of the proposed new subsection 18 be struck out. That is the clause that gives the college the power to impose a fine of not more than $1,000 on a member of the profession.

**Hon. Mr. Dymond:** Mr. Chairman, I indicated to you and to hon. members that basically I am opposed to this sort of thing. I have accepted it and I have recommended it to this House. There is a saving quality, and that is that any decision of either the committee or the council of the college can be appealed, and if the fine of $1,000 is imposed on a member and he feels that he has been dealt with harshly, he has recourse to appeal.

**Mr. J. B. Trotter** (Parkdale): Mr. Chairman, we in this party will support the motion of the hon. member for Woodbine. I think that even when we hear the Minister say that basically he would virtually agree with striking this out, I think in principle we are right to strike it out and I would urge the House to support the motion.

**Mr. Chairman:** All those in favour of Mr. Bryden's motion that clause 2 of the proposed new subsection 18 be struck out, say "aye."

Those opposed, say "nay."

In my opinion the "nays" have it.

Call in the members.

All those in favour of Mr. Bryden's motion, will please rise.

All those opposed, please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 14, the "nays" 31.

**Mr. Chairman:** I declare the motion lost, and section 12 carried.

Section 12 agreed to.

Sections 13 to 18, inclusive, agreed to.

Bill 157 reported.

## THE PAWNBROKERS ACT, 1966

House in committee on Bill 161, The Pawnbrokers Act, 1966.

Sections 1 to 32, inclusive, agreed to.

Bill 161 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

> the attorney shall, on or before the 1st day of March in each year, pay to the Treasurer of Ontario for the use of Ontario an annual tax equal to two per cent of the gross premiums or deposits, other than those in respect of re-insurance ceded to the exchange by other insurers, collected from subscribers in respect of risks located in Ontario during the preceding calendar year, after deducting returns for cancellations and all amounts returned to subscribers or credited to their accounts as savings during such year,

as provided in Bill 162, An Act to amend The Insurance Act.

Resolution concurred in.

## THE INSURANCE ACT

House in committee on Bill 162, An Act to amend The Insurance Act.

Sections 1 to 10, inclusive, agreed to.

On section 11:

**Mr. Renwick:** Mr. Chairman, on section 11, the Attorney General will recall the point which was raised on second reading, that the notice to the insured to terminate the policy which is set out on page 12 of the bill as statutory condition 8(a), that we feel that condition should be amended to provide that notice be given not only to the insured, but also to the superintendent of insurance and that he be required to give his reasons to the superintendent of insurance for terminating the policy. I had understood that the Attorney General was going to give something more than sympathetic consideration to the suggestion. If not, I propose to move an amendment to that clause.

**Mr. Bryden:** Is the Minister tired, or is he just not going to consider it?

**Mr. Chairman:** Shall section 11 carry?

**Mr. Renwick:** Mr. Chairman, I would move—if I can get the numbers correctly—that clause 11 of the bill be amended by amending statutory condition number eight to read as follows:

> This contract may be terminated (a) by the insurer giving to the insured and to the superintendent of insurance with reasons 15 days notice of termination by registered mail—

and then reading on in the way in which it is printed.

**Mr. Chairman:** Mr. Renwick moves that section 8(1) of this contract may be terminated (a) by the insurer giving to the superintendent of insurance and to the insured—

**Mr. Renwick:** Sorry, my writing is rather illegible. I believe what I wrote was

> This contract may be terminated (a) by the insurer giving to the insured and to the superintendent of insurance with reasons 15 days notice of termination by registered mail or five days written notice of termination personally delivered.

**Mr. Chairman:** All those in favour of the amendment, please say "aye."

Those opposed say "nay."

In my opinion the "nays" have it.

Call in the members.

All those in favour of Mr. Renwick's motion will please rise.

All those opposed to the motion will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 14, the "nays" 27.

**Mr. Chairman:** I declare the motion lost and section 11 carried.

Section 11 agreed to.

Sections 12 to 20, inclusive, agreed to.

Bill 162 reported.

Hon. Mr. Rowntree moves that the committee rise and report certain resolutions and certain bills without amendment and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain resolutions and certain bills without amendment and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, tomorrow morning, Friday, we will continue for a period of time with the bills on the order paper and thereafter will open the estimates of The Department of Agriculture.

**Mr. V. M. Singer** (Downsview): No Budget debate?

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.20 o'clock, p.m.

No. 154




# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Friday, June 24, 1966

**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, JUNE 24, 1966

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today, students from the following schools: In the Speaker's gallery, R. H. Murray public school, Whitefish; in the east gallery, Courtice North public school, Oshawa, and township school association No. 12 Huntingdon, Ivanhoe; and in the west gallery, Flinton public school, Flinton.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

## THE ONTARIO MUNCIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 1961-1962

Hon. J. W. Spooner moves first reading of bill intituled, An Act to amend The Ontario Municipal Employees Retirement System Act, 1961-1962.

Motion agreed to; first reading of the bill.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, we have witnessed a growing interest in pensions by all levels of government in Canada during the last few years. The federal government has effected increases in the old age security pension and introduced the Canada pension plan. The Ontario government has taken action with respect to the financial protection offered to pension plan members under The Pension Benefits Act. The municipal governments of this province have acclaimed and approved additional benefits provided to thousands of municipal employees by the Ontario municipal employees retirement system. In addition, the public has a new awareness and interest in many and varied social welfare programmes, not the least of which is the provision of an adequate income following their working years.

I indicated to the Legislature on January 27 of this year that a very thorough review would be carried out of the policies of the government concerning municipal pensions. The level of the pension benefits provided under the OMERS Act enacted in 1962 was adopted at that time, the level of pension benefits that a municipality or local board would provide for their employees either through OMERS or another municipal pension plan.

The acceptance of OMERS by some 37,000 municipal employees from 370 municipalities and 460 local boards throughout Ontario has been most gratifying and is evidence that the system is well designed to provide an adequate level of pension benefits for many. However, the current review of municipal pension policy was faced with the question: does OMERS meet all the pension needs of municipal employees in Ontario?

Let me review briefly some of the considerations examined in contemplating a change in the government's municipal pension policy. The review disclosed a virtual impossibility of designing a single pension plan that contains the characteristics necessary to meet the basic universal needs of the great majority of the municipal employees in every section of Ontario and at the same time to provide for the special needs of particular types of municipalities and particular classes of municipal employees.

There have been a number of indications in recent months that certain municipal councils and certain groups of employees wish to secure benefits in excess of those provided by OMERS. For instance, some have expressed the wish to impose the Canada pension plan on top of an approved pension plan. Certain union officials have indicated a wish to negotiate with municipal councils to secure pension benefits in addition to those of OMERS and indicate that they are prepared to make contributions to the cost of such additional pensions.

Another facet of this problem is that because of the increased complexity of local government and the nature of the increased services being rendered to the community by local government, the municipalities are faced with an acute need to recruit trained and qualified officers and employees.

Pension benefits that are competitive are essential to the recruitment of such officers and employees.

And finally, there is the increased concern that has arisen in recent years with regard to the accumulation of an adequate retirement income. This concern has been increased by the effect of inflation on retirement income.

In order to offset this effect, employees are becoming increasingly interested in pensions determined in some measure by the level of earnings at retirement.

The government, after examining all these factors very carefully, has come to the conclusion that the present pension benefits of OMERS would meet the pension needs of the majority of the municipalities and the local boards in Ontario and their employees, but may not meet the needs of certain groups of employees.

Therefore, to provide for both the immediate and long-term requirements of the municipalities in the field of pensions, these amendments to the OMERS Act, which are proposed today, will permit optional supplementary pension benefits in addition to the present basic benefits of OMERS.

No change is contemplated in the present basic benefit structure of OMERS, or in the present rates of contribution for the basic benefits. The cost of the optional pension benefits if undertaken, will be borne by each municipality that elects these optional supplementary pension benefits and by its employees.

The amendment provides that the municipalities which participate in OMERS may provide optional pension benefits to employees so long as the individual employee's total pension benefits, including the basic pension benefit of OMERS, do not exceed two per cent of his best five-year-average earnings, multiplied by the number of years of his service up to 35 years, integrated with the Canada pension plan in the same manner as a pension payable from the public service superannuation fund.

The members of the House will recall that the hon. Prime Minister, on December 14, 1965, stated that the principle of integration with the Canada pension plan should be extended to all pension plans for which the government is responsible, including the approved municipal pension plans. This amendment will permit the carrying out of that principle on a uniform basis insofar as the members of OMERS are concerned.

The principle which I have just outlined will also apply to the approved municipal pension plans. In other words, any amendment to an approved pension plan in future will be accepted by the department so long as the amendment is within the limits that apply to OMERS.

I would emphasize, Mr. Speaker, that a cardinal principle which we have followed throughout all of our consideration of pensions will be preserved by this amendment. That is that no benefits provided by currently existing pension plans will be reduced.

In brief, Mr. Speaker, it will now be provided that:

(a) all municipal employees, of course, must contribute to the Canada pension plan.

(b) all municipal employees may contribute with the concurrence of their council, to the basic benefits of OMERS.

(c) all municipal employees may contribute, with the concurrence of their council, with pension benefits up to the maximum level of two per cent of the employee's best five-year average earnings, multiplied by his years of service, up to 35 years, integrated with the Canada pension plan.

It is the view of the government that these provisions will adequately and equitably meet the pension needs of the municipalities and local boards and their employees.

The basic benefit structure of OMERS with its uniformity of benefits and contribution rates will be continued. At the same time, employees, or classes of employees, are provided a very broad area in which to negotiate with the councils and local boards for pension benefits in excess of the basic benefits of the system.

The municipalities, in seeking qualified staff to meet the challenges of today's technology and the changes in local government responsibilities, must be placed in a competitive position with not only other levels of government, but with the private sector as well. The opportunities for improvement in pensions that these amendments provide will enable municipal employees to achieve, and municipal councils to provide, pensions on a plane comparable with that of the senior levels of government and the more progressive pension plans of the private sector.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I wonder if I could ask the hon. Minister a question?

Does this mean that pensions can be stacked and have three portions, the OMERS plan, the Canada pension plan, and other

negotiated plan, providing they do not exceed a top limit that the hon. Minister has spelled out in his formula? Is this in accordance with the decision made by Judge Lane a few weeks ago?

**Hon. Mr. Spooner:** The answer to the first part of the question, Mr. Speaker, I have already spent 20 minutes in explaining. The answer to the second part of the question is, yes.

**Mr. Singer:** But it is very complicated. What about the second part?

**Hon. Mr. Spooner:** On the second part of the question the answer, is yes.

**Mr. Speaker:** Order, order. Any further bills?

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, there were two questions addressed to me yesterday, one from the hon. leader of the Opposition with respect to window cleaners, which is in *Hansard*, as I understand.

The answer to the question is that The Municipal Act empowers the municipality to pass bylaws requiring the installation and maintenance of safety devices for window cleaners and providing for the inspection of such devices, section 381 subsection 16.

We have been in communication with representatives of window cleaners and it is expected that discussions will take place on this question.

By definition The Construction Safety Act covers only the actual process of construction. Other aspects of safety are covered by other specific pieces of legislation.

Then there was another question from the hon. leader of the Opposition, with respect to a certain report recently published by the Ontario economic council. The question made reference to the comments in that report, with respect to programme 5.

Now, Mr. Speaker, my department, in co-operation with The Department of Education has been taking action in this regard since November of last year when we introduced our new short term on-the-job training programme.

The study referred to in the question was concluded prior to my department's entry into this phase of adult training. In other words, the analysis and the statistical references and the general basis of the proposition had to do with an earlier set of circumstances.

Since August of last year, we have established 175 short term training projects in firms across Ontario, which involved the training of more than 20,000 people. Three-quarters of these people are being trained under programme 5.

The well defined objective of this programme is to provide industry and individuals with an opportunity to fill their own skill needs on the job through a system of training, which is fully co-ordinated with the province's overall education and training framework.

For further information concerning our efforts in this field, I would refer the hon. member to "Recent developments" on page 7 of the same report of the Ontario economic council.

Mr. Speaker, in the absence of the hon. Attorney General, I wish to make a statement on his behalf.

As hon. members are perhaps already aware, a federal-provincial meeting on securities legislation will be held next Monday and Tuesday at Ottawa. This is a meeting of the senior officials of the various agencies of the governments and it will not be attended by the Ministers. Ontario will be represented by the Deputy Attorney General, the chairman of the Ontario securities commission, the chief economist for Ontario, the Deputy Provincial Secretary and the director of the Ontario securities branch.

In view of the interest which this House has had in securities matters, Mr. Speaker, I thought it proper that I should advise hon. members as to the position which will be taken by our representatives at the conference.

Such is the prominence of the modern corporation in the business life of this nation that financial disclosure and securities legislation have a profound effect on the course of our economic affairs. These twin devices are not only matters of public protection and order, they are also instruments which affect public confidence in the capital markets and the whole economic process which flows from the capital markets.

We attach the highest importance to the proceedings of the conference and to the broad goals with which it is concerned. We consider financial disclosure and securities legislation to be means towards improved conditions in our capital markets and strengthened public confidence in their institutions.

The Securities Act, 1966, and The Corporations Amendment Act, 1966, carry into effect, in Ontario, the principles which our

province has considered to be sound in order that full public confidence may be maintained in the securities market in Ontario. The statutory provisions which we are bringing into effect respecting these various items have all been studied in great detail and the submissions which we have received from all reputable and representative organizations have been reviewed so that many of the constructive suggestions have been engrossed in the legislation. We, therefore, feel that these proposals provide a sound base for securities administration and that we would, therefore, recommend them for the consideration of other provinces of Canada.

Ontario would not wish to enter into any arrangement that might reduce the efficiency of these legislative proposals. We shall be pleased to co-operate with any other province that may desire more information about our new programme and its operation. Anything that we may do to procure uniformity in these fields will be most acceptable to us and will receive our utmost support. Whether that process should be furthered by interprovincial co-operation or through new federal initiative is one of the principal purposes of this meeting. Our concern is less with the means than the end, although we welcome the recognition by the federal government that these matters must be viewed in the context of the Canadian capital market and the national economy.

We believe that a number of questions can be raised which require further study before effective answers will be forthcoming. For example, the constitutional and economic implications concerning short-term commercial paper should be clarified, the impact of the growing mutual funds industry in terms of its effects on the business community must be weighed, the extent to which the provinces should play a part in federal policy determination with respect to the securities and exchange commission in the United States must be considered, and the role and function of a federal authority whether in terms of uniformity, co-ordination, or direct involvement must be examined before definite measures are adopted.

Therefore, Mr. Speaker, it would seem reasonable for the conference to recommend the formation of a technical federal-provincial co-ordinating committee to delineate the areas that require investigation, to assure that an orderly approach is taken to this investigation, and to report back at an early date with recommendations for action.

We recognize the importance of providing strong public support for the economic and financial institutions of this county; our own legislation is a deliberate step in that direction. Whether this requires new and additional institutions such as a federal securities commission or alternative methods of overcoming provincial differences should become clear in this process of investigation.

There is no shortage of study and opinion on these questions. What we now require is a systematic assessment and weighing of the alternatives, guided always by a recognition that we should be striving to assure the application of the highest common factor in financial disclosure and securities legislation to the nation as a whole.

**Hon. S. J. Randall** (Minister of Economics and Development): Mr. Speaker, the hon. member for Woodbine posed a question a few days ago. I was not in the House to answer it then and I would like to answer it this morning. I would ask the indulgence of the House to permit me to give an explanation on this question, because I think it has great impact on Canadian industry and on Ontario industry in particular.

The question asked by the hon. member is in two parts:

(a) What is the Minister's position on the issue of whether or not auto replacement parts should be included in the auto trade agreements?

(b) What steps does he plan to take to make this position known to the federal government?

The answer to part (a) is that studies are under way which include both the original and replacement parts industries and, until completed, I can give no definitive answer on whether the replacement parts industry should be considered for a free trade agreement.

The answer to the second part is that when our position is known, it will be presented to the Minister of The Department of Industry at Ottawa.

By way of explanation may I say that the Ontario government is concerned first and foremost with the maintenance, production and employment of all efficient automotive replacement parts manufacturers in the province.

I do not feel, moreover, that the federal government in Ottawa is interested in anything less themselves.

I feel that all reports, on the inclusion of the replacement parts manufacturers into an automotive free trade agreement at the present time are premature, and this includes the article in this morning's *Globe and Mail*

concerning free trade in tires. In our discussions with The Department of Industry in Ottawa, we have been advised there have been exploratory talks from time to time with Canadian tire industry representatives but at the present time no definite plan has been devised.

The Department of Industry is working on a questionnaire which will be forwarded to the tire industry requesting detailed information. Until such information is available to The Department of Industry, no further steps can be taken.

There have been no discussions with American tire companies or the United States government on the possibility of free trade on tires and tubes.

There is no provision in the original agreement that the replacement parts manufacturers should be considered at all, even in 1968, when the agreement is to be reviewed. Furthermore, there is no stipulation, to my knowledge, that the replacement parts industry should be considered at this time for any free trade agreement.

Even if we did arrive at the position where replacement parts manufacturers should be considered for a free trade agreement, I am in complete accord with my counterparts in Ottawa, that tariffs affecting the replacement parts manufacturers should not be reduced without the provision of conditional clauses—similar to the automotive free trade agreement introduced on January 18, 1965—whereby the industry is given ample protection and room for growth.

Some of the pertinent questions that must be answered in our studies include:

Question 1: At the manufacturing level, what is the actual percentage of Canadian content to total manufacturing input in the replacement parts business at present?

We can assess this in cars but it is much more difficult in components due to volume and variety of automotive parts.

At the present time there are approximately 400 to 450 automotive parts manufacturers in Ontario of which it is estimated less than 200 manufacture exclusively for the after market service industry. These include such diversified products as mufflers, shock absorbers, spark plugs, batteries, electrical parts of all descriptions including distributors, points, and headlight and tail-light bulbs. This category also includes all manufacturers concerned with the rebuilding of parts for older models; and I would want to know how many of these are independent Canadian manufacturers.

Question 2: In what way are the replacement parts manufacturers tied in with other aspects of the automotive parts business?

For example, a company may be an original parts producer for an automobile assembler. He may then produce further parts for the after market service industry which he will distribute to independent retail outlets, or he may produce after market parts for the automobile manufacturers and their service outlets as well.

Question 3: How much employment is dependent upon the replacement parts business and what is its possibility for growth? We want to know, in other words, how much of Ontario's industry is affected, and it is estimated at least 40,000 employees are involved in production of parts for new and after sale production at the present time.

While it may be difficult for the federal authorities to provide information on a day-to-day basis to us, members of my department are in continuous contact with their opposite members in The Department of Industry in Ottawa on all questions and information arising from the automotive industry.

During the past year four members of the trade and industry branch have been in week by week contact with five members of The Department of Industry in Ottawa.

During the past year four members of the trade and industry branch have actually taken 15 trips to Ottawa specifically to discuss problems on the automotive industry.

Joint meetings which included staff members of the trade and industry branch of my department, the mechanical transport branch of The Department of Industry and representatives of the automotive parts manufacturers' association have taken place on six occasions, during the past year.

In addition, members of the trade and industry branch have been in almost week by week contact with officials of the automotive parts manufacturers' association. On other occasions, discussions have been held with officials of the automotive industry association and the motor vehicle manufacturers' association.

May I say that the car and truck manufacturers represent the kind of industry for which it is easiest to work out a continental free trade agreement. The industry is dominated by four manufacturers—all U.S. owned—who have manufacturing and distribution networks already set up in both the United States and Canada. The replacement parts industry, however, is characterized by a large number of producers, some owned in

Canada, some in the United States and some in other countries. This makes it much more difficult to arrive at an agreement which would be fair to all parties and beneficial to the Canadian economy.

The proposal to include the replacement parts industry in the automotive free trade agreement is a good example of some of the problems which can be encountered in any proposed industrial free trade agreement with the United States.

Most of the reasons why the replacement parts industry was not included in the original free trade agreement are still valid. The original scheme involved separate agreements between the Canadian government and approximately 30 automotive assemblers, four of whom accounted for most of the industry. These separate agreements with the assemblers made unnecessary any individual agreements with the firms supplying original parts since the assemblers were their only markets. The separate agreements also permitted the Canadian government to insist on certain guarantees and conditions providing for an increased proportion of production in Canada either through larger exports or through higher Canadian content of Canadian-produced vehicles.

The position of the replacement parts manufacturers is quite different from the producers of original parts even though, in some instances, they may be the same companies. The replacement parts manufacturers sell their products to a large number of buyers and cannot be said to be under the control of the assemblers. This means that it would be very difficult in any agreement for free trade in replacement parts to write in the kind of conditions or guarantees that were contained in the free trade agreement signed last year. Either individual agreements would have to be worked out with the several hundred manufacturers or a blanket free trade agreement signed which might be disastrous for Canadian producers.

A free trade agreement might become feasible in the near future as the entire automotive industry becomes more rationalized to continental production and the costs of production in Canada and the United States come closer to balance. If such conditions prevail in the future, a free trade agreement could mean a more efficient and growing replacement parts industry.

At the present time I suspect, although I would not be in a position to know until certain federal and provincial government studies have been completed, that many of the Canadian firms now producing replacement parts would find their competitive position severely jeopardized by a free trade agreement without more careful consideration of all the factors involved.

I have stated on numerous occasions that I favour a general movement towards lower tariffs domestically and internationally so our manufacturing industries can expand their markets and have an incentive towards greater productive efficiency. In this light, I believe that Canada should judiciously examine all proposals for partial or complete free trade agreements with the United States or with other countries in specific manufacturing industries. There are a multitude of problems which are characteristic of individual industries which, in my opinion, would mitgate against taking a fixed position without first examining carefully each separate proposal so we in Canada can negotiate our position from strength not weakness.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I have two questions. My first is a follow-up of the one asked by the leader of the Opposition with reference to the position faced by the 6,000 to 7,000 window-washers in the metropolitan area.

Will the government stop contracting window-washing work to non-union companies with bad safety records and substandard wages?

**Hon. Mr. Rowntree:** Mr. Speaker, that question will be answered by the Minister of Public Works. It was received this morning and is being looked at and he will be here on Monday.

**Mr. MacDonald:** My second question, Mr. Speaker, is to the hon. Attorney General. I would like to put it on the record and conceivably I can invite the House leader to pinch hit once again for the Attorney General, because I think it is a matter of some importance and urgency.

In view of the statements attributed in the Toronto *Telegram* to the Attorney General that the demonstrating farmers are "badly mistaken if they think they are going to impress the government," and "they may change their mind after being hauled off their tractors and having to leave them by the side of the road overnight"; would the Attorney General indicate to the House what instructions have been given to the OPP?

**Hon. Mr. Rowntree:** I think it is obvious that question must be answered by the hon. Attorney General himself and he will do so.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, I have a group of related questions that I would like to direct to the hon. Minister of Health.

**Mr. Speaker:** Before the member asks the questions, I might say to him that both of his questions are really questions for the notice paper, but in view of the session being near its close I informed the office of the Minister of Health if they could not have them today, to answer them as soon as possible.

**Mr. Bryden:** I appreciate your courtesy, Mr. Speaker. If it had been earlier in the session I would have put them on the notice paper, and I appreciate your letting me ask them before the orders of the day.

There are really two sets of related questions and the first group is as follows:

1. What is the total enrolment to date in the Ontario medical services insurance plan?

2. How many of this total were automatically covered?

3. Of those not automatically covered, how many are eligible for (a) complete subsidization, (b) partial subsidization, (c) no subsidization?

4. What was the enrolment in each of the open enrolment periods which have been declared to date?

Now, I have another pair of questions. Perhaps I could leave those until the Minister—

**Hon. Mr. Dymond:** Would the hon. member like to put them all together, please?

**Mr. Bryden:** Yes, Mr. Speaker. My other pair of questions is as follows:

First, what have been the total expenditures to date on promotion of all types under the Ontario medical services insurance plan?

Second, is it feasible to break down these expenditures for each of the open enrolment periods which have been declared to date? If so, what were the total expenditures for each period?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I took cognizance of the message you left at my office, but because the answers can only be estimates I felt I was prepared to give the hon. member the answers, if this was acceptable. I say "estimates," because of the fact that with the large volume of work the office has had to do they have not been able to tabulate the actual numbers of dependants appearing on each contract. We do know that we have received 600,000 individual contracts and applying the formula which we have used throughout, namely 2.5 persons covered per contract, there are 1.5 million people covered.

Now I make eminently clear, sir, that this is applying a formula which is accepted and acceptable, but it might show some differences when the final tabulation is actually made.

How many of the total were automatically covered? Approximately 400,000. Again this is an approximation.

Complete subsidization was not automatically covered and here again we have not separated those automatically covered from the rest. Of the total sample—and this is based on several random samples taken as the cards were going through—46 per cent qualified for complete subsidization, 10 per cent for partial subsidization, and 44 per cent for no subsidization.

I notice my staff has given me some unasked-for information, that 40 per cent of the applicants are under 50 years of age.

There was only one open-enrolment period so far. Hon. members will recall that, because of the machine difficulties—

**Mr. Bryden:** It was in two phases then.

**Hon. Mr. Dymond:** We did not separate this out, we simply took it as one open-enrolment period.

For the second question put by the hon. member I have not got the figures, the total costs, but I will get this for him by Monday. Again it will not be possible to break it down, because we did not separate the two phases.

**Mr. Bryden:** Mr. Speaker, may I ask the Minister one supplementary question? Is he in any position to estimate when the definite figures will be available in relation to the points I raised?

**Hon. Mr. Dymond:** I have asked my staff to get them for me as quickly as possible, but I am certain that hon. members will realize they are under tremendous pressure. This is quite an operation and it is flowing very smoothly now. Any unusual statistical information for which I ask can put a monkey wrench into the works and cause extra work. I can only say to you, sir, that I have asked them to let me have a statistical report on our findings up to the close of the open-enrolment period. Applications are still coming in at the rate of roughly 1,000 per day, more or less, and have been since May

16, so we would have to separate those received prior to May 16.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, a question for the Minister of Health.

Would the Minister inform the House of the results of yesterday's case conference concerning the future of the ten-year-old boy presently in Hamilton Ontario Hospital?

**Hon. Mr. Dymond:** Mr. Speaker, I do not have the result. This case conference, of course, is part of normal routine followed by all our hospitals in respect of every case.

Routinely these reports do not come to head office and I have had to ask for this. I have not yet got it.

**Mr. S. Lewis:** May I ask a supplementary question, Mr. Speaker?

**Mr. Speaker:** The member should ask the Minister.

**Mr. S. Lewis:** Well, may I ask a supplementary question, Mr. Minister? Is it not true that alternative accommodation has been arranged behind the scenes but there are so many legal entanglements that this is now the problem?

**Hon. Mr. Dymond:** If that be true, sir, I have no knowledge of it; and I have no knowledge of any arrangements being made behind the scene.

Again I would have to emphasize, sir, that head office does not interfere in these matters. This is a matter for the judgment of, and lies within the competence and authority of, the superintendent of the hospital. He has the right and the responsibility, as I have said on many occasions, to do what he believes must be done in the best interests of his patient.

**Hon. L. P. Cecile** (Minister of Public Welfare): Mr. Speaker, I am very pleased indeed to advise you, sir, and the members of the assembly, that today being June 24, it is also the day on which all Canadians of French descent honour their patron saint, Saint Jean Baptiste. I believe this is the first time in modern history, I am sure at least during my time, that the Legislature happened to be sitting on June 24. Therefore, this is the first occasion anyone such as myself, as a French Canadian, has had the opportunity of saying a few words in this Legislature recognizing this feast day.

The precursor of Christ was chosen as patron saint for all Canadians of French descent to acknowledge the fact that they also were recognized as the first leading group in this country of ours. I think that it has been proven through the years that they have, intend to, and will make, a great contribution to, Canada in every possible medium.

May I, Mons. l'Orateur, transmettre à tous mes compatriotes les meilleurs voeux de moi-même, du gouvernement de la province, de tous les membres de la Legislature Ontarienne, pour tous ce qui peut y avoir de mieux, santé, bonheur et prospérité, au plus de la grande et belle formule le Paradis a tous à la fin de vos jours.

**Mr. J. C. G. Demers** (Nickel Belt): Mr. Speaker, as my compatriot, the hon. Minister of Public Welfare said, this is the first time we have been able in this House to celebrate the feast of French Canada's patron saint.

With the permission of the House, I would like to place on the record a very short, very brief *Globe and Mail* article of this morning. Only the title, I think, is not quite accurate. It is entitled, "Quebec looks out on its special day." It reads as follows:

> When Ludger Duvernay founded the Saint Jean Baptiste society in 1834, he urged that the new organization strive on the feast day of French Canada's patron saint to remind French Canadians "of their ancestry and their mission." Each June 24 since then, this patriotic and cultural association has led French Canadians in celebrating their past and saluting their future.
>
> The theme of this year's festivities displays a boldness and vision of which all Canadians can be proud: "The presence of French Canada in the world." It is a fitting consecration for the renaissance of Canada's 6,000,000-strong French-speaking community that its concern should now extend beyond the passive and parochial business of survival to the exalting task of world-wide rayonnement. But if official recognition of this role comes late, dozens of colourful floats in parades in Montreal and elsewhere today will prove that its pursuit by individual French Canadians is both traditional and distinguished.
>
> There is a second aspect to French Canada's presence—and future—in the world that is better known but often less well understood; the recent, but spectacular progress of the Quebec government in exercising its personality abroad. The Lesage team's sometimes overstated affirmation of Quebec internationally doubtless

owed much to their infatuation with easy prestige; it owed more to Ottawa's failure to associate French-Canadian aspirations with Canada's foreign policy, but more still to the simple, vital necessity for Quebecers to ensure their own growth as a people.

The Quebec government's general delegations in Paris, London, and New York, its agency in Milan, its cultural and educational agreements with France and its modest start on its own foreign assistance programme, among other measures are fully consonant with the province's constitutional jurisdiction. If the new Quebec regime continues this outward-looking policy while recognizing Ottawa's own constitutional right to decide and direct general national foreign policy, other provinces should confidently applaud Premier Daniel Johnson's initiatives and compare them with their own.

French Canada's presence in the world is, after all, a Canadian presence. Its benefits to Canada and to mankind transcend language, culture, even a history of misunderstanding.

So I know that you and the members of this House will want to join with me on this day to celebrate St. John the Baptist day. The half-million Canadians of French origin in this province today salute their brothers of Anglo-Saxon descent and of other origins. I hope that someday the understanding that you have given us in this House will set an example to Canadians throughout this land.

En cette belle journée de la St. Jean Baptiste, Monsieur l'Orateur je sais que mes honorables collègues voudront se joindre au quelques 500,000 d'Ontarien d'origine française pour célébrer la fête nationale des franco-canadiens.

**Mr. H. S. Racine** (Ottawa East): Mr. Speaker, as the members are aware by now, this is St. Jean Baptiste day, the feast of the patron saint of the French-speaking Canadians.

Now I know that we should not expect this, but I think I would like to draw to the attention of this House that the House of Commons does not sit today, because this is considered as a holiday. Perhaps someday, maybe not in my generation, but the same thing might happen here in this House.

As a descendant of one of the first French inhabitants of this great country of ours, and as a sixth generation Ontarian, and because of the fact that this is, as the Minister of Public Welfare has just said, the first time in the history of this Legislature that this House meets on that day, I would like to say a few words about the role that my people have played in the development of this country, and more particularly of this province.

Time does not permit me to mention the accomplishments of many of our people who have played such an important role. Let me mention Cartier, one of the fathers of Confederation; Laurier, whose record as Prime Minister of Canada from 1896 to 1911 is one of the highlights of Canadian history; of Louis St. Laurent, who had such a distinguished career in politics, after leaving a lucrative law practice during the war to become one of the members of the federal Cabinet. Many others have performed in the past 99 years in the field of politics.

I might also mention the long period of duty as a soldier, diplomat, and later as one of the most gracious Governors-General that this country has ever had, General Georges Vanier, who has done so much to elevate the prestige of that office since his appoinment some years ago. And naturally, Mr. Speaker, mentioning the Governor-General we cannot forget his gracious wife, the chancellor of the University of Ottawa, who also has done much to help her husband in the difficult tasks that he has to perform.

Mr. Speaker, I could go on mentioning names of many of my compatriots who have played an important role in the arts, literature, education, the armed forces, law and many other fields of endeavour. I should perhaps mention at this time that just a day or two ago the highest post in the Canadian army was given to General Allard who has such a remarkable career in the army, which he joined at the age of 14.

Mr. Speaker, I had many more remarks. I know that the time is short, just let me end these remarks in my own language:

Monsieur l'Orateur, il me fait plaisir de demander aux membres de cette Législature de se joindre à leurs confrères et aux 600,000 Canadiens d'expression française qui habitent cette province, pour célébrer dignement la St. Jean-Baptiste, leur fête nationale.

**Some hon. members:** Hear, hear!

**Mr. A. E. Thompson** (Leader of the Opposition): I have a very few words to say—

**Mr. Speaker:** First, le député de York sud.

**Mr. MacDonald:** I do not know whether I am a "sud" or not, Mr. Speaker.

One of the small historical points that I was trying to get the Clerk and his assistants to

clarify—I think I am right in stating that on one occasion earlier the House was sitting. It is a small historical point, which perhaps can be clarified, but I believe that it is the first occasion, whether we were sitting or not, that this House has officially acknowledged St. Jean Baptiste day, and I certainly want to join with all of those others who have spoken in expressing our tribute to the patron saint of our compatriots, the French Canadians.

On many occasions in this House I have been interested in watching, for example the hon. member for St. Andrew joining the Scottish race-for-a-day to pay tribute to St. Andrew, non-Welshmen speaking in tribute to St. David and a whole host of people rushing to pay tribute to St. George. I think it rather an interesting commentary on our history that only at this point in our Legislature—chiefly because of our sitting periods—are we now getting around to paying tribute to the patron saint of the founding group in Canada, who were here before the Anglo-Saxons arrived to take their place in the great Canadian partnership.

I think it is inevitable, Mr. Speaker, that as Canada exercises its independence as a nation she tends to play down some of the past associations when she was not independent—some of these associations with her British connections down through the years. I think that one of the main characterstics of Canada; one of the unique things, is that it is a bilingual and bicultural nation. Conceivably, as we struggle to retain our identity on the North American continent, living beside a big neighbour with similar cultural traditions and a similar kind of economy, one thing that more and more is going to make this country is unique is going to be the component part of French Canada, and therefore, it is even more important that we should acknowledge that important basis in our history and pay tribute to the patron saint of French Canadians.

**Some hon. members:** Hear, hear!

**Mr. Thompson:** Mr. Speaker, I wish to join with the other speakers to demonstrate my wish that we will be developing more in the case of bilingualism, and I would say: Il me fait plaisir d'offrir mes félicitations à tous les canadiens français a l'occasion de leur fête nationale.

**Some hon. members:** Hear, hear!

**Hon. Mr. Cecile:** I forgot to add, in case anyone in the House is interested, that abstinence has been lifted today, so enjoy yourselves!

**Mr. Speaker:** Orders of the day.

**Clrek of the House:** The fourteenth order: House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD

**Hon. W. A. Stewart** (Minister of Agriculture and Food):

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Chairman, in presenting, for the consideration of the hon. members of the legislative assembly, the Budget estimates of The Department of Agriculture and Food for the year 1966-1967, may I express appreciation, and pay tribute to, the members of our staff who have worked so conscientiously and with dedication in the preparation of our budget estimates. Seldom, if ever, has a Minister had the good fortune to have a staff that works in greater harmony and team effort for the continued progress of the agriculture and food industry of Ontario.

The 1965 crop year established record yields in oats, barley, mixed grains and silage corn. Extreme drought in the early part of the season and extreme wet weather at harvest time combined to plague farmers in some areas of the province with frustration and disappointing yields of some crops. Livestock prices returned Ontario's farmers substantially higher cash incomes than ever before.

While vitally interested in the everyday problems of farmers, the objectives of The Ontario Department of Agriculture and Food have been, and will continue to be, the long-term development and strengthening of the industry. The results of these programmes have been most encouraging. Today, one Ontario farm worker produces enough food to feed himself and 32 others. In comparison, only a few short years ago, each farm worker was only able to feed himself and seven others.

Mr. Chairman, I have included in the Budget statement, tables that could be referred to by members of the press and hon. members of the Opposition to whom this speech has been referred, and to members of our own caucus. Using the year 1949 as a basis, we note that in 1946 the index of physical volume of Ontario agricultural production was 93.7, and in the year 1965 it was 149.8. We note, as well, that in the

year 1949, using it as a basis of 100, that the index of Ontario workers in agriculture, in comparison with 1946, stood at 112; and in the year 1965, it stood at 53.

I think that these are significant figures, indicating the enormous leap forward that has been made in production in comparison with the number of people actually involved in the agricultural industry at production level.

Three basic areas of activity and planning that cannot be separated or considered individually are research, education and extension.

An educational institution must have supporting research programmes so that students may appreciate research techniques and benefit from the latest results. Also, participation in research by staff members provides a very necessary and productive atmosphere at teaching institutions. Agricultural research, education and extension service must be co-ordinated for a healthy agriculture. Indeed, extension workers are the salesmen for agricultural research and all that it implies.

The effectiveness of this co-ordination in the province of Ontario has been recognized throughout Canada and, for that matter, in many parts of the world. Consequently, it is not uncommon to receive interested inquiries and visits from persons outside the province who wish to benefit from our successes.

The Ontario Department of Agriculture and Food has encouraged and supported agricultural education and research. The Ontario agricultural college, the Ontario veterinary college and Macdonald institute have graduated over 17,000 students since their formation. The Kemptville agricultural school and the western Ontario agricultural school have graduated over 3,000 students as well. These are degree and diploma students. These numbers do not include the many thousands who have attended short courses and other special extension programmes over the years, such as instruction under 4-H clubs. In the latter there were almost 22,000 young people under instruction in 1965 in Ontario.

The three colleges at Guelph, now with university status under the University of Guelph, are known the world over for their role in agricultural education and research.

Many graduates are now playing an essential part in farming, the public services, government, industry, teaching, the veterinary medicine field and research. Without these three colleges our economy, both within and without the agricultural food business, would not be in the dynamic position it occupies today.

The enormous financial investment of this government, in providing educational and research facilities, has been with the intent of supplying our primary producers with information on production techniques, business management and marketing opportunities. Relatively higher educational training, formal or acquired, is becoming increasingly more essential for the successful operation of the farm of today and the future. Such educational training is equally important to those members of the rural family who do not intend to farm, but who may seize the opportunity for service to the agriculture and food industry in agribusiness.

In 1955, The Ontario Department of Agriculture embarked, sir, on a long-range programme to rebuild and expand the agricultural science facilities at Guelph. This is still in progress. A soil science building, with the best laboratory facilities in North America; a biology building; a chemistry and microbiology building; and a veterinary services laboratory were built before facilities were turned over to the University of Guelph. We have met our commitments and are still meeting them. You will notice an item in the estimates for $750,000 as the initial capital cost grant for proposed new crop science and animal science buildings on the University of Guelph campus, buildings which will rate among the best on the North American continent.

We are continuing our assistance for the education of Ontario people in agriculture, and we are supporting many new and far-reaching research projects. Many facilities have been added, and are being added, at both the Kemptville agricultural school and the western Ontario agricultural school. At both schools, a very practical two-year course is offered to those young people intending to continue as farmers, and those who may wish to serve agricultural business. In addition, agricultural courses are being developed for the New Liskeard demonstration farm to start this year to meet, more adequately, the special farming conditions in northern Ontario.

In order to co-ordinate all our assets for the future, an educational committee composed of representatives of the Ontario agricultural college, the Ontario veterinary college, Macdonald institute, the western Ontario agricultural school and the Kemptville agricultural school was organized in 1965 and has had meetings with officials of The Department of Education.

The purpose of this committee is to discuss and review the broad field of agricultural training, with a responsibility to advise and co-ordinate the efforts of the department's facilities and staff to best advantage. To date, the committee has concerned itself with three particular areas:

(1) The future educational requirements of young farm operators;

(2) The broad educational programme required for those students interested in joining agricultural business firms.

(3) A programme for training specialized people for agricultural business and basic agriculture, such as veterinary work, agricultural engineering, farm labour and farm mechanics.

I would call to the attention of those who may have a copy of the notes I am using—statistics relative to the 4-H club programme in Ontario, I would like particularly to draw to the attention of the House the fact that this year there were 34,071 project enrolments and total projects in the province of Ontario 4-H clubs, in comparison with 28,885 in 1961. We note the number of clubs in 1961 was 2,416 and in the year 1965, 2,951.

The home economics branch of The Ontario Department of Agriculture and Food, as well as Miss Ruth Moyle, food information specialist with the Ontario food council, is working on a committee that is drafting content for the new curriculum on home economics to be offered in Ontario high schools.

Even with the development of the University of Guelph, and the releasing of the staff from the public service, all the services for agriculture formerly associated with these colleges will be continued through the research and services estimates of this dedepartment. Such continued services will include free soil testing for farmers and a large-scale research programme.

The establishment of the agricultural research institute of Ontario in 1962 was to ensure that the long-term research needs of agriculture and food would be met. The members of the agricultural research institute are charged with the responsibility of selecting and recommending areas of research for the betterment of agriculture, veterinary medicine and home economics, and to stimulate interest in research as a means of developing, in Ontario, a high degree of efficiency in the production and marketing of agricultural and food products.

The further development and expansion, by The Ontario Department of Agriculture and Food, of facilities at the Vineland research station for very specialized horticultural research, is another important phase of planning in this section of agriculture. The efforts carried on here are designed to provide all the information available to ensure the future stability and expansion of fruit and vegetable production throughout the province.

There are over 1,000 research projects in progress at the present moment under the auspices of The Ontario Department of Agriculture and Food's agricultural research institute. These projects cover the whole field of agricultural science.

A complete list of all projects can be found in the institute's annual report, which has already been tabled in the Legislature.

Land is currently being purchased in the Guelph area for the establishment of a new 1,200-acre experimental farm. This farm will be under the supervision of the Ontario agricultural research institute and will be administered by the University of Guelph on behalf of the department under a special agreement. Not only will this farm contribute greatly to the research efforts of the department, but will also be available for the practical purposes of agricultural students at Guelph. The farm will also provide first-hand information for farmers and those interested in agriculture who may visit the station.

The largest branch of The Ontario Department of Agriculture and Food—one that has a close day-to-day contact with practising farmers—is the extension branch. It is active in disseminating to farmers the research findings of our agricultural scientists and in improving the level of agricultural practices.

To carry out this responsibility, agricultural extension workers have been located in every county and district. In addition to the agricultural representative, who is the senior man in each county, The Ontario Department of Agriculture and Food has specialists in agricultural engineering, fruit and vegetables, soils and farm management. These specialists are strategically located to serve each area in the best possible manner.

New technology in the areas of agricultural engineering and the fruit and vegetable industry have been developing at a tremendous rate. Government specialists in these areas are now conducting on-the-farm testing, or applied research, so that farmers and growers may make the best use of the findings of basic research at the province's centralized institutions. Soils and crops specialists, with co-

operating farmers, are also carrying out a comprehensive applied-research programme in the counties. As a result of these on-the-spot programmes, specific and precise advice can be given to primary producers within the counties.

The extension branch has been active, not only with senior farmers, but also in building for the future through 4-H and junior farmer programmes for rural young people. The great long-range programme under 4-H, already mentioned which embraces more than 21,000 of our Ontario rural young people, is of major importance to the future of agriculture. Special 4-H clubs in farm business management and in marketing, have been introduced this year. The latter would likely be most suited to the older 4-H club members and will likely become more specialized as time passes.

An appreciation of the science of agriculture will continue to be the main programme, but new emphasis is being given to career guidance. County extension workers have received special training in counselling and are now proceeding to organize special agricultural career days, to emphasize, more effectively, the career opportunities open in agriculture.

In addition to the extension services now provided, increased emphasis will also be added to the short course approach. Courses of various lengths throughout the province were most prevalent some years ago. The agricultural evolution which has taken place in the last 15 to 20 years required the dissemination of information on a broad basis and as quickly as possible. We believe that through increased numbers of short courses we will be able to provide a greater depth of knowledge in an expanding number of required subject-matter areas for farm operators in the future, hence the expansion of our short course activities. A comprehensive programme has been developed which will be available to the farming communities throughout Ontario during the coming fall and winter months. It deals with such subject matter areas as soil management, crop production, livestock production, farm management, farm machinery, animal health, and farm buildings. Any of these courses will be available, or on any combined basis, depending on the interest and need in any given area.

Participating farmers and others are receiving assistance under the Ontario farm management programme. Everyone recognizes that while many still look upon agriculture and farming as a very desirable way of life, it is now more than a way of life, it is a business within which the best management practices must be employed. Recognizing this fact, four regional farm management specialists were appointed in 1963 to supplement the work of the regular extension staff. This programme has been one of co-operation between the extension staff, our economics branch, and the economics department of the Ontario agricultural college, Guelph.

I would like to enumerate some of the highlights of farm management extension activities with the year ending March 31, 1966: 2,800 farm visits by agricultural representatives for farm management consultations; 12,925 farmers called at agricultural representative offices for farm management advice; 288 group meetings; 9,742 farm account books were distributed and 943 were analyzed by the farm economics branch; Three one-hour-long farm management programmes: "This business of farming" on CBC-TV network on 11 Ontario stations, plus repeater stations in northern Ontario; a new farm record book has been released for 1966 which will facilitate more complete analysis and data-processing as well as workmen's compensation, Canada pension plan, and income tax statement records. More than 20,000 of these new books have been distributed; a farm record book for fruit farmers will be available in 1967.

Two additional farm management specialists will be appointed to the extension branch: one for northern Ontario, and one in the Guelph area. The senior farm management specialist, who has been located in Guelph, will be asked to devote time to the teaching of farm management skills to other extension workers in the department; to the preparation of new farm management data for distribution to extension workers and farmers; to the preparation of a special farm record book for cash crop farmers; to the conduct of a study of material suitable for a future television series; and to the general counselling of farm families, including matters of farm-business arrangements.

A new farm record account book—as has been mentioned—has been released this year. It will provide livestock farmers with better farm-management information than ever before, because records can be analyzed more thoroughly with the updated data-processing equipment that the department recently installed at the Ontario agricultural college. The completed book will also provide the farmer with labour records for workmen's compensation and with a summarized statement of his business for income-tax returns.

The special farm record book for cash

crop farmers will be designed and ready for distribution later this year. The 16 fruit and vegetable specialists of the extension branch will intensify the farm-management programme—already under way on a limited scale—with growers in the main fruit-and-vegetable-growing areas of the province.

Effective February 1, 1966, a senior officer, Mr. Romeo Leroux, was appointed to co-ordinate extension work and all other policies of the department in northern Ontario. With the title of associate director of the extension branch for northern Ontario, Mr. Leroux has an office in Sudbury and is responsible for programmes from Muskoka-Nipissing north and west. The appointment was in line with the department's belief in the increasing agricultural potential of the northern section of the province.

It is our feeling that agriculture in northern Ontario presents special problems and special needs, best served by the appointment of a competent, senior, bilingual administrator.

An agricultural engineering specialist has been appointed for northern Ontario and began his duties there in June, 1966. This move, again, is part of the plan of The Ontario Department of Agriculture and Food to solve the problems which are peculiar to agriculture in northern Ontario. It is also planned to increase the number of farm-management short courses for farmers in northern Ontario and to gear the courses more specifically to types of farming.

The home economics branch of our department provides central leadership for 4-H homemaking clubs. These number 2,176, throughout rural Ontario, with a membership of 12,230 girls. The home economics branch works closely with women's institutes of Ontario, whose members have provided outstanding leadership in worthwhile community projects and have greatly improved the standards of living for rural people.

The federated women's institute of Ontario is to be commended for their foresight and work in compiling the Tweedsmuir Histories. Lady Tweedsmuir, wife of Lord Tweedsmuir, a former Governor-General of Canada, suggested that the women's institute members might enjoy compiling in community books historical events associated with the development of rural Ontario. Our community-minded women's institute members took the challenge and Lady Tweedsmuir allowed her name to be associated with the project.

The Department of Education has recognized the Tweedsmuir histories as authorities in our school system history courses. It is reported that many people are using these books as an information source for historical events.

Arrangements have been made for these important historical documents to be microfilmed for the archives. To date 1,165 branches of the FWIO have compiled Tweedsmuir histories. This has been a tremendous accomplishment and these ladies are most deserving of our congratulations and commendations.

I am making available to members of the Legislature, who may wish copies of this presentation which includes a chart indicating the long-range farm and home development programme of The Department of Agriculture and Food.

While it is a separate branch, the information branch of The Ontario Department of Agriculture and Food is very closely allied with the extension branch. The information branch is responsible for co-ordinating and carrying out information programmes. Through the information activities, research findings become known and are used; programmes for the improvement of agricultural resources and products are carried out; regulatory and service programmes are explained to the public to create better understanding.

Through the activities of the information branch, information about available farm products and their use is offered to consumers and close co-operation is maintained with information media.

To remain up to date, and to provide for extended future planning, farmers must get the latest agricultural information. During the past year 25 new publications and reports have been issued, more than 25 have been reprinted, and some 60 have been reviewed. Last year, 98 publications were printed, totalling 1,425,200 copies. A continuous radio, television and press service is maintained to provide information regarding departmental programmes and services. The agricultural industry owes a great debt to established press, radio and television for the splendid service provided to Ontario agriculture.

This year, the second in a series of educational TV programmes was presented. This consisted of three one-hour programmes appearing over 13 television stations from 10:30 to 11:30 a.m. on January 11, 12 and 13. Both the 1965 and 1966 series featured information on crops, livestock and farm management. Such programmes and information services indicate The Ontario Department of Agriculture and Food's utilization of modern communication techniques to get information,

as quickly as possible to the people who require it.

Aside from the information contacts with the farming public, continuous information has been going out to the consumers of Ontario with reference to farm products. Last year, the information branch received more than 20,000 letters requesting publications and information. Many letters which could not be answered by personnel of the information branch were passed on to specialists within The Ontario Department of Agriculture and Food for their attention and action.

I would like to express the appreciation of The Ontario Department of Agriculture and Food to the press — particularly the farm press — to the radio and TV news media for their co-operation in bringing to the farmers' attention information which is of vital importance in the management of a successful farm.

I also wish to express to the Canadian broadcasting corporation appreciation for extending the coverage of their outstanding Sunday show, "Country calendar", to the Rainy River area of Ontario. I know how much the farm people of that great part of the province are interested in this new series.

Our farm products inspection branch has been organized to enforce some essential rules in the market place for the benefit of all participants. This branch is continuously updating procedures and techniques in order to keep pace with our rapidly changing fruit and vegetable industry. Continuous co-operation and liaison with federal and inter-provincial inspection services are maintained to ensure uniform interpretation, enforcement and procedures. This is essential for the smooth movement of Ontario produce into Canadian and export markets.

Ontario agriculture is still, basically, a livestock economy, with approximately 70 per cent of the agricultural income derived from livestock and livestock products. The livestock programmes of The Ontario Department of Agriculture and Food carried out through the livestock branch, are prime examples of long-range policy.

The general results, and greatly improved standards of quality and production of livestock in this province, are an indication that long-range planning has been most effective. The excellent international reputation and volume of exports achieved by the Ontario livestock industry is abundant evidence of this.

Ontario has led the way in artificial insemination of livestock. It is important to note that one of our former officials, Dr. J. A. Henderson, was utilized by the milk marketing board of England and Wales to establish the artificial insemination programmes in that country in 1943.

To indicate the great acceptance of this policy in 1954, 291,013 cows were bred artificially. In 1965 this had reached 541,920. One of the obvious results of this policy is indicated by the following milk production table. And I think it is most important that I bring it to the attention of the members of the House:

DHIA average milk production per cow, going back to 1951, when we found that it was: 1951, 7,954 lbs.; 1956, 9,061 lbs.; 1961, 9,716 lbs.; 1964 10,407 lbs.; 1965, 10,606 lbs.

Percentage change from 1951 to 1965, an increase of 33.3 per cent.

Improved feeding and management practices, the elimination of marginal-producing cows and the widespread use of AI, have all contributed to the increased milk production per cow.

While we are exploring the increases in milk production, and while I have related this to the House, I think it is important to note as well the very wide acceptance through the world of Ontario dairy cattle. I notice that in the year 1965, Ontario exported 43,500 dairy cattle, both purebred and grade, but in the year 1960 we exported 30,400.

I would say that last year at the Royal winter fair there was the largest deputation of international breeders at the fair, all of them anxious to purchase Ontario dairy cattle. I think this is indicative of the great development and advances that have been made in our livestock quality programmes in this province.

Many of you may have had an opportunity to look at the figures of cattle exports in Canada which I have before me.

It indicates the international reputation of Ontario cattle. Much credit must go to our cattle breeders, but at the same time much credit must also go to the long-range livestock policies of The Ontario Department of Agriculture and Food. It is important to note that the exports of Ontario dairy cattle account for over $10 million of Ontario's farm cash income.

The very marked increase in production per cow that I related a moment ago in those herds participating in our dairy herd improvement associations throughout the province speaks well for the success and usefulness of this long-range programme.

Provision is being made for the expansion of the DHIA programme so it will meet the requests for membership from an increasing number of interested farmers.

I would like now, Mr. Chairman, to enunciate some of the new livestock policies which are being implemented in our department.

1. Beef cattle performance testing policy: This policy is designed to evaluate effectively the rate and efficiency of gain characteristics of beef cattle. These characteristics, of major importance to all beef-cattle producers, are inheritable to a sufficient degree that they can be influenced by selection.

2. Exhibits of Ontario purebred livestock at shows and exhibitions held outside Ontario, I believe, have contributed to the increase in Ontario's exports of livestock. Exports of quality purebred cattle have contributed to a very important part of Ontario cattle-breeders' income. Participation at outside shows is good advertisement of the high quality stock available in Ontario. The Ontario Department of Agriculture and Food is of the opinion that such exhibits should be encouraged. A grant of 50 per cent of freight charges to and from the exhibition, and a grant equal to 50 per cent of prize money won in the state herd class, provided certain conditions are satisfied, will be made.

3. Dairy herd improvement policy: Under this policy an owner-sampler plan and an optional "cost of production" programme will be added to the existing DHIA programme to afford owners of grade or mixed dairy herds an effective and efficient means of determining the production capability of each cow in the herd.

4. Bull premium policy: This policy is being revised so that grants will be extended to "approved performance tested bulls" sold by private treaty, as well as those purchased through a breeders' sale. Somewhat higher rate of gain standards may be required. This policy is designed to promote the use of performance tested bulls in Ontario commercial beef herds.

5. Assistance to purebred cattle sales: This programme is designed to assist, by means of grants, in defraying the cost of conducting consignment sales held by breeders' clubs for the purpose of distributing superior cattle in Ontario. The maximum grant will be inrceased from $200 to $250. However, health regulations will also be improved. There will now be separate regulations for dairy and beef sales to allow for more meaningful standards.

6. Elite herd policy for swine: This is designed to identify and give recognition to purebred swine herds that have achieved a high standard in performance, health status and type or quality. It is felt that such a programme will give considerable encouragement to breeders to try and attain the necessary standards to qualify for the designation as an elite herd, with the result that more good breeding stock will be available to the swine industry.

7. Performance testing of boars – pilot project: Carcass quality is inheritable to a high degree, and any programme that identifies breeding animals of superior quality, without requiring that they be slaughtered, is most valuable. Research has demonstrated that if the area of the loin is known, in addition to the back fat thickness, a more accurate prediction of the lean meat content is possible. The use of ultrasonic equipment to measure the loin area in swine appears to have considerable merit. A pilot project will be conducted in co-operation with OAC where a large number of hogs destined for market would be tested and the results confirmed upon slaughter. If the results prove satisfactory, such a programme, to evaluate carcass quality, will be introduced to all Ontario swine breeders.

8. Production testing policy for sheep: This policy is designed to assist in the improvement of purebred and commercial flocks in Ontario by providing a means by which breeders can assess the productivity of the ewes within their flocks. The information obtained through the policy is designed to assist the flock owner, both in culling his ewe flock and in selecting replacements.

The province of Ontario has led the way in the establishment of a comprehensive milk marketing programme. Our policies are being watched with interest in other provinces. Recognizing the problems that were faced by Ontario milk producers in attempting to develop a co-ordinated milk marketing programme, and also the desire of producer leaders and the industry generally to correct many of the ills that existed, The Ontario Department of Agriculture and Food moved ahead in the establishment of a milk marketing board for all milk produced in the province, and the establishment of the Ontario milk commission.

This board has been given broad powers under marketing legislation. These powers are necessary in order to correct some of the problems facing dairy farmers from the standpoint of production costs and conflicting marketing agreements.

The milk marketing policy, as established, is another example of long-range planning, planning which encompasses not only the needs of the industry itself, but the requirements of the general public as well. This has been an interesting development, from several standpoints:

Firstly, it is a splendid example of how an industry collectively must work together for its own welfare. I would like to commend the producer leaders in Ontario for the great realism which they have displayed in their willingness to disband old organizations, and to relinquish old policies in a sincere effort to make the new approach work. The success of this milk marketing venture, one which certainly will be faced with problems and pitfalls, will rest with the co-operation and understanding of all persons concerned.

Secondly, many discussions have been held with The Canada Department of Agriculture, the Hon. Harry Hays, former Minister of Agriculture, and the present Minister, the Hon. Mr. Greene. We have received assurance that there will be every co-operation from the federal government, and that the efforts of Ontario will be supplemented and strengthened by the co-ordinating and necessary influence of a new federal milk marketing board or commission, made necessary by jurisdictional problems associated with interprovincial and export trade.

In 1965, a veterinary services branch was organized to provide more adequate service to the livestock industry of this province. It now operates five veterinary service laboratories across Ontario, providing a service to farmers and practising veterinarians. These laboratories also perform a basic role in the development and administration of the mastitis control programme. The veterinary services branch is developing a comprehensive meat inspection programme for Ontario.

The mastitis control programme was introduced last year after a successful pilot project in the Ridgetown area. It is designed to assist dairymen in the control of mastitis; to improve the quality of raw milk and dairy products; to aid in the increase of milk production; and to reduce the cost of mastitis losses and mastitis treatment to Ontario dairy farmers. The number of herds enrolled is increasing. The programme involves the testing of each quarter of every cow in enrolled herds every six weeks during the six-month enrolment period. Every effort is given to the provision of professional and technical supervision and guidance in all aspects of preventive medicine and milking management procedures as related to mastitis control. As a result—by the end of the enrolment period—infections in participating herds have been reduced by 50 per cent.

A new veterinary policy, administered under the veterinary services branch, is being inaugurated for northern Ontario. It is designed to replace the existing programme covering assistance to farmers in territorial districts. The new policy applies to northern Ontario, and to areas in the counties of Hastings, Lennox and Addington, and Frontenac, north of Highway 7, and nine townships in the western portion of Renfrew county. This policy has been made necessary by the shortage of qualified veterinary practitioners in those areas where great distances are involved and comparatively few livestock farms are located.

The purpose of this programme is to provide as many livestock owners as possible, in the regions just mentioned, with a uniform veterinary service at an equitable rate. If livestock production is to be maintained and increased in these areas, it is essential that farmers be assured veterinary service at a reasonable cost. In order to achieve this goal, the policy permits livestock owners to organize an association which may apply to The Ontario Department of Agriculture and Food to have the area they represent designated for veterinary assistance.

On designation of an area for veterinary assistance, the local association will agree to contribute $1,000 each year towards an annual grant of $5,000 to a veterinarian, the remaining $4,000 to be provided, as a grant, from The Ontario Department of Agriculture and Food. This grant will be used as a retainer to be paid to the veterinarian who, in turn, will be under contract to The Ontario Department of Agriculture and Food to provide veterinary service to the livestock owners in the approved area. Livestock owners will be required to pay the veterinarian a set fee per call, plus the cost of medicine. In other words, all farmers entitled to service under this policy will receive service at the same rate.

In order to ensure that distance will not be a deterrent to the provision of service, veterinarians will receive a mileage allowance of five cents per mile.

Results of a survey indicate that at least one area, north Cochrane, cannot be serviced satisfactorily on a retainer basis. There are two reasons for this conclusion: first, the farms, at the present time, are quite sparsely located; secondly, the area to be served is some 140 miles in length.

Accordingly, it is proposed to provide a

full-time government-employed veterinarian for this region. Mr. Chairman, with the approval of the estimates before the Legislature, this programme will be retroactive to April 1, 1966.

The Ontario Farm Products Marketing Act has placed in the hands of Ontario's farmers marketing authority to assist in increasing their farm prices and to provide for more orderly marketing of farm products. At present there are 19 marketing plans covering 38 farm products operating under this legislation. Dairy marketing, of course, is under other legislation.

It is anticipated that several new marketing plans will come into existence in the foreseeable future, if producers so indicate. Two groups, onion growers and tender fruit producers have recently indicated their desire for the inclusion of new marketing plans to meet their needs and have voted plans into effect. Potatoes, beef, greenhouse, some grains and tree farmers have not yet indicated interest in marketing plans.

It has been estimated that $400 million of farm products are sold under farm products marketing board plans and $240 million under The Milk Act, 1965. Over 70 per cent of Ontario farm products are sold under the auspices of a marketing plan compared with about 15 per cent in other provinces.

Approximately 90 per cent of Ontario commercial farmers market produce under some type of marketing plan.

It is anticipated that new, additional plans may be introduced in the foreseeable future if the producers concerned so indicate.

It must be emphasized that the operation and effectiveness of provincial producer marketing boards can be strengthened by the implementation of agricultural policies at the federal level. To realize their full potential, and to be more effective, marketing boards must be assisted by long-range agricultural policies at federal level, such as price-stabilization programmes, marketing legislation, and so on, which extend over a lengthy period and are not announced on a year-to-year basis.

The Ontario food council was formed to bring all important agricultural food groups together to study every aspect of the food industry. During the past year, it has coordinated efforts toward solving current problems and aided in developing far-reaching policies in the best interests of all groups. Realistic consultation between producers, processors, distributors and consumers can be a most effective instrument in developing policies to serve the long-term interests of the agricultural and food industry.

There is no doubt that the availability of adequately qualified farm labour is an increasing problem in Ontario agriculture. As you are aware, the farm labour service is administered through The Ontario Department of Agriculture and Food under the terms of the federal-provincial agricultural manpower agreement. The ever-increasing acuteness in the farm labour picture has resulted in an increase in activity in the farm labour service. It should be pointed out that recruitment and placement is a federal responsibility. The Ontario Department of Agriculture and Food co-operates, wherever possible, in facilitating the movement of labour to areas where shortages exist, particularly in cash-crop farming districts.

During the past two years, arrangements have been worked out with the Indian affairs branch of The Canada Department of Citizenship and Immigration and the national employment service for the participation of Indian citizens as farm workers. This programme, as developed by The Ontario Department of Agriculture and Food, has been successful, and is one, we hope, which will expand.

The movement of these workers from areas in northern Ontario to farms in southern Ontario has been financed through the federal - provincial agricultural manpower agreement. It has involved considerable extra expenditure. In our future planning, we will have to consider the fact of the reorganization of departments at the federal level and the creation of the new Canada Department of Manpower. At this date we can only assume that the pattern established in past years will continue and probably be expanded. The Ontario Department of Agriculture and Food will co-operate with The Canada Department of Manpower in whatever way may be necessary to assure the best use of all manpower resources.

The federal-provincial agricultural manpower committee operates under the terms of the federal-provincial agricultural manpower agreement, which is negotiated on an annual basis between the Minister of Agriculture for Ontario and the Minister of Labour for Canada. The main purpose of the committee's operation is to assist in the movement of workers into areas of critical need, particularly in cash-crop areas. The main activities may be consolidated as follows:

1. Recruitment: The chief responsibility for recruitment, as in all other labour areas, is with the national employment service. The committee assists in this recruitment in deter-

mining needs in certain areas and advising the national employment service.

The Department of Agriculture and Food, through the committee, appointed a farm labour co-ordinator in 1965 to assist in co-ordinating labour programmes, particularly the Indian programme which has been expanded this year.

I think it is interesting to note, Mr. Chairman, the summary of placements that have been arranged through this committee.

From the Atlantic region in the year 1965 there were 603 placements made, in comparison with 195 in the year 1964, an increase of 209 per cent. From the Quebec region there were 779 placements made through the committee in 1965, in comparison with 186 in 1964, an increase of 319 per cent. From the northern Indians we had 549 in 1965, compared with 255 in 1964, an increase of 115 per cent.

The committee, through agreement with the federal government, works out tariff agreements for a reduced railway fare for farm workers from the Atlantic regions and the province of Quebec. Persons recruited in Ontario through the national employment service, particularly the Indians, were paid one-way fare from their places of residence to employment areas. During the year the committee initiated a programme whereby workers recruited after September 1 had their return fare also paid since their ability to earn extra money in the shorter season was curtailed.

The Department af Agriculture and Food, through the committee, initiated a policy for assistance in providing housing for casual farm workers. The policy works on the basis that the committee pays 50 per cent of the housing for casual workers, up to a maximum of $150 per worker.

During the first year of this programme 23 applications were received at a total construction cost in excess of $60,000, of which approximately 50 per cent would be paid by the committee.

During 1965 The Department af Agriculture and Food, through the committee, initiated a special "pilot" programme in an effort to secure full-time workers from the United Kingdom for Ontario beef and dairy farmers.

Ten families were recruited, with eight families actually being placed. In the most part this programme worked out successfully on a "pilot" basis and it will be expanded in 1966. Forty-five families have been interviewed this year and have shown real interest in moving to Ontario as skilled farm labour.

As in past years, a special programme was carried out for the recruitment of tobacco workers who had completed harvest in the United States.

In view of the great farm labour shortage, another new programme is being initiated in addition to that which I have already mentioned in relation to farm labour. On a pilot basis, a programme will be undertaken at the Kemptville agricultural school for young men who have not had any farm experience, but who have an interest in farming, to receive training as specialized farm workers.

A limited number of young people will receive basic training at Kemptville and, by arrangement with co-operating farmers in eastern Ontario, the young men will be employed, under supervision, on the farms, with a return to Kemptville for a short period during the training year and at the end of the year. Their total training period will be for one year. This pilot programme to train potential specialized farm workers will assist us in determining the interest and its value. It is intended that this programme will get under way in September, 1966.

This year compulsory workmen's compensation was extended to the farming community. I must commend the Minister of Labour for this beneficial piece of legislation. Our farm workers will now enjoy this valuable social programme along with their industrial counterparts. We believe that farm workers are entitled to the same benefits as other workers and we also believe that this will make the farm more attractive to them.

I wish to pay special tribute to the Ontario farm safety council. It has continued to promote safety in all its various aspects, an essential in the reduction of accidents. Loss of life and limb can never be repaid adequately, even by workmen's compensation payments. As the hon. Minister of Labour recently stated so well, "Only when the payments for accidents out of the workmen's compensation fund have been reduced through fewer accidents, will we be satisfied." That, to me is the real answer, sir—accident prevention. It is a project to which all farm organizations might well direct their attention. In the meantime, our grant, if approved, will continue to be made to the farm safety council which will have the active co-operation of the department.

An essential part of planning efficiently in

agriculture, or for that matter in any business, is financing and adequate credit. In this area, The Ontario Department of Agriculture and Food, through The Junior Farmer Establishment Act, is providing assistance to young farmers starting out in agriculture.

Recognizing the changing aspects af agriculture, the Act has been broadened to permit loans to partnerships, family farms and incorporated family farms. The whole concept of the Act is to deal with the future needs of farming and to give recognition to the great desirability of keeping the farm family together by assisting in the expansion of its operation to meet the changing demands of agriculture production and marketing. The Act also provides financial assistance for the consolidation of smaller, uneconomic units into larger, more viable farms.

It is interesting to note that in the fiscal year 1965-66, that the number of applications received by the junior farmer loans board were 1,129. The number of loans that were approved amounted to 868. The total amount approved in dollars was $16,769,150, for an average loan of $19,320.

We find that the outstanding loans as of March 31, 1966, those that had been at the 4 per cent rate numbered 2,021 with a total value of $10,339,264.22.

The number of 5 per cent loans—and this applies to the loans after the Act was reintroduced two or three years ago—were 1,966 with a total value of $31,223,301.49.

Pesticides have made a great contribution to the agricultural industry and have become an essential factor in food production. The use of chemicals for disease control, insect control, and weed control, has expanded rapidly over the past number of years, and has assisted this province, indeed this continent, toward the greatest agriculture and food-producing potential in the world.

Since some chemicals can cause harm if not used safely, or not in amounts recommended through intensive research for specific crops, and to ensure the quality and wholesomeness of foods, The Department of Agriculture and Food is establishing a pesticides laboratory with the co-operation of the University of Guelph. The purpose of the laboratory is to provide a pesticides checking service whereby testing can be done on a continuous basis as a service to Ontario agriculture. All departments and agencies of the government concerned with pesticides will have access to these laboratory facilities at the University of Guelph.

To provide for complete co-ordination of administration and policy an interdepartmental committee of senior personnel has been established. The committee will make recommendations concerning the co-ordination of activities in the pesticide field of the various departments and agencies of the government of Ontario. It will also encourage and provide for education and public information in the pesticide field through the established departments and agencies, and consultation with other provinces, federal government agencies and the pesticide industry. The committee also will make recommendations on needed areas of pesticide research and will propose ways for such research to be carried out. The committee reports through The Department of Agriculture and Food.

It is also planned to provide facilities for testing herbicides by the department, with the establishment of a provincial herbicide centre at Guelph. It is appropriate that the two laboratories be in the same location.

With reference to the ARDA programme, in 1965 this province entered into a five-year rural development agreement with the government of Canada to provide for federal cost sharing of programmes in the following: (i) land use and farm adjustment; (ii) rehabilitation; (iii) rural development staff training; (iv) rural development; (v) soil and water conservation; (vi) research. I may speak further on this subject, Mr. Chairman, as the estimates progress.

With reference to the soils and crops branch of our department, I would say that this branch has the responsibility for the improvement of crop production in the province. Through realistic long-range policies, based upon research carried out at our research centres, and information disseminated through our extension programme, the branch has met with splendid success. I have included in this address a table indicative of the current crop production efficiency of Ontario farmers and the change that has taken place.

For example, comparing the five-year period 1961-65 with the five-year period 1946-1950, tomatoes, as an example, have shown an increase of over 122 per cent in production per acre, potatoes over 94 per cent, grain corn over 61 per cent, tobacco over 54 per cent, field beans over 27 per cent, barley 37 per cent, to mention only a few.

There is no doubt that sincere commendation on this progress must go to our Ontario farmers and at the same time, to the Ontario soil and crop improvement association

and the county associations who work with the soils and crops branch.

The combination of quality seed and good soil have shown results. On the other hand, the increased utilization of agricultural chemicals must be recognized; acreage treated with herbicides increased 20 per cent in 1965. Control of disease is essential to crop production and the results of the 1964 portion of the common barberry eradication campaign were evident in the reduced incidence of rust in spring grain crops in eastern Ontario.

An area of 9,200 acres of barberry was sprayed in 1965 to complete the major portion of the known acreage in eastern Ontario. A total of 205,000 acres in the east was surveyed to identify the locations to be sprayed. In western Ontario spraying was carried out over 10,000 acres, while surveys of many times that acreage were made.

In a continuing effort to relieve and control hayfever distress through the identification of concentration of ragweed and the spread of pollen, stations were established so that pollen counts could be determined. Our station indicated a lower pollen index in 1965 than in 1964. To some degree seasonal effects were responsible, but to a marked degree this change was due to the increased emphasis on the control of ragweed in areas previously high in pollen count.

During 1965, 14 soils and crops specialists were attached to this branch, including three staff members who specialize in the production of the tobacco crop. These specialists advise farmers and address meetings and plan county programmes in co-operation with local people. With this co-ordination of effort an even greater impact will be felt from the continuing research findings which are coming from our research centres.

The branch carried out 750 projects in 1965, 400 of which were conducted by the 56 local branches of the crop improvement association, illustrating improvements in crop production practices and techniques.

In the soils and crop sector, specialization for crops and specialization of techniques for climatic and soil areas are becoming more and more important.

The whole structure and policy of the soils and crops branch of the department is being scrutinized with a long-range projection based upon the following conditions: (1) Specialization and crop production enterprises to be pursued to a much greater degree than at present; (2) larger holdings producing fewer species of less flexible use, for specific storage conditions; (3) requirements for recommendations based on small climatic areas and soil conditions.

The type of training which may be given to the specialist in the field will be determined by crop conditions within a defined area. We are now well past the time when crop recommendations can be made on a general basis. The character of the soils and crops branch will be changed to accommodate a higher degree of fact-finding projects as opposed to demonstration projects. The soils and crop branch will carry out an increasing amount of applied research in the area of soils and crop investigations. This will ensure that the findings from the central basic research areas are adapted to the more local conditions.

I have just covered the broad comprehensive and long-range programmes and policies of The Ontario Department of Agriculture and Food. These policies are intended in the main to develop the long-term strength of Ontario's agricultural industry. Through our research programmes, our livestock and crop improvement policies and through our extension activities we have been instrumental in increasing the productivity per acre and the productivity per livestock unit. The fantastic improvements in livestock quality and productivity, the yields per acre, the markedly increased utilization of research findings, and good business practices by Ontario farmers, without a doubt have set the pace for the rest of Canada in efficiency and production. We have greater diversification of agricultural crops than has any other province in Canada, but this does not detract from the simple truth that Ontario has surpassed other provinces in general agriculture efficiency.

This marked progress during the past few years is due to the ability of commercial farmers in this province to adapt to the new agricultural technology. The Ontario Department of Agriculture and Food can take credit for effective long-range policies in research, extension and marketing which have facilitated this accomplishment. While there is no doubt in my mind as to the soundness of our provincial agricultural policies, we must recognize that we are one province in ten. Through our marketing legislation, producer groups may negotiate prices and conditions of sale and even establish prices. This is as far as the province can go under our constitution in commodity pricing agreements or conditions of sale.

With most products, there is a free flow across provincial boundaries. For this reason, the government of Canada has accepted,

under The Agricultural Prices Stabilization Act, the responsibility for price support and agricultural products subsidization. Requests have been made that this province provide subsidization of agricultural products. Interprovincial and export trade is a responsibility under the constitution of the government of Canada. This responsibility carries with it the commonsense conclusion that if price supports or subsidies are required for agricultural products these subsidies must come from the government of Canada, or we could end up with pricing and marketing chaos.

When it is necessary to subsidize any commodity, all the citizens of Canada should bear the cost of such subsidy because it is grossly unfair to expect the citizens of any one province to provide such a subsidy to the rest of Canada.

It is doubtful if the province should get into direct subsidization on products which could result in unrealistic or unsound competition between provinces. We will continue, as we have done in the past, to make the strongest possible representations on behalf of producers to the federal government when price supports appear necessary. We will continue to implement and carry out comprehensive, effective and long-term agricultural policies and programmes for the long-range benefit of Ontario farmers and food consumers.

I have, today, covered some of the major highlights of The Department of Agriculture and Food. During the consideration of the estimates of the department, I will, from time to time, make specific reference to programmes and policies.

I have outlined some of the long-term policies of our department and I have given, as well, the results of these policies. I have also mentioned that we are one province in ten and that under the constitution the province has no authority whatsoever, nor would it be desirable, to interfere with interprovincial trade. This means that agriculture in the province, particularly in the area of price and income, must work under the limiting factor of federal trade and agriculture policies. I am not suggesting that this is undesirable. However, I am suggesting that the time has come for the agriculture and food industry of this province to be reexamined in the light of current situations and changes which are rapidly taking place, in many cases, changes and situations in which the farmer is the innocent victim.

Following the last world war and into the early '50s, agriculture enjoyed some measure of prosperity. Since 1951 there has been a steadily increasing pressure of rising farm costs. This took place in spite of the greatly improved and steadily improving efficiency of Ontario farmers generally. Some of the figures I gave you earlier have pointed up this improved efficiency and improved production per farm. We have provided in this province marketing legislation which allows the producer to get the maximum price for his products within the limiting factors which I have already mentioned.

These limiting factors are the importation of agricultural and food products from outside Canada and the flow of products from other provinces. No matter what we attempt to do within the province, these factors still remain and they are outside our jurisdiction. The suggestion has been made that the solution rests with a provincial subsidy on various products. We have many agricultural products produced in the province of Ontario. I repeat now, as I said before, that product subsidization is a federal responsibility for reasons that I have already mentioned.

However, we have now reached the stage where we must reassess our position as a province in the agricultural industry, not only from a provincial standpoint but from a national and international standpoint as well.

I am therefore proposing that an agricultural conference and symposium be convened during the period October 25 to October 28, inclusive, to be held at Vineland, Ontario. Invited to this conference will be agricultural organizations, government and university specialists, and representatives from the entire agricultural and food industry.

In connection with the recent sale of wheat to the Soviet Union, there appear to have been two reactions. The first reaction was that this was a magnificent development, not only for the agricultural economy, but for the economy generally. The second reaction, which I have received from many sound-thinking people, is that they suddenly realized for the first time that there was a market for more wheat than we produced—and there was a possibility of being close to a world shortage.

We have now reached the position in Ontario and Canada where we must look at the long-term requirements of our people. We believe that the policies in effect in Ontario at the present moment are long-term, and to a marked degree, will assist in meeting future demands. On the other hand, the limiting factor is still the necessary financial encouragement for the development of viable farm units which, under The Agricultural

Stabilization Act of Ottawa, has been accepted as a major responsibility by the federal government.

I therefore envisage this proposed conference—a conference which possibly may be the most important one ever held in the history of Ontario agriculture—giving basic considerations to the long-term food requirements of this rapidly industrializing province. While dealing with this question, the conference will have to consider such matters as future availability of arable land, improved technology and research, price levels which will bring forth the necessary food supplies and farm production, the availability of labour and mechanization, and the future supplies of food from other provinces and from outside Canada.

The conference will not be able to restrict its thinking to provincial boundaries, but will have to look beyond and into the future requirements of food for Canada. The Canadian picture is most essential in considering the future of this province. This must form a backdrop for all discussions. And finally, consideration will have to be given to the responsibilities of the province and the future role and responsibilities of the federal government in meeting these future situations and future demands. True, there have been general guidelines, but over the years there appears to have been an intermingling of responsibilities and policies which may not in every case have resulted in the greatest efficiency and the best results. I am pleased to say, however, Mr. Chairman, that there has been a growing co-operation between our provinces and The Canada Department of Agriculture in an attempt to gain the maximum co-ordination of effort.

It will also be a prime responsibility of this conference to consider the current conditions on Ontario farms. While we have maintained that certain definite responsibilities for farm income are outside the jurisdiction of the province, at the same time, we are prepared as we always have been, to join with the farmers and the industry in the recommendation and development of any solutions with which federal help may be necessary. We have recognized the cost-price squeeze in which the farmer finds himself and we have policies which are helping him combat it.

On the other hand, realistic solutions and policies will not be arrived at through the writing of a provincial cheque in haste without any real thought of the long-term consequences, and which could, as an example, prejudice the success of what many people consider to be a well conceived federal dairy policy. This conference, therefore, while being entrusted with the consideration of long-term agricultural prospects, must also deal with the concerns uppermost in the minds of many farmers and of the government.

As already mentioned—and I make no apologies for repeating it—Ontario is just one province in ten. Our future is the future of Canada. While I believe it is essential that the initial meeting and symposium consider things essentially provincial with this backdrop of matters Canadian and international, I feel that, following the Ontario conference, consideration should be given to the convening of a national conference to consider the long-term Canadian needs of agriculture and food. What is true, in the case of Ontario, I feel is also true for Canada. We must get the best minds together in an effort to determine future needs and make recommendations upon which long-term policies of government can be based.

Mr. Chairman, agriculture and food, important as they may be in dollars and cents in our economy and to those engaged in the industry, are, more important, basic to life itself. I am hopeful that this October conference, as proposed, will result in recommendations and conclusions which will assure future food supplies for our people at satisfactory prices to the producer and consumer, a recognition of the current and growing importance of agriculture and food in domestic and foreign affairs, and might form a stepping stone for a larger, broader, gathering at national level.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, my friend has just finished reviewing the results of the department's so-called long-term policy. The hon. Minister has inferred that these policies have been tremendously successful.

I must admit that in certain areas they have been successful. However, in many other areas the province does not have any long-term policies. I am very glad to hear that the Minister is going to convene the conference in October to deal with some of these pressing matters which are bearing down upon the agricultural community.

My hon. friend has just finished reviewing the activities of, to my mind, the most important department in government. The Department of Agriculture concerns itself with the function of farming, and farming means food. Food means survival. It is just as simple as that.

Unfortunately, I did not get the impression from my friend that he viewed his department with the gusto and the sense of total dedication that must be part and parcel of the man whose department is in charge of an industry in turn charged with the responsibility for feeding many Canadians, as well as many others living outside the confines of this country. The Department of Agriculture has not, for some time, offered much in the way of leadership to the farmers in the province. In fact, it has been chiefly notable for its lack of leadership.

The Minister's chief policy-making technique is leaping from crisis to crisis, which is no way to formulate the kind of wise and consistent agricultural policy that would best serve the interests of Ontario farmers. My friend seems to be suspended in the "twilight zone" between the interests of the farmer and the consumer. Indeed, my friend seems to mirror the image of suburbia, rather than that of the champion of primary producers in this province.

Since Confederation the portfolio has been considered a major department, personified by the people who have held the portfolio. However, in recent months we have seen the rise and fall of the department. In the public mind, sir, the department has been reduced to one of staggering inconsequence. The hon. Minister seems to have no genuine concern for the problems affecting agriculture. His policies and attitudes do not reflect those of a man who is clearly identified with the needs and requirements of modern agriculture. My friend's policy is one of inaction rather than action. What we need more than anything else is a new Minister of Agriculture. The present Minister just has to go.

This past year has been a year of paradox for agriculture. The first part of the summer as my friend has said, was extremely dry, particularly in eastern Ontario where they had been experiencing drought conditions for the previous two years. Then in August it started to rain and it just never stopped long enough for many farmers to get their crops harvested. As a result the excessive rain meant that crops worth millions of dollars were lost in the field. More recently hogs reached highest prices in history and then plunged $12 per cwt within five weeks before starting an upward trend again. Cattle prices have also been stronger. Summing up the situation, one could say the weather called the shots in the industry last year in a more pronounced fashion than is usually the case.

However, generally speaking, the economic plight of the Ontario farmer has not changed since last year. Indeed, it has worsened in many cases. The same nagging problems are still around. The crux of the matter has been stated many times in this House by many people but it deserves repeating. The farmer's income in relation to his costs has declined steadily until it is now 30 per cent lower than it was in 1949. The figure for the worker in industry is one where the wages in relation to costs have gone up 54 per cent since 1949, a spread of 84 per cent, which is a subsidization of the economy by the farmer to the extent of 84 per cent—this being in the form of cheap food.

To put it another way, 10 per cent of the population representing the farming community is getting 5 per cent of the income. There are very few problems in agriculture that could not be solved by the farmers themselves if they had sufficient income to do it but they are in a cost-price squeeze. It was this kind of situation that prompted me to recommend to the Minister that he would have to undertake a number of programmes which I listed to help redress the situation and distribute income, at least partially, so that the agricultural community does not have to bear the full brunt of the cheap-food philosophy. In my opinion, the government has its responsibility to see that the good farmer makes a good living but has no responsibility to guarantee the income of bad farmers, as farmers. It does, however, have responsibilities to these farmers in other ways, but I shall come to that later. The facts of the matter are that our good farmers are leaving the land and selling out—taking jobs elsewhere. Since 1956, more than 110,000 dairy farmers in Canada have quit. This trend has definitely accelerated in the last two years. And is it any wonder? In 1964, there was $800,000 collected from Canadians in personal income tax. $450,000 came from farmers and three-quarters—three-quarters, I underline it—of that came from the west. That is a situation that should cause some soul-searching on the part of the Minister, particularly in a province that produces one-third of the agricultural production in Canada.

Even net farm income figures are not an accurate reflection of the situation, because the experts tell us that presently off-the-farm employment accounts for 25 per cent of all farm income. The president of the OFA, Charles Huffman, put it accurately when he said at the annual meeting:

> Farming today is in the same position as everybody else was during depression years. At that time everyone in all professions and trades was in the same boat.

Today in this moving economy the general public is enjoying unprecedented prosperity yet the decline in farm population shows that many of us are forced out.

Let me say that the trend to losing farmers is not necessarily bad so long as those who leave do so because they find it impossible to compete for any number of reasons. Under these circumstances the trend may be beneficial to the country as a whole. If they are retrained for something else, they add needed numbers to our labour force. If, however, those who retire from farming are our good farmers—our efficient farmers—our successful farmers—then we had better take some notice of what is going on, for no industry can afford to lose its best operators without the whole population suffering the consequences of the loss of capital and resources, the loss of which in agriculture will eventually lead to higher food costs. Unless something is done to curb this trend the efficient independent farm operators will have withered away and food production will be left to the small inefficient landholder without any alternative but to stay where he is, or the highly integrated food processing and retailing establishments. When this day arrives food prices will rise to the level which would have returned a very satisfactory income to those who have been driven out of the industry.

To say that we live in a changing world is a very trite statement indeed. We are experiencing a number of revolutions in the sense of rapid change. The first one perhaps could be called the revolution of equality—the spreading belief in equality of men and equality of nations. The second one concerns itself with the idea of progress—of the real possibility of material change leading to a better world. The third revolution is the scientific revolution — the application of science to all the economic processes of our life. The fourth revolution is a biological one —the sudden and vast increase in the rate of population increase in the world. All of these revolutions are applicable to agriculture. May I just deal with them in order as I have stated them here and they apply to the agricultural community.

The average dairy farmer, of necessity, puts in from 70 to 80 hours per week on a seven-day basis, 365 days of the year, compared to his friends in industry who work 40 hours per week on a five-day week basis. Thus, the dairy farmer subsidizes food prices with some 30-40 hours free labour every week. If the discrepancy had not come about in farm returns in relation to costs and had kept pace with industrial wages, dairy farmers would have had an additional $425 million to spend in 1963. Mr. Chairman, there is absolutely no equality or progress in that kind of situation. Cheap food for all Canadians is a proper and commendable goal. It should not at any time be priced beyond the reach of those who need it in a country such as ours. But in its pursuit the cost should be borne by all Canadians, not left as a continuing burden on the farmer producer who is getting tired of playing the role of the Good Samaritan. This is all very well but you cannot put it in the bank.

The third revolution that I mentioned is the scientific one. This has changed the entire complexion of farming in an unprecedented manner. The average milk production per cow in Canada today is 60 per cent higher than it was before World War II. The average laying hen in Canada today produces 200 eggs per year, compared to 140 in prewar times. In 1941 it took an average of six pounds of feed to produce a pound of meat on a chicken broiler. Today it takes less than 2.5 pounds of feed. To put it briefly one farm worker produced enough for 10 people in 1941. Today he produces enough for 33 people.

These are just a few examples of the efficiency revolution in agriculture. It is a revolution that is still going on and one which becomes more vital every year as the population of the world continues to grow in leaps and bounds.

This leads me into the final revolution—the biological one. Mr. Chairman, I suggest to you that the problems presented by the biological revolution are astronomical. It is estimated that there is at present about one acre for each person on earth. But the runaway growth in birth rates will inrcease world population to 7 billion by the end of the century, double what it is today. I believe it is around 3.4 or 3.5 billion at present. Experts have said that in order to rescue humanity from famine in the future it is going to be necessary to match in this generation, nearly 10,000 years of agricultural progress. To put it another way by the year 2000 this population will be doubled, which means that if everyone is to be adequately fed by that time, we must treble our present food production.

We are not going to be able to do that by cultivating more land. There is already almost no new land for cultivation and this applies almost anywhere in the world. There just is not any more. In Canada alone, our cultivated area has not changed from about

100 million acres for the last 30 years although our production from these acres has increased by 50 per cent over that period.

It is interesting to note that despite our increase in production, Canada has already reached the point where, except in cereal grain output, we are at best in balance with, and in some cases already behind the needs of our own population, even in the food products we produce best in this country. This is a marked change even from last year.

By the year 2000 at the current rate of population increase in Canada we would need another 40 million acres of farm land to feed our people. We do not have another 40 million acres of good farm land. Mr. Speaker, this is a problem of enormous proportions but all that we have drawn in terms of a long-range plan for agriculture from the Minister in an attempt to cope with this kind of problem, is a polite yawn. To say the least, this is shocking.

About as far as we have gone in this direction is to talk about the problem. I can think of the speech given by Mr. Biggs, the Deputy Minister, at the 1965 annual meeting of the Ontario soil and crop improvement association. Mr. Biggs made the point that the farmer must be assured an adequate income as well as the development of a long-term policy for agriculture, which he states—and I agree—would be essential to the continued welfare of the industry. This plan must reflect and give recognition to the needs of agriculture.

However, one farm leader put his finger on the problem when he said in reference to Mr. Biggs' speech that it was only talk, and that action would be much harder to come by. Frankly, I wonder if the government is even interested in the long-term policies so necessary to agriculture to fulfil its role in the economy.

Charles Huffman, president of the OFA, in an editorial in the *Rural Co-operator* had this to say in referring to the government's lack of long term policies for agriculture and the problems created by this:

> These things have come to our attention in recent days, that serve to emphasize the urgency for establishing a practical retraining programme for rural people. One was the apathetic manner in which our brief to the Cabinet was received. It was obvious the government is not prepared to tackle this problem with any real sincerity or purpose. The Premier was quick to suggest that we ignore the body of our brief in which we drew attention to these basic problems of agriculture and in which we deplored the lack of any long-range planning for the agricultural industry.

Mr. Chairman, that is a comment from the head of an organization that has never been noted for its outspoken criticism of this government. Yet in the respect of long-term planning and the attitude towards it, the president of the OFA is very critical and rightly so.

At this point I want to mention an open letter to the editor that appeared in the *Lucknow Sentinel,* a weekly newspaper in my riding, dated March 2. I do not intend to read all the letter. However, there are certain parts of it that reflect the frustrations and disillusionment that has settled into and permeated the attitudes of those working in agriculture.

The letter begins:

> During recent weeks our Minister of Agriculture has shown complete disregard and irresponsibility for the welfare and future of the food producers of Ontario. By the admission of the economists themselves, we farmers are the most efficient people in the country. We have the highest rate of production per man of any industry and yet each year approximately 30,000 of us must leave the land and seek a better way of life for ourselves and our families.

If I may just interject at this point, the figure 30,000 is not quite accurate. It is more in the neighbourhood of 10,000 per year. Nevertheless, the point is quite valid. The letter goes on to say:

> Surely, Mr. Minister, you must stop and think and wonder where we will be in the next ten years if those of us who are already established and have been farming for the best part of our life are forced off the land. And the way you are educating the coming generation, who is going to take our place? Are our children going to starve in the Garden of Eden because there will be no one to till the earth? It is a sad thing when the men to whom we have entrusted the responsibilities of our welfare and on whom we depend for leadership know so little of our problems and care less about how to solve them.

The letter goes on to talk about the unfavourable weather conditions that resulted in severe crop losses and the fact that the Minister refused to help although as an afterthought my friend finally decided to guarantee the $1,000 interest-free loans to farmers who had suffered losses. One of the concluding paragraphs of the letter puts it rather neatly when it says:

> If we had had our rightful share of our booming economy in the past we wouldn't be in the position where we have to stoop to begging with our hat in our hand.

The letter was signed by Mike Penich, local 342, Ashfield Ontario farmers' union.

The letter evoked considerable response and discussion but the most interesting aspect was that only one farmer wrote in saying that things were good for the farmer and his arguments were based mainly on sentimentality and rather obtuse reasoning if I may make a personal observation. Obviously, the letter written by Mr. Penich had a great deal of rural support in my area at least and I suspect in many areas across the province. The point is that this feeling has been fanned by the confusion and the total lack of purpose in any agricultural policy emanating from The Ontario Department of Agriculture. Let me cite examples:

1. No long-term plan has been evolved to cope with, even in a small way, the inadequate income situation on the farm.

2. We have no integrated rural manpower policy, although the recent ARDA announcement suggested something might be done in this direction.

I would hope so! The shortage of skilled farm labour in Ontario is causing grave difficulties on many farms. A few years ago the flood of immigrants from Britain and northern Europe yielded a reasonable number of hired men familiar with modern farming methods. However, this source has come to an end. Unless an adequate supply of hired help is found over the next few years, production and incomes will be seriously affected.

The situation demands creative and responsible leadership on the part of the government. The lack of long-term policy is the cause of most of our urgent problems and the reason we are in the position we are in today in agriculture. It is the reason for the inadequate income situation, the reason why young people are leaving the farm in hordes. It is the reason for our cheap food philosophy, our current labour problems, the difficulty encountered by the severe crop losses due to weather conditions, and so on.

Hon. Mr. Rowntree moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, on Monday we will have bills on the order paper and continue with the estimates of The Department of Agriculture and Food.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.05 o'clock, p.m.

No. 155

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Monday, June 27, 1966

**Afternoon Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO



The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today, students from the following schools: In the east gallery, Ste. Anne's separate school, Kitchener, and in the west gallery, Clark's corners public school, Ingersoll.

I would ask the Minister of Mines if he would introduce his guests.

**Hon. G. C. Wardrope** (Minister of Mines): Mr. Speaker, before the orders of the day, I wish to present to the House, the director general of mines for Peru, Mr. Andres Bravo Bresani and also his technical assistant of mining for Peru, Mr. Fausto Valdeavellano Roca Rey.

These gentlemen are here to study mining laws of Ontario, organization of our mining department, smoke and pollution from copper smelters, and they also wish to examine some of our methods for preventing pollution of air and water.

They have heard of our select committee report on mines and we have given them a copy, sir.

Gentlemen, we are proud and pleased to have you honour us with a visit and assure you of our help in any capacity.

**Mr. Speaker:** Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

## SECURITY INTERESTS IN PERSONAL PROPERTY AND FIXTURES

Hon. A. A. Wishart moves first reading of bill intituled, An Act to reform and make uniform the law regarding security interests in personal property and fixtures.

Motion agreed to; first reading of the bill.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I would like to read the explanatory note which accompanies this bill, so that members may understand it is only being given first reading. I had only planned to give it first reading at this session.

This bill is introduced and given first reading at this session in order that it may have wide distribution in convient form for study by persons and organizations interested.

This will also permit consideration—in connection with the bill—of the results of the studies now being made by The Department of Transport as to the use of electronic devices in a central registration system for motor vehicles.

The purpose of the bill is to reform and to make uniform the law regarding security interests in personal property and fixtures. This is the field of commercial transactions now covered in Ontario by The Assignment of Book Debts Act, The Bills of Sale and Chattel Mortgages Act, The Conditional Sales Act and The Corporations Securities Registration Act, and in all the large commercial states of the United States by the uniform commercial code, upon which this bill is to some extent based.

The bill was originally developed by a committee under the chairmanship of Fred M. Catzman, QC, and was approved in principle by the Canadian bar association and the Attorney General's committee on the administration of justice.

The bill in its present form is the result of intensive study by the Ontario law reform commission. It is the subject of report No. 3, dated May 28, 1965, and of report No. 3(a) dated May 18, 1966, of the commission. Both those reports, I believe, Mr. Speaker, have been tabled.

Copies of this bill and the reports of the Ontario law reform commission may be obtained upon request to the office of the Attorney General at the Parliament buildings here. Comments and suggestions with respect to the bill will be welcomed and should be addressed to the Attorney General, Parliament buildings, Toronto.

Mr. Speaker, as a companion bill, I move the following:

## THE MECHANICS LIEN ACT, 1966

Hon. Mr. Wishart moves first reading of bill intituled, The Mechanics Lien Act, 1966.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, I would just say that this is a satellite or companion bill to the bill I just previously introduced. It is intended only to give it first reading, so that it may be studied.

It also arises from studies done by the Ontario law reform commission.

**Mr. V. M. Singer** (Downsview): First reading only?

**Hon. Mr. Wishart:** First reading only.

## THE SALE OF GOODS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Sale of Goods Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this is a short bill. It is planned to give it first reading only, also, as it accompanies the two other bills I have just introduced.

## THE MUNICIPAL ACT

Hon. A. Grossman, in the absence of Hon. J .W. Spooner (Minister of Municipal Affairs), moves first reading of bill intituled, An Act to amend The Municipal Act.

Motion agreed to; first reading of the bill.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, the hon. Minister of Municipal Affairs is in Sarnia, attending the annual convention of the Ontario association of mayors and reeves.

In asking me to present this bill for him, he has provided me with a statement to read to the House in explanation of the bill.

A provision has been inserted to permit municipalities from which territory has been annexed to accumulate the reduction in assessment over a period of three years to reach the 15 per cent reduction which is required in order to be eligible for compensating grants.

A provision has also been made for staying applications for annexation or amalgamation until an inquiry into the organization of the region instituted by the Minister has been completed and considered.

A provision has been inserted to permit a township as such to apply to be erected into a town. Formerly it had to be 75 inhabitants of the township.

Provision has also been made that a village or a township in a county may, without adopting a ward system, provide for a council of seven members instead of the present five.

A provision has also been made for a village or a township in unorganized territory having a population of not less than 2,000 to have a seven-, eight- or ten-man council. This is to permit a township in unorganized territory to have the same number of councillors as a town of not less than 5,000.

Provision has also been made for a council with a term of office of three years. This means that all councils may have a three-year term if they so desire. This is consistent with the term of office of the municipality of Metropolitan Toronto under the new amendments.

A further provision has been made which requires a council on petition of ten per cent of the voters to have an advance poll on a Saturday. This is to provide relief to summer cottage owners.

A provision has been inserted to authorize a pre-levy of business tax similar to that which has been provided in respect of real property tax.

A further amendment has been made to make it clear that the municipal board can authorize temporary borrowings up to the amount of the cost of the project, and not limited to the amount of debentures authorized.

A further amendment has been made which authorizes the making of grants in aid of the arts. This is complementary to The Arts Council Act, 1962-1963.

Amendments have been made making it clear that local boards may provide employees with fringe benefits in the same manner as municipalities, and the amount which the municipality or local board may contribute has been increased from one-half to two-thirds of the cost. An amendment also provides that on a transfer of employees from one municipality to another the municipality from which the employee transferred shall pay to the municipality to which he is transferring an amount up to what would have been paid on termination of employment.

A provision has also been made to permit

parking authorities to have a staggered system of holding office.

A new provision has been made authorizing councils to prohibit the installation, use and maintenance of incinerators for burning garbage or other refuse in any class or classes of building constructed after September 1, 1966.

Amendments have been introduced which will remove the exemption of schools from rates imposed for the provision of sewer and water services when the schools are those of a school board which has jurisdiction beyond the municipality providing such services. This, for an equitable distribution of school costs, and the amendment is similar to the amendment in The Local Improvement Act for local improvements.

A new amendment has been made to permit the compelling of owners as well as occupants to remove snow and ice from the roofs and sidewalks of any designated class of building.

A new provision has been inserted to permit municipalities to accept a conveyance of lands in a registered plan of subdivision used for canals, and for cleaning, maintaining and circulating water in such canals, and levying the cost either on an area basis or on a frontage basis. A further provision has been made for regulating the governing and use of such canals, and for permitting the construction of docks and slips in them. This is to take care of so-called canal subdivisions and to permit the municipalities to exercise control over this type of development which is becoming increasingly used.

The amount which a county may spend on travelling and entertainment expenses has been increased from $2,500 to $5,000 in view of changing conditions. A substantive provision has also been made removing the present limitation on such expenses during 1967 centennial year as these limitations may not be appropriate for the celebration of Canada's centenary.

The limitation of $60,000 on the expenses for a department of industry and for publicity purposes has been removed as a three-fourths vote of the council is required which should be a sufficient control.

A further amendment has been made to permit municipalities to lease or licence untravelled portions of the highways in an area zoned for commercial or industrial purposes. This is to give all municipalities the same powers as have been obtained by several municipalities under special legislation.

A power has been inserted to plant trees on private property with the consent of the owner, within eight feet of the highway.

Amendments have also been made in respect of pensions which are complementary to the amendments to The Ontario Municipal Employees Retirement System Act about which a statement has already been made.

There are several amendments for clarification, and in more or less minor matters.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I have a question for the hon. Attorney General. In view of the fact that the temperature in Toronto over the week end reached a high of 93 degrees, and in view of the fact that the windows in the bedrooms of the Metropolitan Toronto juvenile and family court detention centre cannot be opened, does the Attorney General agree with the recommendations of a number of grand juries that the detention centre should be air-conditioned?

**Hon. Mr. Wishart:** I share the hon. member's concern for these children in the detention home. I think hon. members are aware that the province has just moved to take over the responsibility of the operation of the detention home. Certainly this is one of the things that give us concern. I understand that the windows were made rigid and could not be opened so as to obviate the necessity for putting bars over the windows, in order not to give the appearance of a jail or that nature of building.

I am also told that the staff are very good at the present time and let the children out in the yard and permit the use of hoses, the same as we do with our children.

We will certainly look into it and I think that something in the nature of air-conditioning should be installed to make it more livable.

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, before the orders of the day, I have an answer to a question asked by the hon. leader of the Opposition on June 21, which is as follows:

> Can the Minister justify the procedure followed in the expropriation of property at the intersection of Highways 10 and 7 owned by Mr. Robert Bovaird?

In reply to the question, I believe a chronological statement of the sequence of events should suffice, and I would say that:

(a) A DHO appraisal was made in the fall of 1962 and negotiations commenced soon afterwards. Because the department was not

willing to permit access from the channelization to the remainder of the property, negotiations have always been on the basis of a complete purchase.

(b) The department's requirements were expropriated in March of 1963 and the plan was registered on the remainder of the property in November, 1963. The department's first offer was $15,400, at which time, Mr. Bovaird was asking $20,000. Later, in an effort to settle this matter quickly, obtain vacant possession and eliminate further legal expenses, an offer was made in the amount of $18,200. Mr. Bovaird's solicitor replied with an offer to settle at $25,000. The offer of $18,200 for quick settlement not being acceptable, the department reverted to its previous offer. The department has now forwarded a new agreement to Mr. Bovaird's solicitor in the amount of $16,675, which is our previous offer plus interest for approximately one year.

**Mr. Thompson:** I would like to ask the hon. Minister a supplementary question. Is it true that Mr Bovaird's barn and house have been removed?

**Hon. Mr. MacNaughton:** Mr. Speaker, the answer is yes. They have been removed, but they were appraised while they were still on the property.

**Mr. Speaker:** The Attorney General has a question to answer that was submitted on Friday last.

**Hon. Mr. Wishart:** Thank you.

Mr. Speaker, I would like to say, with respect to this question, that I propose to answer it, but I should like to make it clear that there is no obligation on a Minister to answer an hon. member in a question of this kind as to what his internal instructions are to officials serving the department. I wish to make it clear that that obligation does not exist, but I propose to answer the question and I propose to answer it fully.

Mr. Speaker, there were no written instructions issued to the Ontario provincial police with respect to the tractor demonstrations by farmer groups on our highways. I consulted with Mr. Silk, the commissioner of the Ontario provincial police force and reviewed the situation with him from time to time. My oral instructions to him were that the demonstration should be patrolled and the the police should act with their usual courtesy and firmness to enforce the law so as to enable the motoring public to use our highways in safety and without interference or obstruction.

It was pointed out that a farm tractor does not require a licence under The Highway Traffic Act because it is not its regular function to operate on the highway. It is an instrument of husbandry and its access to the highway is permitted for agricultural purposes. Operators of motor vehicles, on the other hand, must obtain a motor vehicle permit and an operator's licence to have the privilege of using our highways for travel, and they must pay a tax on the gasoline they use. The priority in the use of the highways by the motoring public is therefore clearly recognized.

We also recognized that any obstruction by slow-moving vehicles contains elements of danger and that any concentration of a large number of tractors would increase the danger of accident to a serious extent. The police were therefore instructed to space the vehicles and to firmly insist on obedience to avoid obstruction and minimize danger. Any disobedience would result in charges being laid.

Mr. Speaker, I felt confident that the good sense of the police and of the farmers would prevail to prevent dangerous situations and provocative incidents, and so far that confidence has been fully justified.

As for the statement that the government will not be impressed by these tractor demonstrations, I think the great majority of farmers realize this and do not approve of these actions which alienate public sympathy by bringing discomfort and some danger to people properly using our highways.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question of the hon. Minister of Highways. A copy of the question has been submitted to him.

In view of a coroner's jury report which indicates that existing methods of warning motorists of road construction are sometimes inadequate in Metro Toronto, would the Minister explain what steps his department has taken to ensure the safety of motorists travelling through sections of municipal road construction?

**Hon. Mr. MacNaughton:** Mr. Speaker, the answer is that section 97 of The Highway Improvement Act places the full responsibility for warning and detour signs for road construction within the municipality, on the road superintendent of the municipality.

**Mr. Speaker:** I have just been notified that we have several other distinguished guests

with us today in the Speaker's gallery. They are government officials from our sister commonwealth of Nigeria who are sponsored by The Department of External Affairs at Ottawa. I want to take this opportunity of also welcoming them to the Legislature and to the province of Ontario.

Orders of the day.

**Clerk of the House:** The fifteenth order; House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF AGRICULTURE
### *(continued)*

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, on Friday I was about to document the ill effects that the lack of long-term agricultural policy is having on agriculture. To do this I have taken as an example a farmer in Huron county. For the sake of preserving his identity, I will refer to him as Bill. Bill has been farming all his life. He was born and raised on the farm. He is married, has five children and is 40 years of age. When I visited him at his home a few weeks ago he took out his books and showed me exactly what has happened this past few years.

Today Bill has 1,000 acres of clay loam land, tile drained, and well above average in fertility. He runs a cash crop and beef cattle operation. He has total assets, including machinery, livestock, land and buildings, of close to $500,000. His farm is well mechanized but he has, in addition to himself, one full-time and one part-time man. He works on the average, summer and winter, 12-14 hours a day. Bill produces per year on the average $100,000 to $125,000 worth of produce.

Interestingly enough, when we analyzed his profit and loss statements over the past number of years—and I want to interject at this point that Bill is in my opinion a very good bookkeeper—the records showed that Bill has never had a profit since 1956. In the years preceding that year he had shown a profit every year, and in some years quite a sizable profit, but this has not happened since 1956. At that time he had almost everything clear. Every year since that time, he has lost money on his farming operations. This has meant nine straight crop years that Bill has undergone a loss on his farming operation, partly because of adverse weather conditions during harvest time.

However, sir, he was not hit as hard as many were because he was able to get enough of his bean crop off to show an overall profit on that phase of the operation. He was successful in getting over 60 per cent of his corn crop, which was much better than many. Notwithstanding this, he ended up with a sizable loss on the total farming operation.

When I visited Bill at his home he was somewhat discouraged. He said to me, and I believe these were his words: "If conditions do not improve in agriculture, I am getting out before I lose everything. I'm still young enough to retrain for another job. I would not have any trouble there. I also have my wife and family to think of. I don't want to see them work as hard as I have had to work."

His concluding remarks to me were significant. "Look," he said, "if there is a future in agriculture, I am staying. If things are not going to get any better, I'm getting out, but fast. The government keeps telling us that everything is going to be better: 'Get more efficient, get bigger, and you will be able to make a good living.' You tell them from me it just is not so and it will not be so unless they are prepared to do something in the way of seeing that either our cost of production is lowered or we get better prices for what we have to sell."

I want to point out at this juncture that this young man, in my estimation, is very astute; he is a good businessman, sir, and he knows precisely what he has to do in order to make a profit. He is not carrying unusually heavy debt load, considering his assets, and so his interest charges in relation to his total output are not excessive.

Bill has never during the the course of his farming career allowed anything for his own wages so this does not reflect in the figures I have quoted. Bill's key question was, "Is there a future in farming?" Indeed it is a question that is being asked up one concession and down another. Farmers do not know the answer and this government does not know the answer because it certainly has no long-range plan or objective.

This has resulted in tremendous migration off the farm by our young people. If one were to ask a dozen young farm boys going to high school today if they were going to return to the farm, the standard reply would be, "Are you kidding?" Mr. Chairman, this is a serious situation. We are losing our bright young people to industry and to areas other than agriculture simply because they do not have to work as hard and they make twice as much—and perhaps more important,

they know how much money they are going to have at the end of the week, month, or year. Have we succeeded, with new plans and policies of the past five years in attracting into farm ownership any significant number of men born since 1925? Perhaps it is presumptuous of me to predict some of the results of the farm census now under way but my guess is that we have not attracted any significant number of young men into the industry. Viewed in respect to its long-term impact on the farming industry of this country this is indeed serious.

In the past some individualists, and I think this included my hon. friend, have considered that the boom-and-trust approach should be given free rein until the boys are shaken out from the men—and in fact a number of men are also shaken out. These people believe that a no-holds-barred approach will give greater price stability when the process of elimination reaches the ranks of bigger producers. Mr. Chairman, this is a frightening way to achieve stability.

Then there is the example in Kent county where a good farmer had his 300-acre farm clear of debt in 1952. He is now 57 years of age and last year he had to place a $12,000 mortgage on his farm. It is obvious that the farmer is going to try and stick it out because he is too old to make a move. Even by his own admission he does not intend ever to pay off the $12,000 mortgage because he knows he cannot under present conditions. So the only alternative is to hang on as long or as best he can, and presumably the mortgage will be paid after he has passed on to his reward.

These are just two examples of what is happening in rural Ontario. It is curious to note that if this is what is happening in Huron and Kent counties—two of the best farming counties in Ontario—what are conditions like in many of the poorer farming areas? I could not even hazard a guess, but the possibilities make me sorry, more than a little uneasy and extremely impatient with the government for allowing the problem to reach such proportions.

To come back to the previous question posed by Bill: Is there a future in farming? Well, if there is not, all I can say is: "God help us all." But there would not be if the government here and the government in Ottawa do not take some lead and give more direction in establishing long-term policies for agriculture.

Ottawa is to be commended for their far-sighted approach in giving birth to a programme that has come to be known as ARDA. This programme has tremendous possibilities for rural development based on long-term objectives, but this province has not even scratched the surface. Earlier I mentioned the possibility of ARDA being used for retraining and for a complete manpower programme as it applies to farmers. Hopefully this will be done under the new agreement announced by the Minister just a matter of weeks ago. But as usual we are behind.

A new federal-provincial ARDA agreement was signed last November, 1965, to cover the period 1965-1970. The new agreement included a number of important changes to the original as I understand it. It placed heavier emphasis on the alleviation of poverty in rural areas by means of diverse resource development programmes, land use adjustment and farmer consolidation, community development and rehabilitation of people.

Provinces could enlist federal help in the training of rural development specialists and for public information programmes. The federal government could spend up to $25 million a year during the five years. A special $50-million federal fund was established for the implementation of comprehensive rural development programmes in certain rural areas which are subject to general low income and are in special need of development.

There was increased emphasis on programmes to assist rural people to re-establish in new employment or resettle in areas where opportunity may be better.

Among the first provinces to act under the new agreement was Nova Scotia. It announced a $3,332,000 five-year programme of farm enlargement and consolidation designed to increase the size of Nova Scotia farms to a point where they provide the operators with adequate incomes.

What are we doing in this province? Well, we are plodding along with the same old feet of clay hoping that somehow, somewhere, someone will come up with a real supercharger for tired blood. Oh, I know there are projects involving 11 counties in eastern Ontario. I know there are projects going on in northern Ontario and scattered throughout the rest of the province but no real effort and determination has been put into the programme to raise the income of the farmer, for manpower training or for lifting the whole economic base of any region.

There is a growing feeling of frustration with the ARDA programme in Ontario. A feeling has been developing that the authorities are unwilling to admit that we have a

problem in rural Ontario. One is forced to think they have adopted the attitude that if they ignore the problem it will eventually go away. We are not, Mr. Chairman, tackling these pressing problems with courage and imagination.

The Minister is using the traditional way of handling the situation—by doing very little and letting the forces of nature and the dread laws of economics do their worst. As a consequence, if those who leave the farm through choice or by the force of economics land on their feet in some other occupation, fine; if they land on their knees in urban slums, too bad.

Surely this so-called "natural" solution cannot be viewed with satisfaction. Thus, there has come about a recognition of the need for conscientious planning in handling the hardships resulting from rural adjustment. To slough the problem off is to treat this vital matter with the worst possible contempt.

In this connection I want to quote from an editorial presented on the CBC by Don Middleton, director of the Ontario federation of agriculture, properties department. This was given in February, 1966, although I do not have the exact date:

> Poverty amidst plenty is a nasty blight on our society. The ARDA programmes, both provincial and federal, as they are spelled out on paper make provision for full co-operation between various departments of government in meeting the poverty problem. However, in my opinion ARDA in Ontario has been singularly successful in failing to bring about any real co-operation between the various agencies of government.
>
> In the early months of the ARDA programme a concerted effort was made to have it come within the jurisdiction of The Ontario Department of Agriculture. Perhaps this was an error in judgment. It seems to have isolated ARDA from all of the other agencies that should have been interested and involved in the programmes that ARDA has to offer.
>
> During the past two years conscientious and sincere attempts have been made to encourage the ARDA branch of The Department of Agriculture and Food to become involved in citizen-oriented programmes. These attempts have met with little or no success.
>
> Likewise, we in farm organization work have spent almost a year trying to encourage the Ontario government, through The Department of Agriculture and Food, to participate in the establishment of a training programme for development officers. Once again, we have drawn a complete blank.

The only branch of the Ontario government which appears to have any sympathy for citizen-oriented programmes is the regional development division of The Ontario Department of Economics and Development. We have recently appealed to it to assist in the establishment of a training course for rural development officers. While the outcome of this sortie is not yet clear, we are hopeful.

It appears to me that, in approaching any programme of assistance for poverty victims, we are faced with the fact that for political reasons governments do not like to admit there is a problem. Such an admission is particularly unpalatable to the Minister in charge of a department. He looks on this as a reflection on his administrative ability and does not like to admit there are problems within the industry that he represents. There is poverty right here in Ontario but after nearly three years trying to get this message through to our politicians and senior administrators, it looks a hopeless task to convince them.

After this experience, I am firmly convinced that if we are to meet any real success in interdepartmental co-operation it will not occur at Queen's Park. It will be instigated in the field through the joint efforts of civil servants who are co-operating with voluntary organizations in the administration of programmes of service to people.

I have already been through several provincial conferences where chiefs of the various departments were brought together. They seem singularly competent in not listening to one another. It was most interesting to note how, at the conclusion of one such conference, they all hurried back to resume, once again, the comfortable little thing they have been doing for 25 years.

A solution to the poverty problem will come only through co-operation between voluntary organizations and the various departments of government. Yet I believe it will have to be done at the local level by getting together the welfare officer, the educator, the agrologist, the forester, the employment officer and all other local officials. I believe this should be attempted at once, or on an experimental basis, in a local area.

I refuse to believe that Canadians have

> become so callous that they are not interested in the plight of their fellowmen. If Queen's Park is not interested, we can still count on the common man.

I read the entire editorial because I feel it best sums up the feeling in the field in respect to this government's attitude towards ARDA.

In the Grey-Bruce *Farm Messenger* dated May, 1966, the following appeared:

> Much has been said about rural development and ARDA but very little done. Why? Our rural development committee has met with the county council ARDA committee who in turn have been meeting with the provincial ARDA directorate for proposed programmes for Grey but with very little action resulting.

There is no question in my mind that ARDA is a long-term programme. There is no doubt in my mind that one of the real problems in this area and the government's inaction, disinterest, and in some cases opposition, is the fact that The Department of Agriculture and Food has no long-term policy for agriculture. In erecting a building one of the first essential steps is to have a blueprint for that building. As the structure progresses, the blueprint is followed in every detail until completion. Without the blueprint the task would be hopeless. And so it is with ARDA. The government is hesitant to recognize there is a problem because it feels that this is somehow a reflection on their administration; and second, The Department of Agriculture and Food has no blueprint for agriculture, the absence of which makes it impossible to use ARDA in any concrete way to alleviate many of the problems plaguing rural Ontario.

Mr. Chairman, if ARDA continues at the same pace, it will remain in Ontario what it virtually is now—a failure. We treat the problems of agriculture by bringing in ad hoc legislation without really assessing the overriding problems. ARDA has been preoccupied with the commercial aspects and has not placed enough emphasis on the human element.

Mr. Chairman, I think this is nothing short of an ARDA scandal perpetuated by this government and the Minister.

The federation of agriculture has suggested that an advisory committee to the ARDA directorate, made up of representatives of voluntary organizations in Ontario, be established. It has also suggested that training programmes for rural development officers be established and money made available for the training of personnel of voluntary organizations.

These are worthy suggestions and deserving of consideration, but the ARDA programme will never reach its full potential until we have the blueprint, the long-range white paper if you like, for agriculture in this province.

I had originally intended to call upon the Prime Minister to see to it that the ARDA programme be taken out of The Department of Agriculture and Food and placed in The Department of Economics and Development. However, in view of my friend's recent announcement involving the joint federal-provincial programme to buy up uneconomic farms in the province and consolidate them into economical units, as well as providing retraining and financial grants where necessary under the programme, I decided to give the Minister another chance in the hope that his performance will be much superior in the future to his dismal failure in the past in relation to ARDA. This agreement is certainly the most far-reaching of any undertaking under the ARDA programme to date by this province. It has tremendous potential for doing the things that need to be done in rural Ontario.

I will, therefore, hold in abeyance my transferral suggestion in the hope that the Minister will finally take hold of this programme. If he doesn't, then we will have no other choice but to recommend the ARDA branch be removed from The Department of Agriculture and Food and given to The Department of Economics and Development.

Granted the Minister of Economics and Development is not as knowledgeable about farming and farming problems, but at least he is a promoter. If there has ever been a programme that has been smothered and choked by lack of imagination, initiative and direction, this is it. Under Economics and Development I am convinced new life and vigour would go into the programme. However, as I said, I am willing to hold that suggestion in abeyance for a year until we have an opportunity to see just how serious my friend is about the new programme.

It is interesting to note, in connection with the announcement of the new ARDA programme, that the Minister's announcement here was preceded by the announcement in Ottawa by Mr. Sauve. This is not the first time this has happened. It happened with the $4 milk as well. Mr. Speaker, it is obvious that Ottawa took the initiative in these instances and we are just getting a little tired of the Minister jumping on Ottawa's band

wagon in order to capitalize on their initiative and programme. It is about time we had some initiative from my friend if he is interested in solving some of these serious and pressing problems. We are also getting tired of the Minister's dependence on the federal government to take him off the hook in emergency situations.

Mr. Chairman, I want to turn now to a subject that has occupied many headlines and engaged many farmers across the province in lengthy discussions and debates during the past year and a half in particular. I do not intend to recount the painful details of FAME'S demise but rather I want to analyze for a moment this government's attitude toward a farm movement of this type.

One of the unfortunate things about FAME'S downfall was that it had an ill effect on all farm organizations. Many have made comments that it set the farm movement back 20 years. I suppose this is a hard thing to establish but I certainly hope its repercussions were not that far-reaching.

The Grant report actually encourages producer processing so that, to use Justice Grant's words, it will be a decided force in maintaining the price of livestock at a steady and profitable level. However, his sympathy for the principle did not appear to extend to the Fearman purchase. He also made the point that, in his opinion, FAME was a protest movement rather than a co-operative approach to an economic need.

FAME had begun selling debentures in 1960 without having first raised any share capital. It had sold $100,000 worth of debentures before it was ordered to stop by the securities commission.

When one reads the Grant report I think any reasonable person would have to concede that the directors showed a lack of business acumen. However, I am sure they were well-meaning individuals and were trying to make a contribution to the farming community. In this particular venture, there can be no doubt that there was FAME without future.

Last year the Minister said during his estimates, in reply to a comment by the member for York South; that the Nova Scotia farmer-owned packing plant had lost money since the day it was opened and was costing the government $500,000 a year to keep it open. However, the facts do not bear out such a statement. According to F. Waldo Walsh, director of the maritime co-operative advisory services, the government of Nova Scotia agreed to invest $3 for every $1 invested by the farmers of Nova Scotia, provided the farmers raised at least $400,000 in a given period. The farmers did better than that and raised approximately $575,000.

This took place in 1957-58 and plans were immediately established for the erection of the plant in the Halifax area. The plant was completed and operations started in the fall of 1960. It was accepted by all that the plant could not break even financially for four or five years. In the first four years of operation the company, after paying interest on the government loan, bank interest, all obligations and providing for normal depreciation, the losses averaged approximately $150,000 a year. In the year ending April 30, 1965, there was a net profit of $5,989.

According to Mr. Walsh, the government has not lost one cent and if my friend feels that the facts pertaining to the Nova Scotia plant were sufficient to justify his refusal for financial help in the case of FAME then he has not got a leg to stand on.

There is another aspect of this issue that concerns me. The president of FAME late last August accused the government of stalling on their request for a $2.5 million guarantee for its programme. He pointed out, and rightly so, that the report had been in the government's hands for two months, and the delay was designed to see if FAME would go bankrupt of its own accord. Then the government would be off the hook. I must say in the absence of a good reason for the delay by the Minister, I think he was absolutely right. It is unfortunate that politics and political manoeuvering have replaced the genuine desire to be of service to agriculture.

This was all too evident in the refusal of the Minister to assist those who suffered heavily if I might move on to another area because of the wet weather last fall and in the case of those who suffered severly in the eastern Ontario drought situation during the past three years. In the case of the former, the Minister announced an interest-free $1,000 bank guarantee for those who lost crops due to wet weather last fall. This is helpful—anything is better than nothing—but I want to point out that it came at a time when many farmers were already on the land and presumably had made other arrangements for money or had made other plans because they could not get the money to plant a crop. If this plan had been announced in the early part of February, or even earlier—even last fall—then we would have had the feeling that there was a genuine effort being put forth to help those who had suffered severely because of an act of God.

The same applies to the eastern Ontario drought situation. On June 23 the Ottawa *Citizen* had this to say:

> While the do-nothing government at Queen's Park studies the situation, farmers in the Ottawa valley face an unprecedented drought disaster. Yet the authorities in The Ontario Department of Agriculture and Food, like Micawber, wait for "something to turn up."

The province finally came along with its drought assistance programme. Here again, something is better than nothing, but the programme left a lot to be desired in terms of the kind of rehabilitation needed to get many of these farmers back on their feet.

The fact is that everyone is exasperated before the government can even be persuaded to take the first timid step in any of these programmes. The need for help should be so obvious, even to the most obtuse observer; and it is—except this government.

The criticism offered by the Ottawa *Citizen* about the do-nothing government at Queen's Park is particularly applicable in view of an article which appeared in the same paper, dated June 29, 1965. The article reads in part as follows:

> A drought that threatens to devastate many area farmers has been building up steadily for 14 years. This and a welter of other facts on drought were offered by George Robertson of The Department of Agriculture. Mr. Robertson knows all about weather and crops. He is chief of the agro-meteorological section of the department's planned research institute. September, 1952 saw a peak rainfall, pushing the year's average to 25 inches above normal. Since then, yearly falls have declined steadily until the present, when precipitation to date for the Ottawa area is a record 20 inches below normal. The drought is the fourth major dry spell recorded since weather figures were first kept in 1890. The three previous ones, however, touched lows of only 5 inches below normal rain. During the past 76 years this is the longest—12 years and nine months to date and the most intense, Mr. Robertson said.

Mr. Chairman, it is abundantly clear that the government has displayed a complete lack of foresight in coping with the problem, particularly when it knew this drought was building up for 14 years. These records are kept by the federal Department of Agriculture but I presume this information is made available to the provinces.

I am aware that no one can accurately predict the weather but it was obvious, particularly after the first year of drought, that it might very well happen again in view of the rainfall figures. Yet to my knowledge nothing was done by the government to limit the ill effects and I am thinking particularly of the extension branch of the department. My friend was oblivious to the entire problem and its build-up. It seems the only way to make an impact on the Minister is through power politics. Things just are not judged on their merits. This was evident in the case where the government refused to move until the problem had built up to such an extent that they had no other choice but to act. It was obvious that this should have been done from the start.

I suppose in the face of this it is almost too much to expect that the Minister will come up with a long-term plan for agriculture, or even take a first step toward it, but I must admit that the conference he is going to call in the fall will be a step in the right direction. I stress once again that most of the crises that this department has faced in the four years I have been in the House have been the fruits of no long-range planning as it applies to agriculture.

The final problem area that I want to deal with, Mr. Chairman, is the controversy which has swirled around the bean board and the government takeover of it. For the sake of brevity, I will review in capsule form the sequence of events leading up to this action.

The conflict between the farm products marketing board and the Ontario bean growers marketing board has been raging for a number of years over the relationship between the bean growers marketing board and the company operated by that board. The point of contention was the fact that the marketing board was using the check-off fees to subsidize and offset the operating losses of the company. This was declared illegal. The point was quite valid when the bean company was struggling in its early years but according to officials of the marketing board the company had not been subsidized in recent years because it had been making a profit. Members of the bean board felt the charge was completely unfounded in recent years because the company had become successful and competitive without subsidy, but there was a squawk from the dealers to the effect that this was unfair competition, so the government moved in and indicated that the bean board and the company must be separated.

Well, Mr. Chairman, the game of cat and mouse became more intense. The government appointed Price, Waterhouse to investigate the situation. They brought in a report completely justifying the government's position. The bean board set up its own committee to study the Price, Waterhouse report, the findings of which completely demolished the Price, Waterhouse report.

The farm products marketing board and the Ontario bean growers marketing board drew up an 11-point programme. Nine of the 11 points had been acted upon by the bean board; the remaining two were tabled at a meeting on November 25 in order for the newly elected bean board members to deal with them. The minutes of this meeting would be in the hands of the government no later than December 20.

The Minister allowed a vote of the bean growers in the middle of February this year which, if carried, would have allowed the bean growers and, more particularly, the bean board to build additional facilities, with the check-off to the extent of a $400,000 cleaning and bagging plant to expand the board's processing activities.

The vote was turned down. The government moved in and placed the board in trusteeship on February 22. At this point, Mr. Chairman, I want to go into more detail.

There is certainly something anomalous in allowing the bean growers a vote to build additional facilities one week and then turn around the next week and place the board in trusteeship because of the failure of the bean board to clear up what the government thought was an illegal relationship between the board and the company, even though the minutes indicated this deferment was in the government's hands no later than December 20, 1965. In addition, the deferment appeared to be temporary.

The government had these minutes two months before it acted and in the interim allowed a vote of the growers to build additional facilities. Most important of all, the fact that the government allowed the vote on building additional facilities confirms implicity that there is nothing irregular in a board owning a storage and cleaning plant.

Well, Mr. Chairman, there must be a missing piece to the puzzle.

Apparently, the swoop was well planned. According to the *Rural Co-operator* of March 8:

> The government's dissolution of the Ontario bean growers marketing board was carried out with the precision of one of the recent coup d'etats in Africa. Every move had been well planned. Zero hour was two days after the Ontario federation of agriculture members' meeting. Thus all farm leaders had left Toronto for their homes.
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> At the same time both the OFA president and first vice-president, Charles Huffman and Charles Munro, had left for the long-planned international federation of agricultural producers meeting in Mexico City. Also, the federation's immediate past president, A. H. K. Musgrove, was in Collingwood hospital following a serious auto accident earlier in the month.
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> Although one government official says the takeover was not decided until the evening of Tuesday, February 22 and the next day, nonetheless at least one of the key figures in the drama had been well briefed the preceding Monday.
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> However, the actual swoop was a well-kept secret. Directors of the farmer-elected marketing board were stunned with surprise when they found their entry to the marketing board office barred by a security guard. Later they learned their organization's books and records had been seized by government officials.

What happened after the bean vote is clear. As soon as the vote was turned down by the growers my friend immediately started making plans to place the board in trusteeship. No sooner had the ink dried on the ballots than my friend was picking the key people to carry out the coup—an action unprecedented in the history of Canada's farm marketing. There is no question the government had the power to do this. It was given to them in the controversial Bill 86 but at the time of the passage of the bill the then Minister of Agriculture, Mr. Goodfellow, pledged the government would never use these powers against a local marketing board.

The reasons for the takeover were at the time and still are somewhat obscure. At one point two government officials were giving conflicting explanations which were different from those of the Minister.

However, the reasons seem to boil down to these: 1. The failure of the bean board to separate the bean growers marketing board and the company; 2. the growers board failed to get the best price for the growers; 3. the growers board failed to act in the best interests of the growers.

As far as I am concerned these reasons leave a real area for argument except the

first. Even here the growers board eventually did intend to separate the company and the marketing board according to several members of the board. But the government and the Minister obviously did not believe them.

Why did the government act the way it did? Did the farm products marketing board members not read the minutes of the November 25 meeting of the bean board, and if they did, did they not convey their intent to the Minister? If the Minister knew about this, why did he call the vote? Did the Minister have this action in mind all along and he wanted to get the feeling of the producers about the growers marketing board so he decided to call the vote? When the vote was turned down did the Minster feel the growers were divided and this was the time to move in? Was the pressure from the trade becoming too great? I don't know, but I think we are entitled to a few answers in this regard.

What was the reaction? The reaction was so severe in rural Ontario as to undoubtedly cause the Minister some sleepless nights. The first vigorous reaction came from Bruce county at a hastily called meeting in Walkerton. I want to quote what Jim Jacklin said at the meeting because it typifies the reaction the farmers felt at that time:

> The bean dealers said the bean-selling system was not operating properly so they went to the government, and so the government took over the bean board. This has set a dangerous precedent. The next thing we will hear is that the meat packers council of Canada will say the hog-selling system is not operating to its satisfaction. The meat packers will complain to the government and the government will agree and then put the hog marketing board in trusteeship. The same goes for any marketing board. Just upset the dealers and trade —in other words, do a good job for the farmer, and your marketing board will be dissolved.

This meeting was followed by many such meetings across the province as well as several meetings between government officials and farm organizations.

But let me return to the reasons for the dissolution for just a moment. I think I have dealt with the first reason previously—the failure to separate the board and the company. The second reason—the failure of the board to get the best price for the growers—is, as suggested earlier, open to question.

I just want to quote for just a moment, some of the figures of the prices that have been paid since 1959 to Ontario bean growers, and to bean growers in the United States.

In 1959, in Ontario, the Ontario bean growers got $6.33 a hundred for their beans. This is an average price. In the United States, they got $5.60.

In 1960, here in Ontario, we got $6.40 a hundred. In the United States, $5.90.

In 1961, $6.50 a hundred in Ontario; $6.40 in the United States.

In 1962, $7 a hundred in Ontario; and $6.30 in the United States.

In 1963, $7.20 in Ontario; and $6.40 in the United States.

For 1965, I do not have the average price, but I do have the prices at various stages.

In September, the average price to the grower in Ontario was $7.15 to $7.25; in November it was over $9, and in April it was $9 a hundred. That is April of this year. The comparable figures in the United States: September, $6 to $6.15 a hundred; November, $9; and then April of this year, 1966, $8.25.

**Mr. W. D. McKeough** (Kent West): Are those figures in Canadian dollars or U.S. dollars?

**Mr. Gaunt:** Those figures that I quoted; our figures are in Canadian dollars and the United States figures are in American dollars.

I am not prepared to argue whether the bean board got the best price possible for the growers, I do not know, but I just cite these figures to give you an indication that we have enjoyed, in this country, higher prices than they have been enjoying in the United States.

There is no doubt in my mind that legally the farm products marketing board has the power to ensure that farmers get the best possible prices for the particular product handled by the marketing board. However, if it does this sort of policing for one marketing board, it has the same responsibility to all of them. To say that in addition to its other responsibilities the farm products marketing board can ensure that the farmers are getting the best prices possible with a staff of one full-time chairman and four part-time people is simply ridiculous. If the government board is going to assume this responsibility on a broad basis, then some pretty substantial changes have to be made in terms of adding new people to the board.

To be perfectly frank, I do not think the government board should be involving itself with this area at all. I, like the member for

York South, feel that the machinery under which our farm marketing boards operate is basically wrong in principle, and this has resulted in many of our difficulties in the past.

The whole purpose of marketing boards is to give farmers greater collective bargaining power in the market place in much the same manner as the trade union movement is given bargaining strength through The Labour Relations Act.

Anyone in this province who says we have producer-controlled marketing boards in Ontario is either being facetious or he does not know what he is talking about. There is no such thing as producer control. It is state-controlled marketing. In the first instance, you treat individuals as grown up and give them the power and right to exercise it to better their collective bargaining lot. If the power is abused then steps have to be taken correct it.

In the second instance you give the power, but "Big Daddy" here at Queen's Park watches every move. They are not treated as adult, mature and responsible people; they are treated like children who cannot be trusted and must be taken out to the woodshed and spanked if they step out of line.

Mr. Speaker, there is no doubt that it is a fundamental violation of the basic principle of a democratic society. Surely we have attained enough sophistication and maturity in farm marketing experience to eliminate the philosophic throwback to the dark ages and to bring in a marketing structure that will recognize that farmers have a right to collective bargaining, and they have a right to be treated as mature and responsible citizens.

This brings me to the third reason—the growers board failed to act in the best interests of the growers. Who says they failed to act in the best interests of the growers? Not the growers. Oh, no. It was the government board and the Minister. This in itself is a strange statement because just a few months before the growers elected their own board of directors with, I believe, the same men being returned to office. This would seem to indicate that the growers were happy with their stewardship. However, it was evident the government concluded that growers voted incorrectly and are incapable of electing directors of the right type.

Well, we can talk about this reason and that, but what really was the crux of the bean issue? The crux of the issue was the government action to take over a marketing board by an order-in-council. That was the central point; nothing else—nothing more.

Oh, I know the legal beavers had a field day, but when the smoke had cleared away what did it boil down to? Simply this: The bean board had made a few errors in bookkeeping and procedure. To that extent they were wrong. But I am sure these things were done in good faith. Nobody absconded with the funds. Nothing as serious as that.

When I saw a big headline in the London *Free Press* dated Thursday, April 28, which said "$1 million collected illegally, states report on bean board," written ironically by a man named Bill Stewart, I was somewhat startled. However, after reading the article I realized my fears were mostly unfounded. Let me say that I think that that headline did the biggest disservice to the former bean board of any I have seen during the entire fracas. It gave the impression that the money was collected and should not have been collected. This just was not true.

I must say, Mr. Chairman, that to the layman that report by Mr. Poole on the bean board operations produced some real contortions that defy logic and commonsense, I say that as a layman, I am not a lawyer.

I have no doubt that legally and technically Mr. Poole is right in his assessment. But from a layman's point of view I fail to get very worked up about the fact that the board made check-offs before issuing its regulation. Because the board did not do this, the report concludes that last year the board collected close to $1 million "illegally."

The money will be given back to the growers. It would have been given back to the growers in the normal course of events in any case. The grower-elected board has always rebated the unused portion of the check-off.

Two years ago when the levy was not used to subsidize export shipments, growers received more than had been deducted by their board—the check-off money had been invested and they were paid the accrued interest.

The main strike against the grower-elected board, according to the Poole report was that its wholly-owned subsidiary, Ontario Bean Growers Limited, was used as a marketing agency, but the board had not been granted agency powers. I must say that this is the first time I had heard that argument. Previous to reading this report by Mr. Poole, it was always the fact that the company was being subsidized by the check-off that seemed to be the fly in the ointment. According to the Poole report, if I read it correctly, all that had to be done to make the entire operation perfectly legitimate was to give the bean

board agency powers—then everything would have been fixed up.

I want to ask my friend: Did the farm products marketing board ever lay this solution before the bean board? If so, what was the reaction and why was not it carried out?

Just as an aside, it is interesting to note the trustees have announced the authorization and approval to build a 70,000-bushel storage plant costing in the region of $45,000. This will mean the soon-to-become co-operative will have storage capacity for 200,000 bushels of beans. It was the board's feeling that they needed more storage facilities, which was actually the reason for the bean vote on February 7, 8 and 9. The former bean board's position has evidently been justified.

Let me come back to the basic question in the whole affair. Does a government have the right to liquidate a marketing board without warning, and without an open and fair public hearing in a free society? The answer, of course, is no. Legally, under Bill 86, the power is there. But what is so disturbing about this takeover is that the government move was so swift and uncompromising that an examination of the rights and wrongs must be undertaken after the fact. Then it becomes a mere academic exercise. The die is cast and there can be no turning back.

The question which arises most readily out of this situation concerns its impact on all producer marketing boards. For instance, the trade might start complaining that the hog marketing board's teletype system is upsetting the market. It could be claimed quite accurately that the board owns and leases some 45 hog assembly yards; or the tobacco growers marketing board might be accused by the trade of disturbing the market and forcing prices too high. The trade would point with righteous indignation to the three warehouses owned by the marketing board. Are we to assume under these circumstances that the government would start making pious noises about breaking the law, appear shocked and then dissolve the boards? I pose the question in the full knowledge that it happened once and it can happen again, unless steps are taken to ensure that it does not happen again. Under these conditions, Mr. Chairman, it will be next to impossible to get good men to run for office on producer boards when they are in danger of being tossed out like criminals by government trusteeship at the snap of a finger.

In our courts of law, one is considered innocent until proven guilty. It seems strange, indeed, that our marketing boards should be forced to operate under legislation where there is not any provision given for a hearing when a dispute arises between the Ontario farm products marketing board and the local board. This was the reason why I introduced a resolution that was debated on May 19 in this House to allow, before a local board is dissolved, public hearings to be held by a judge in order to determine the facts in issue. I am not going into that resolution again because my friend was in the House at the time and I am sure he is aware of the points I made. The local boards must have assurance that their side of the story can be heard before dissolution. Failure to do so will just multiply the fear and uncertainty existing in marketing circles today over this vital matter. The local marketing board must have recourse of some type in a dispute and I urge the Minister to take the necessary steps to ensure this provision is incorporated in The Farm Products Marketing Act as quickly as possible.

As accurately as I can assess the issues in dispute on the bean board question, I think the government made just as many mistakes, perhaps more than the bean board. But just because we have this archaic law the government can dissolve a marketing board in a dispute without recourse. This implies that the government action is always right and justified. Nothing could be further from the truth.

In his letter of resignation from the farm products marketing board, Alden McLean stated that the Ontario farm products marketing board should have the maximum of freedom to solve its problems, including freedom from overriding political pressure. This is practically impossible in the present system where the farm products marketing board is a government board that must reflect and mirror government policy. It is, therefore, intimately involved with political pressures and decisions. It cannot be otherwise.

The government action in this issue, however, resembles a grizzly bear at a Hawaiian garden party—all force and no finesse. Nothing is politically right that is morally wrong and on this basis the government and the Minister stand condemned.

The sooner we get producer-controlled, rather than state-controlled, marketing boards the better for all concerned. The time has long since passed when farmers will settle for anything less.

Out of this maze of suggestions and pressures that come to the attention of the government to solve many of the pressing prob-

lems in agriculture, an industry beset with perhaps more far-reaching and deep-rooted frustrations than at any other time in our history, what can be done to alleviate this condition?

My first suggestion is for the government in conjunction with farm organizations to draw up a long-range plan for agriculture. I hope that this will be one of the results of the conference in October. If need be, hire the best brains you can acquire to aid in the job. I realize that crop insurance, workmen's compensation and the new ARDA agreement are timid steps in that direction. However, I am talking about a complete and comprehensive blueprint that would recognize such things as the exploding world population figures, lack of any more tillable soil in Canada and indeed in most of the world, the fact that by the year 2,000 at the current rate of population increase in Canada, we would need another 40 million acres of farm land to feed our people, plans to insure farmers an adequate income in comparison to other segments of the economy, farm labour policies, a policy approach that recognizes that our rural and urban economies are inseparably integrated.

In addition, any policy must reflect the fact that all regions of the world are today net importers of food except North America, Australia, New Zealand and to a lesser extent Latin America. Any policy must also indicate and set about to correct at least in part the fact that eastern Canada has an agricultural trade deficit of half a billion dollars or about 50 per cent of Ontario's total farm output. Some of these crops are imported when not in season, but on the other hand, this is not the general rule.

All of these things are important and must be considered in depth. The wholesale migration of our young people from the farms is another area.

I am firmly convinced, however, that the biggest immediate problem is to insure the farmer an adequate income and be given the direction that a long term blueprint would provide the farming community which can be depended upon to rally to the cause.

I have said before, and I say again, the time has come when we should demand that more attention be paid to marketing than to production. Our extension people are still production-oriented. It is just about time we had a few market specialists along with the people who espouse the "get efficient-grow more" philosophy. The farmers have responded to this call but instead of bettering their lot they have produced themselves right out of business by producing more and more for less and less.

I say this against the background that we have not much more tillable soil; our population is exploding, but the fact that we have been encouraged to produce more and more has not bettered the farmer's lot one little bit. The fact is, as I stated before, that the most pressing problem at this point is to insure that the farmer has an adequate income and then these other things can be encouraged in their proper sequence.

Primary producers need a stable economic environment so they can plan their production. In addition, primary producers should not be asked to subsidize a cheap food philosophy.

Those who remain in agriculture will be charged with the responsibility of providing society with an adequate supply of food at all times. This will be their obligation and they should have every right to be adequately paid for their labours. It must be recognized that if farmers have an obligation to society, society must accept its responsibility to the farmer.

It is interesting to note that the realized net farm income of Ontario farmers was down $26.7 million, or 7.1 per cent less in 1964 than it was in 1963 and this was in the face of continually rising costs. These are facts which underly the reasons why dairy cow numbers are the lowest in 45 years and the number of farmers keeping cows has declined to the lowest level since World War II. In the intervening years production per cow and per farmer has increased at a rate which generally exceeded consumer demand; but for the past five years there has been no appreciable increase in national production and indeed in 1965 production actually fell below 1964 levels.

If no solutions to the problems of dairy production are found it is possible that Canada will be put in the ludicrous position of importing dairy products into a country which is one of the last agricultural reservoirs in the world.

As an aside, I just cannot resist the temptation to take my hon. friend to task for his recent statement about the federal government assuming the responsibility for prices to the dairy industry as set out in the new dairy policy. The Minister stated that Ontario had no right or obligation to dairy producers in this province because under The BNA Act this is clearly a responsibility of the federal government, which they have accepted. I am paraphrasing, but I think that

was the purport of his remarks. How ridiculous can one get? Of course, the federal government has a responsibility to the Canadian dairy industry for bringing out a national policy, which it has done. But the provinces are at perfect liberty to add to these prices set out in the national dairy policy if they so desire. This year Quebec is spending $8.5 million for improvement of dairy farms and as subsdies to producers of manufacturing milk amounting to 35 cents per cwt. in the winter and 17.5 cents in the summer, as well as $1.5 million for improvement of dairy farms such as purchases of refrigeration equipment and milk tank equipment. Is my friend suggesting that Quebec is not within her rights to do this?

Added to this is the fact that we have here in the province of Ontario a milk commission and marketing board which has the responsibility for marketing all milk produced in Ontario, particularly as it applies to transportation—and this is the point at issue. The farmers in the province are out on the highways with their tractors asking that the provincial government pay 25 cents, which in effect is the transportation charge. It is the charge that the processors are taking off for trucking the farmers' milk, which is not giving him a $4 return on the farm. All they are asking is that the provincial government pick up the transportation tab, which is clearly a provincial matter and a responsibility. As far as I am concerned the province has a responsibility to the milk producers.

This is just another case of buck passing and trying to shift the responsibility.

Surely I have made my point about the desperate need for a long-term policy as it relates to agriculture. I say me just cannot afford to wait any longer and in so doing jeopardize the entire industry even further.

Earlier, I said that the biggest immediate problem was to insure the farmer an adequate income. I suggest there are two ways of doing this. One is formula-pricing based on cost of production, plus a reasonable profit for labour and capital invested which is bound to reflect in substantial price increases for food, and will mean that the government will end up having to subsidize those consumers who cannot afford to buy it.

The second alternative is by subsidizing agriculture in one form or another—perhaps a less desirable policy from the farm standpoint, but perhaps the most easily worked out. I say the most easily worked out, but I think one has to be realistic even to realize that any sharp increase in the price of food in this province just would not work in a climate where consumers have ample opportunity to eat more cheese and less meat; to buy imported fruit and vegetables rather than homegrown; to serve chicken instead of beef; to spread margarine on their bread instead of butter, to cool their coffee with a powdered substitute instead of cream. These are the hard facts of the market which we must consider.

However, this problem should not be an excuse for doing nothing because there are other alternatives in assisting farmers to build and maintain an efficient food producing industry.

We have done nothing to assist the farmer to meet the spiralling capital costs of staying in business. The level of prices for the products he sells in relation to his costs has not been anything near adequate for some years now to allow any reserves to meet capital cost requirements. To balance the cheap food the farmers are supplying to the nation it is about time they received, as a fair exchange, production grants or capital grants.

If I may interject a personal observation for just a moment. I have never seen the farming community in such a state of unrest and ferment as it is at the present time. And no wonder. The farmers did not want to take their tractors out on the road, but they saw no alternative in the fight to get this government to recognize the serious problems with which they are faced.

Yet the Minister stubbornly refuses to admit that he has any responsibility. He continues to play the game of blaming Ottawa for the ills of the dairy industry. Just the same way as he blames Ottawa for ARDA's failure—just the same way as he blamed Ottawa for not offering assistance last year for crop losses, until it became very apparent that the government of Canada was prepared to pay half the cost of any such programme, and the money was there waiting for the province to use it.

Well, the Minister had no other alternative but to do something, so a totally inadequate programme of crop loss assistance was undertaken. Then, as a political fence-mending piece of legislation, the Minister brings in his guaranteed interest-free $1,000 loan programme and blames the federal government for not sharing in the cost of the programme. What a farce!

The Minister did not see fit to do anything like this last year when he should have been doing it. The federal government offered something like $17,000,000 for this kind of

programme that we had envisaged, and then when the Minister gets into trouble he expects the federal government to come along and bail him out. Well, if this were the case lately, the federal Minister would have a full-time job doing doing else but taking my friend off the hook.

Then there is the recent case of the farmers asking the provincial government to make up the transportation costs in the form of a subsidy for manufactured milk so that on-the-farm price would be $4 per cwt. What happens? Well, the same old story. The Minister blames the federal government and claims he has no responsibility to do anything.

I, and other members of my party, intend to deal rather fully with the milk commission and the milk marketing board when that vote comes along, but let me point out that one of the responsibilities—and I have already alluded to this—of the marketing board is transportation.

The Minister throws up the smoke screen that constitutionally he has no responsibility or right to do anything.

However, to be perfectly fair, he does make a valid point, and that relates to the establishment of a minimum price between Ontario and Quebec for manufactured milk. But in the meantime, there is nothing to prevent the Minister from paying the 25 cents or 30 cents per cwt. for manufactured milk to bring the price up to $4 per cwt. on the farm. The whole problem has arisen because the farmers have caught on to this "blame Ottawa" game of the Minister. They are just not buying it any more. They are not as naive as the Minister thinks they are, and the sooner he realizes this, the better.

In recent weeks the Minister has shown open disdain for the developing movement of protest, and it will certainly not escape the farmers of Ontario that the Prime Minister of the province did not see fit to be present to receive the delegation last Tuesday, but contented himself with sending one of his secretarial staff. Would he have followed the same course if it had been a delegation from the Canadian manufacturers' association? I know he would not.

**Hon. J. P. Robarts** (Prime Minister): Mr. Chairman, on a point of order. They did not ask to see me.

**Mr. Gaunt:** I guess they did not think it any use.

**Hon. Mr. Robarts:** You might take that attitude.

**Mr. Gaunt:** However, I am purposely leaving this milk question until the vote because there are a number of my colleagues who wish to speak on the matter as well.

Let me return to the production grant or capital grant programme. I believe we cannot afford to allow the gradual lowering of the industry's food production by the erosion of good farmers from the land. This is what is happening. As a country and as a province, we are delinquent in our responsibility to this basic of all industries. In the province this year we are voting 1.48 per cent of the total budget for agriculture. What a pity. What a reflection on the Minister of Agriculture. Let me cite to you some figures that accurately reflect the serious decline in the status of The Department of Agriculture and Food in recent years.

1. In the year 1955, the spending estimates for The Department of Agriculture amounted to $7,630,000; in 1966—$22,091,000, an increase of 300 per cent. I am using rough figures.

In 1955, spending estimates for The Department of Education amounted to $77 million. In 1966—$850 million, an increase of 1,100 per cent. Health: 1955—$49 million; 1966—$176 million, an increase of 380 per cent. Municipal Affairs: 1955—$15 million; 1966—$153 million, an increase of over 1,000 per cent. Public Welfare: 1955—$31 million; 1966—$106 million, an increase of 340 per cent.

Even a relatively minor department like Tourism and Information—it was not called that in 1955, it was called Travel and Publicity at that time—had over twice as much growth in expenditure as had The Department of Agriculture and Food. In 1955, Travel and Publicity had an expenditure of $895,000; 1966—$6 million, an increase of about 680 per cent.

This is what has been happening. The Department of Agriculture and Food has had the smallest per cent increase of any of the major departments in terms of increased expenditure over the past 11 years, even smaller than some of the minor departments. It is no wonder the farmers took their tractors out on the road. This is the type of situation that must be corrected. Agriculture must be recognized for what it is—the most important of all basic industries.

2. The second recommendation that I have, concerns itself with the Minister. As much as I like my friend, I have to make

the observation that the Minister has appeared aloof and antagonistic toward the obvious needs of Ontario agriculture. He is now in the process of presiding over the liquidation of rural Ontario. In view of this I recommend a complete reorganization of the department under a new and competent Minister, one who will seriously concern himself with the problems and requirements of Ontario rural life.

3. The government of Ontario undertake immediately to pay 25 cents per cwt. to farmers shipping milk for manufacturing purposes, which in effect is the transportation cost, as I pointed out earlier.

4. $500 grant on building of milk houses, and $400 on purchase of milk coolers.

5. Forgive one-third of every junior farmer loan to a maximum of $3,000 if the borrower has kept up, within reason, his interest and principal payments for ten years, provided he is a full-time farmer.

6. Reduce the interest on junior farmer loans from five per cent to three per cent.

7. Provide payment of a direct grant of 20 per cent of the purchase price of commercial fertilizers up to a maximum of $75 per farmer per year.

8. In view of the Belanger Royal commission's report on taxation which recommended a 50 per cent slash in the taxes of bona fide farmers on their school assessment and also for municipal taxes, we recommend a province rebate to bona fide farmers of 20 per cent of their tax for education purposes.

9. A five-year plan for rural development. Such a plan would provide new incentives for Ontario farmers and would give them the feeling that agriculture is not an orphan; that rural life is not to be suffocated by urban sprawl, but is to enter a new era of progressive development accompanied by a programme of sound and cultural enrichment.

Mr. Speaker, the prosperity of Ontario depends on a well-fed society, and this must be based on a viable agriculture.

When we talk of the farmer's share, most of us think of it in terms of prices. Let us continue to think of it in these terms, but not in these terms alone. We have to explore other ways to establish a means of transferring income to agriculture from the economy as a whole, for transfer it we must if we are to retain our good farmers in their role of continuing to increase the efficiency of Canada's food production.

Farm organizations must unite to see that this transfer takes place. They must not be hampered by the faint-hearted and the political fifth columnists.

Governments have usually been successful in nipping any strong movement in the bud by applying pressure to the weak, whetting the appetite of the avaricious and holding out promises of reward to the power-hungry. This must come to an end because farm organizations purport to reflect the attitudes and opinions of farm people, and they must do this from a position of strength.

I urge the government to adopt the suggestions I have made because I feel it would be a big step in thwarting the continued disintegration of agriculture in this province. This is a problem affecting rural and urban society alike. Its tentacles reach into every nook and corner of our society. If the Minister wants to serve the interests of the people of this province and this country, I urge him to change his thinking and gear it to the modern needs of Ontario agriculture. It was Eleanor Roosevelt who said: "I serve myself best in the service of humanity."

**Mr. D. C. MacDonald** (York South): Mr. Chairman, the Minister led off in this debate with a 75-minute speech. One hour of it, I submit to you, was pretty much a waste of the time of this House. And the next time we have complaints from the other side of the House about time being wasted and not being put to good use, I submit it is about time on that side of the House that they begin to look at this regurgitation of routine facts that have a place in the annual report of a Minister but do nothing by way of introducing a debate on the issues that are of lively concern at the present time.

In the last 15 minutes the Minister did get around to some generalized allusions to the real problems at the present time. And what was his answer, Mr. Chairman? His answer to the problems that are so urgent that the farmers have taken to the highways on their tractors in protest was that he was going to establish a conference in October. And indeed this is not a conference that necessarily is going to produce a new policy that might cope with these problems; this is a preliminary. After he has held a conference in October, then he hopes it will be a prelude to a conference nationally and "in the fullness of time" this government might come up with some answers to the problems the farmers are facing today.

Mr. Chairman, if there ever was proof of the fact that this Minister has outlived his usefulness in this portfolio, it was in his own

introduction to the estimates at the present time. And I only wish the critic for the Liberal Party who spoke, when he called for the resignation of the Minister of Agriculture, would not have done it in such diffident and unconvincing tones because now is the time when the claim should be put forth with vigour.

**Mr. J. H. White** (London South): He does not believe in it.

**Mr. MacDonald:** I know he does not really believe in it, at least he did not sound as though he did. If the Liberal Party is happy with the proposition of a conference in October to come up with the answers to the problems of the day, let me say right at the outset that the New Democratic Party is not happy with it. Conferences have been held down through the years and conferences will continue to be held. Conceivably they have some contribution to make, but, Mr. Chairman, they are not the answers to the bankruptcy of policy which characterizes this government, and which the Minister himself admitted when he got up and in effect said "nay" to all the demands that are being advanced at the present time; and called for what the London *Free Press* referred to as a "conclave of experts" which presumably is going to fill that vacuum represented by government policy at the present time.

You know, Mr. Chairman, it is really tragic for anybody who understands the nature of farm problems down through the years and feels for the continued failure of governments to grapple effectively with them. It is really tragic to see the extent to which the agricultural community today is a football between here and Ottawa. My hon. friend, the member for Huron-Bruce, has referred to it as "this game of blaming Ottawa." Just let me put on record how ludicrous it has become. I am quoting from the Thursday, June 23 *Hansard*, in which Mr. H. W. Danforth, Kent, Ontario, inquired of the Minister:

> I should like to direct a question to the Minister of Agriculture. Now that it is a fact that the farmers of Ontario are demonstrating openly, to support their contention that the government's objective with regard to the guaranteed minimum of $4 per hundredweight for milk will not be reached in many areas of Ontario, will the Minister state when the present policy will be reviewed in order to bring about this much-publicized objective?
>
> *Hon. J. J. Greene* (Minister of Agriculture): I think the federal government's policy has been well conceived and has been discussed in all detail in this House. I believe the distress of the farmers is being displayed against the provincial government, not the federal government.
>
> *Mr. Danforth:* May I ask a supplementary question? Is it not true that the provincial Minister of Agriculture suggested to the federal Minister during deliberations on this subject that unless a $3.25 fob was the objective, this $4 minimum could not be reached?
>
> *Mr. Speaker:* Order! The question is argumentative.

So there you are. We have listened as though to a broken record for the last two or three weeks from this Minister: "It is Ottawa's responsibility; let the farmers protest against Ottawa." And up in Ottawa the Tories are querying the Liberal Minister of Agriculture and he says: "The protests from the farmers are against the provincial government; our policies are well conceived."

Meanwhile, the farmers and their problems go neglected.

Now Mr. Chairman, I was sufficiently shocked by the insensitivity and the evasion manifested in the Minister's lead-off on Friday that I thought that I would satisfy myself with an up-to-date and first-hand glimpse of the conditions and the thinking in rural Ontario.

During this past weekend I travelled some 700 miles. Starting late Friday afternoon, I met informally with a group of farmers in Huron county. On Saturday, I visited farmers in Middlesex, Perth and Oxford counties—some of them pretty close neighbours of the Minister, as a matter of fact. I almost felt like dropping in on him to get a cool drink; it was a pretty warm day.

In the evening I met with farmers in the Orillia area of Simcoe county. Yesterday, I spoke in the early afternoon at a picnic in Brantford, attended by people from Brant and Norfolk counties, and concluded by sharing the speaking responsibilities in late afternoon with T. C. Douglas at a political picnic which drew some 2,000 people in the Hamilton-Wentworth area.

**Hon. W. A. Stewart** (Minister of Agriculture): No politicking now in this speech!

**Mr. MacDonald:** That this Minister should ask anybody not to engage in politicking when he cannot utter a word that is not enshrouded in politics is just a little bit fatuous. He is the last man to hurl that charge. Get out of the glass house.

Mr. Chairman, the novelty of normally undemonstrative rural folks taking to the highways on their tractors to register with the public their protests at the government's failure to grapple effectively with their long-standing problems, is such that the inevitable headlines could give an exaggerated picture of the situation. So I undertook this personal survey on the eve of the debate on the agriculture estimates in order to satisfy myself as to the seriousness of the farm revolt.

It is important, I suggest, that the Opposition, as well as the government should neither underestimate nor overestimate the seriousness of the farm protest at the present time.

Mr. Chairman, after what I have seen this last weekend, it is my considered conclusion that this government is sitting on a time bomb. If it is not willing to defuse it with immediate action to relieve the areas of major protest, then it is going to have to learn the hard way. I am not suggesting—as indeed, the hon. Attorney General suggested earlier this afternoon—that rural Ontario is happy at the prospects of taking to the highways on their tractors. They are not, for it is out of character for Ontario farmers that they should be involved in this kind of an expression of protest. They have not done it traditionally. But the fact of the matter, Mr. Chairman, is that they are doing so, and from what I have seen, they have every intention of continuing to do so, until this government is willing to act, instead of making excuses for no action.

When 300 farmers, Mr. Chairman, in the cash crop areas of southwestern Ontario, who are not involved in milk production and therefore have no personal interest in the $4 milk plea, take to their tractors on the highways in support of a protest that is highlighting the milk situation, then I suggest that it is time to pause and entertain a few second thoughts.

Here is a display of unity on the farm front, of a willingness of one group of farmers to support another in their particular protest of the moment, because they know that they have a lot of things that they want to protest and they are seeking some wider support for their efforts tomorrow and the day after tomorrow. There is no mystery at all as to why this is the case. These cash farmers, for example, have been selling lettuce at two cents a head off the farm. Then when they go to a retail store to buy it back, they pay 25 cents, and they have become convinced that they are getting the short end of the deal. In short, they are in the mood to protest in support of any farm protest because they are convinced that they have a legitimate complaint themselves that they are intending to air.

I talked with a farmer this weekend, who came to Canada 20 years ago from Holland. He got out of dairying altogether because it simply did not pay. He was losing money, and he is not an inefficient farmer. Do not for one moment think that he is. He put a question to me which I put to this Minister or to anybody, and I would like them to answer and comment on it: When he came to Canada he was producing wheat that he sold for $2.25 a bushel and his wife could go to the store and buy bread for 10 cents a loaf. Today he is producing wheat and he is getting $1.50 a bushel and his wife goes to the store to buy bread and she pays 26 cents a loaf. Do not let anybody say that it is the cost of labourers in the bakery, because the man who is working in the bakery can produce 5,000 loaves an hour now when, in fact, 20 years ago he produced 1,000 loaves an hour.

This man is out on the highways on his tractor—and make no mistake about it, Mr. Chairman, when I say to the Minister and to the Attorney General, because of his comments earlier in the afternoon, he is going to continue to be out until he gets some sort of reaction, because this is no marginal, inefficient farmer. This is a highly efficient farm operator and I had an opportunity to see some of his operations. What answer are you going to give to him?

I talked to three farmers in Middlesex—three brothers who owned 2,000 acres—so I am not talking about some marginal farmer in Simcoe or Grey or Lanark or Grenville or Dundas counties, who is struggling to eke out a living from land that perhaps should never have been reclaimed from the forest area in some earlier year. I am talking about farmers who are on top-quality land and who are efficient, well-established farmers. In fact, they have been solid Tories, until recently.

**Mr. R. F. Nixon** (Brant): What kind?

**Mr. MacDonald:** Solid Tories!

**Mr. Nixon:** Grits!

**Mr. MacDonald:** Not too many of them are necessarily solid at the moment.

He is out on the highway with his tractor and he has every intention of returning as soon as they can get some of the hay in or

if the rains ever come so that they cannot continue to work in the fields.

On this key issue of $4 milk, the reaction is a simple one, particularly from your consolidated milk producers who have listened to the tales for years about reorganizing milk marketing. They have watched this government manipulate the situation behind the scenes as the farmers sought to build a milk marketing scheme two or three years ago. When they had manipulated to achieve their purpose, the thing blew up immediately.

A few weeks ago they were led to believe that with the 75 cent subsidy that was provided by Ottawa they were going to get $4 milk at the farm, but overnight that subsidy was carved into from many directions. The dairies cut the price to the farmer by 10 cents; the 15-cent bulk premium was eliminated; the transportation charges went up 10 cents; board marketing fees went up 1.5 cents per hundredweight, and all the farmer knows is that the 75 cents that he was going to get to produce $4 milk on the farm simply is not there.

Everybody has carved his little bit out of the subsidy and the farmer is not getting it. He is not interested in Ministerial excuses about Ottawa being to blame, or "if Quebec would put a floor price, then we would not, perhaps, be getting into these difficulties".

He is out on the highways and he is going to be out in growing numbers because he is sick and tired of excuses; he wants action from this Minister. In short, Mr. Chairman, there are 50,000 farmers in this province of Ontario, the farmers whom we have tended to talk about in the past as marginal farmers —the farms that are failing, some of which may have to be put back into forest area and some of which will have to be amalgamated into a viable economic unit. We have talked a good deal about those farmers, but as one farmer out in Brant county said to me yesterday, the thing that has changed and should not be missed is that the protest today is not coming wholly from the marginal farmer who is eking out an existence on a farm and having great difficulty; the protest today is coming from farmers on well-established farms in good land areas, with a record of efficiency, who are being driven to the wall. Their protest is even stronger than the others because the others have protested for so long that, in fact, they have left the farms, except as a place of residence and of part-time work, and have to make their living elsewhere.

I was interested, for example, Mr. Chairman, in the final comment of the hon. Attorney General when he replied to my question this afternoon: "As for the statement that the government will not be impressed by these tractor demonstrations, I think the great majority of farmers realize this and do not approve of these actions which alienate public sympathy by bringing discomfort and some danger to the people properly using our highways."

Let me say this to the hon. Minister of Agriculture, through you Mr. Chairman, that if that is the attitude of the government, I suggest that you wake up and just do not kid yourself for too long. Farmers are slow to anger, but they are angry now and they are not going to be put off. It may well be that they are not happy about taking to the tractors. I talked to one man who said that he had shared in the discussions about this demonstration but he really did not think it would happen until the call came that they were going to take to the highways, and he said his stomach turned over two or three times. But he has been on the highways and he has a feeling that here is a means of protest that may not get what he is after but he has to do something about it. He is not going to sit back at home. He must express this sense of desperation and this frustration that has built up for some time.

Now this brings me to another angle, Mr. Chairman. Last week when the hon. Minister of Agriculture was delivering one of his three or four lengthy apologias about the milk situation at the present time, blaming everybody except himself — Ottawa, and Quebec, and everybody else — I quipped across the floor of the House that the farmers' union had finally got even the Minister of Agriculture on the march. The Minister turned around and with fire flashing from his eyes, he waved his finger at me and said: "Your boys have organized this" — or words to this effect. They did not get into *Hansard*. Some of the choicest quips sometimes do not get into *Hansard*.

Well Mr. Chairman, of all the fatuous statements that I have ever heard in the House — and there are many of them that could rightly lay claim to first prize for fatuity — this one wins it by a country mile. Of course there are New Democrats both in the leadership and in the rank and file of this farm protest at the present time. You will always find New Democrats where there are injustices to be fought and Tory lethargy to be shaken. But this is not the point, and the hon. Minister knows it. There are Liberals involved in the current farm protest. Yes, there are Tories involved, or

people who were Tories up until a short time ago.

**Mr. R. M. Whicher** (Bruce): His own neighbour!

**Mr. MacDonald:** This government and the Tory party have manipulated farm organizations to suit their own partisan purposes for so long that the Minister of Agriculture instinctively accuses others of what he has always been guilty, and that is the category in which his comment across the floor of the House fell.

Let us face this fact, Mr. Chairman. The mounting protest in rural Ontario reflects the feeling of a growing proportion of farmers in this province. It is a spontaneous outcry of pent-up frustrations of years, frustrations that have been worsened by the persistent failures of this government. I say to this Minister, do not try to kid himself or anybody else that this is an artificially-created protest which does not genuinely reflect the feeling of the farmers of Ontario. Indeed, this crisis has been building up for years.

For years, the Ontario federation of agriculture has been frustrated in its efforts to give voice to the growing dissatisfaction among Ontario farmers. The OFA has been frustrated, in part, because of the innate conservatism in the rural community, and as a federation of agriculture organizations it reflected that innate conservatism. It has been even more frustrated by the fact that the federation, as its name indicates, is a loose organization of many farm groups which have traditionally found it difficult to achieve a complete unity of purpose, particularly on an isue that is of immediate concern to only one, or a few of them. It was frustrated most of all, by the fact that there are a few key people in its ranks who are first Tories, and second, farmers. The government has always been able, through its behind-the-scenes efforts, to muffle, or even silence the protest that emerges in farm ranks.

But, Mr. Chairman, the farmers' union is one organization which this government, despite all its efforts, has not been able to control. The reason is a simple one. It has a direct membership. Therefore the rank and file have a more effective cotrol over OFU policies and actions. The protest of the farmers is not muffled, muted or silenced by their own organization. Rather, the OFU has finally given collective voice to the farmers in the province of Ontario.

Make no mistake about it, Mr. Chairman. The farmers' union in the current protest speaks for the farmers of Ontario, and a growing number of them who up until now have been in the ranks of the federation or some of the commodity groups in the federation. Indeed, they speak for a growing percentage of all farmers, except those who fall into the category of the "ready-aye-ready" supporters of the government no matter what happens. Thousands of farmers who have never been supporters of the OFU are now flocking to support its efforts.

I was rather interested, Mr. Chairman, to be given a copy of the St. Marys *Journal-Argus,* published not too far from home, as the Minister of Agriculture will know, dated June 22. Let me read this editorial, Mr. Chairman. Here is the voice of small town rural Ontario, and I suggest an authentic voice. It is entitled: Farmers Kick over the Traces. United Action a First:

> While motorists fuss and fume, sidewalk superintendents tut-tut, and dire mutterings of about time they paid a licence fee to run those things on the highways are heard around the district, the inescapable fact is that the tractor blockade was a first for Ontario farmers. In the living memory of every resident, never before has the farmer been sufficiently aroused to the point where he has taken this type of united action. This fact in reality is the big news concerning the entire affair.
>
> The farmers' union, for some years a Johnny-come-lately rather snubbed by the average card-holding member of the federation of agriculture, has within the past year achieved the position of prominence in this area. The reason is not hard to fathom. The union has identified itself as an action group, and to many farmers anything at all is preferable at this point to the old story of wait and see and everything will come out right. Had anyone told these same farmers a few years ago that they would actually be paying dues in—of all things—a union, he would have kicked the speaker right off the farm.
>
> The mere fact is that this has come to pass, and farmers by the dozens were out driving their tractors in what to them is a common cause, and this constitutes one of the biggest stories around here of this or any other year.
>
> What are the implications to be considered from a political point of view? Since time immemorial, the old line parties have held the fort in this section of Ontario. With the farmers' union definitely that of an organization of card-holding, dues-paying union members, will the pendulum

swing towards a growing political strength for the NDP in this region?

The tractor-driving farmers are not stupid by any means. They know full well this possibility is causing a few grey hairs to sprout in certain quarters. "If you do not like it, write to Toronto," is their rallying cry. The tractor-driving farmers could not probably care less over the fact that most letters written to Toronto will be more concerned over traffic holdups, near or actual acidents and such matters, rather than crying over the holdup on $4 milk to the farm producer.

For the first time in history, the Ontario farmer is in revolt and acting as a body. the outcome will no doubt prove interesting.

Now, Mr. Chairman, I put that on the record from a source that, which I can say with confidence, would not have been writing anything like that a very short time ago.

**Mr. F. R. Oliver** (Grey South): Not the first farm revolt.

**Mr. MacDonald:** I agree it is hardly the first time for a revolt. But the last farm revolt was snuffed out, but that is a story that I will not digress on. If I did, I might get into a tangle with some of my Liberal friends, and I want to direct my fire at the lethargy on the other side.

Mr. Chairman, one of the things that puzzles me about the divisions in some farm organizations on this current situation is the kind of thing that has been happening of recent weeks and months in the build-up towards the present crisis. A little over two months ago, for example, in the April issue of the *Rural Co-operator,* the OFA president, Charles Huffman wrote an article under the significant headline: Blocked Roads Would Produce Cleared Lines. I understand this aroused the ire of the Minister. Anybody with whom the Minister is not happy, I understand, gets an invitation to come to the foot of the throne where he can be told the facts of life, and I understand that in some instances this happened with regard to people associated with the federation.

Is this federation policy, was the Minister's question. Well, it is interesting to read this presidential article, Mr. Chairman. Let me give you three paragraphs of it:

> It is very interesting indeed to read where the chairman of the newly-appointed milk marketing board has been quoted as saying that, if something is not done for farm people pretty soon, urban people are likely to have a hard time getting to their summer cottages because farmers will be blocking the roads with tractors and farm machinery.

Who said that, Mr. Chairman, the chairman of the milk board?

Mr. Huffman comments:

> Farm people may not relish the thought of this sort of public demonstration, but it may be necessary to shake people out of their lethargy, and make them realize there is a farm problem. It may take something like this to make people recognize the gravity of the farm situation, and to make them realize this is their concern.

And then the concluding paragraph:

> If it should become necessary to blockade the highways to gain enough publicity to bring relief from this economic injustice, we'll wager ten to one the lines of communication between the OFA and Queen's Park will be cleared, and cleared in a hurry.

Now, Mr. Chairman, I say more in sorrow than in anger that I do not know how anybody in the first instance could interpret that as anything other but a message, an approbation for those farmers who are heading towards the proposition of a tractor protest. Yet last week the federation of agriculture came out saying that they were not in favour of a tractor protest.

So once again you have farmers who were led by their own president's words and are now in the tractor protest—members of the federation—finding that their leaders are in effect saying this is not the way to go about it. The same old division has emerged in the ranks. Little wonder that the St. Marys paper is impressed by the fact that there is a new unity, at least out on the farm where the battle is being fought, if not in the hierarchy of some farm organizations. And little wonder that the cash crop producers of Essex county and Kent are out on the highways for $4 milk, even though they do not know what the $4 milk means, but they know they have something they want to protest too. Unfortunately once again, you have another sad chapter in the divisions that grow up in farm organizations as they seek to give an effective protest on the behalf of their members—with some farm leaders, joining the Minister of Agriculture on "Country Calendar" to lay all the blame on Ottawa, while up in Ottawa the Minister of Agriculture lays all the blame down here on Toronto. I think it is about time we got down to dealing with

the facts of the situation, because this is not a new kind of protest, even from the federation, Mr. Chairman. If you go back to the federation's annual brief that was presented to the government this year, rarely has there been a tougher brief presented to this government, so tough I am told that it produced something more than the normal sweet nothings that the government usually heaps upon farm leaders when they come in.

They spoke of the difficulties of agriculture in trying to get a fair break in solving some of its problems and then they went on to say that perhaps the difficulties do not rest with The Department of Agriculture alone—I do not know why they were letting the Minister and the department off the hook, but they said:

> The Ontario federation of agriculture can only assume that The Ontario Department of Agriculture has been thwarted in its good intentions by the total inefficiency of the Ontario government. Is it possible that Ontario agriculture finds itself in difficulty, not because of the programmes of agriculture as such but because of the conflicting programmes of other departments of government—

I just add my big question mark as to whether that is necessarily a valid argument. But let me get on to the point they were making:

> —for example, The Department of Municipal Affairs. Is it possible that the community planning branch regards our farms as vacant land lying between two cities and that the municipal assessment branch is prepared to grant authority for taxing into submission any farmer who should be so foolhardy as to think he might wish to keep his land?
>
> And The Department of Education: Is it possible that our programes for retraining are designed to help the urban worker who may become the victim of technology rather than stemming the flow of an adequately trained rural people from our farms to the city?
>
> And The Department of Lands and Forests: Is it possible that this department is more concerned with the protection of wildlife than marketing forest products in a profitable manner?
>
> And The Department of Labour: Is it possible they have studied the labour problem to death and have no time left to find solutions to these problems?
>
> And The Department of Health and Welfare: Is it possible that it is considered to be safer to keep people on welfare than to retrain them so they might become useful independent and free-thinking citizens?
>
> And The Department of Energy and Resources Management: Is it possible that water for our cities has become more important than water for our crops, or is it possible that recreational facilities have become more important than conservation?
>
> And The Department of Highways: Is it possible that we have lost sight of the fact that 10 acres of land taken away from a farm may in fact be more than 10 acres of land, it may in fact mean the destruction of an economic unit of production.
>
> And The Department of Transport: Is it possible they have no conception of new technology in agriculture and what now constitutes a vehicle of husbandry or that they are unable to differentiate between a transcontinental truck and a farm truck?
>
> And The Department of the Attorney General: Is it possible they have lost sight of the problems of the little man and the law?

An awfully good question in light of some court judgments this morning and the Attorney General's comments with regard to farmers out on the highway.

> And The Department of Economics and Development: Is it possible that economic planning has clouded or obscured our concern for the people?

And then they conclude, Mr. Chairman:

> We toss the ball into your court, we are at the mercy of your administration but the prosperity of Ontario depends on a well-fed society and this must be based on viable agriculture.

In other words, Mr. Chairman, here is a wide-ranging protest against this government from the federation of agriculture—against almost every department, quite apart from The Department of Agriculture and Food itself.

Now, I want to turn, Mr. Chairman, after dealing with the current situation, to look a little more in depth at some of the reasons that have created this. The first reason, as the hon. member for Huron-Bruce has said, is that this government simply has no long-term policy for agriculture and the Minister confessed his bankruptcy completely by, in effect, saying, we are going to call a conference four months from now to see if we cannot work out a policy. Once again this was drawn to the attention of the Minister in the agricultural brief presented by the federation:

> Urgency for the establishment of a long-

term policy for agriculture is self-evident. And then, Mr. Chairman, let me note this for your consideration:

> We would look with disfavour on any attempt to evade or delay the establishment of such a long-term policy by the appointment of an inquiry or a select committee to further study the problem at this time. We believe sufficient data is available on which to proceed. The situation demands creative and responsible leadership on the part of the government, working in conjunction and close harmony with farm organizations.

In other words, Mr. Chairman, what the federation of agriculture was saying is, "Do not give us another inquiry, do not give us another select committee." And what does the Minister do? He gives us another provincial farm study at Vineland for five days, which leads the way to a federal study group next year or the year afterwards, and five years from now maybe we will have a policy. Farmers are getting fed to the teeth with this practice of running protests into the ground with still another study. Indeed, Mr. Chairman, one of the things that I find most titillating as I get out into the rural areas is that amid all their serious protests at the moment—as is always the case with farmers—they have that quiet sense of humour, and I find so many of them, Mr. Chairman, getting their quiet chuckles out of one or two articles that have been published in the *Rural Co-operator* about a mythical character known as "Honbill." Now, Honbill may have some slight relationship to a living character by the name of "Honourable William." About two years ago they carried one of the most delicious satires based on *Gulliver's Travels* entitled, "Gullible Travels to New Lilliput." Gullible visits this New Lilliput to interview the king's gardener, and the king's gardener is, of course, Honbill.

Let me quote a paragraph or so and then I want to get to the real nub of this article that I think should be put on the record in total:

> I was mightily pleased to observe on entering the royal garden Honbill waiting to greet me in the most pleasant fashion with a courtly bow and we had a most agreeable conversation, lasting over some hours.
>
> Honbill told me his duties did not call for him to perform undignified tasks in maintaining the king's demesne, indeed, he declared some of the king's previous servants had even occasionally been exposed to criticism by the well-informed where there had been a suggestion they had, in fact, soiled their hands in performance of their royal duties.

Delicious but rather vicious satire! The Minister who does not soil his hands in pursuit of the royal duties. However, let me get on. If you have not read it, I invite you to get a copy of the October 13, 1964, issue—this has been going on for years—entitled "Gullible Travels to New Lilliput." In the centre of it he said:

> I was amazed, greatly amazed at these reflections and I told Honbill we had nothing of this nature in our land at all. Honbill showed me a letter on the subject he had recently received from one of his wise men, a bearded ancient named "Brandy." Translated, it read—

Perhaps I should interject here, Mr. Chairman, that earlier in the story they had indicated that Honbill, the king's gardener, had said that if he ever had a problem he could not solve, he called in the wise men to study it and make a report on it, so now he is reading a report from one of the wise men named "Brandy."

> Honourable sir, as instructed by you seven years ago, I, assisted by two subordinate wise men and a small staff of 46 minions have commenced a thorough examination of the New Lilliput coconut growers. I am happy to tell you that I am now about one-third of the way through my study. In another 14 years, plus perhaps three or four more preparing a written opinion, we should be able to provide a document which should materially assist you—or your successor, if you should have by then retired—in dealing with this group of gardeners.
>
> Our researchers have been greatly helped by the fact that over the last two centuries, six other bodies of sapients have considered the problem of the coconut growers and their writings are happily available to us.
>
> I am sorry to hear from you about your great displeasure in the judgment of the wise men examining the problem of the obligatory rhubarb growers marketing board (ORGMB). The suggestion by the committee that the traditional growers should share their hereditary privilege with anybody who wants to grow the fragrant weed, as rhubarb is sometimes called, is unwise and the chairman, Stinsdaughter, was most unacademic in allowing it.

You may be assured our own conclusions will place you in no such embarrassing position. Let me explain. As mentioned above we have been able to draw on the writing of the six previous New Lilliput examiners of the coconut problem. It will be necessary to reproduce these writings each, amounting to 2,000 pages, plus our comments, before proceeding with our own observations which will be equally in quantity we hope, to our predecessors, combined.

To provide each coconut grower with a copy of our conclusions it will therefore be necessary to use about 3,623 tons of parchment to manufacture, which will in turn need 4,217 tons of coconut shells equalling 37 years of production at the current rate—taking into account our normal usage for parchments, black bats, imitation horses' hooves, and so on—. Thus our work has in itself solved the coconut problem, at least temporarily.

When the island's coconut growers have finally produced enough shell to provide parchment for our writings to be provided to each of the king's subjects so desiring, it will probably be necessary to commission a further panel of wise men to read and expound by way of clarification, the several documents. This on account of their great voluminousness.

However, it will doubtless be necessary to form a new gardeners marketing board to handle the affairs to those who sell to parchment factories. This would make a new coconut organization. I need hardly remind you that the growers at present are split into four factions according to the use to which the product is put. In addition, there is a fifth group set up by the coconut growers to coordinate the activities of the four factions. This is known as the overall coconut juice board. One of its projects lately has been a contest to choose an annual coconut princess. In this, a young female New Lilliputian is named "Princess" on the basis of her beauty, skill, in taking the pith out of the coconut and her outstanding ability to represent typical rural New Lilliput womanhood.

Our work is now being undertaken on the basis of working through these organizations. Should a new additional organization be set up to deal with the problems of coconut shell producers, the current study could prove redundant and it would be necessary to re-schedule it to achieve a really exhausting examination of the problem. It is a little early as yet to think of personnel from the ensuing study, should it be necessary, but I have a grandson—a charming little fellow of 6½—who shows promise of achieving much wisdom and for whom an academic career is hoped. He would by then be of an age to be useful in at least a minor capacity.

Thank you for your recent letter enclosing salary cheque.

*Signed,*
Brandy

Now, Mr. Chairman, if there ever was a case of delicious satire, that is it. If you get away from your satire and back to the reality, this is what farm organizations and individual farmers are fed to the teeth on —the proposition of studies, not for the purposes of finding the solution, but studies to postpone any action and solution.

I shall be interested to see what, in the fullness of time, will be the reaction, generally speaking, to the Minister's proposals for this fall, too, because whatever merit they may have in them, they are no answer to the problems at the present time.

I was interested further, Mr. Chairman, in the report of the rural development committee of the Ontario federation of agriculture in reference to the lack of long-term policies of this government in terms of coming to grips with the problems. They throw it into the context, as everybody recognizes, that you cannot solve farm problems in isolation from all the other problems of the rural community. Indeed, they sum up the approach in the paragraph which I think is ideal in terms of the right kind of solution. I quote:

> The committee believes that farmers and all our rural people are now an integral part of our total independent society. The solution to rural problems must be worked out as part of the plan for the total community. Rural people are now part of the mobile population. Land is being sought for innumerable uses, most of them valid. If the OFA is to serve all rural people in the future it must have different policies for different groups. Some farm families must leave agriculture; some must seek expanded operations; some must change their type of production. Adjustment in prices can never solve the financial difficulties of low-volume producers. The well-being of many rural people will depend on other industries within easy

reach. They must take part in total community planning.

And as a summation of that whole approach, on the first page of the report there was presented to the annual meeting of the OFA a comment with regard to ARDA:

> ARDA can be a catalyst to bring several departments of government to bear on the total situation.

Now, Mr. Chairman, as my friend, the hon. member for Huron-Bruce has said, this is precisely where ARDA in the province of Ontario has failed. This government which has left the responsibility with The Department of Agriculture, conceives of the programme — at least up until now, as being almost exclusively an agricultural programme without seeing the far-ranging ramifications in terms of the total development of the rural community within which agriculture must be carried on. That is the reason why I am not inclined to go along with the hon. member for Huron-Bruce who says that he is willing to give the Minister still another chance. I think he has had too many chances already and muffed them, in comparison to the kind of programme in other provinces.

I think the time has come when the ARDA programme should be put as part of the economic development programme of the province of Ontario under the Minister who is charged with that kind of development. In this way, we can get full integration of that part of the ARDA programme which relates to agriculture with all of the other aspects of the ARDA programme. Because certainly if one reads the rural development report of the OFA one will recognize that they note there that there must be close co-operation with the regional development associations, now to be known as the regional development councils. I submit, Mr. Chairman, that I think you are likely to get a fuller development of that programme and the necessary kind of co-operation, if you had your ARDA programme as part of the over-all economic development of this province rather than a programme that tends to wither on the vine back in The Department of Agriculture.

Let me move from this lack of an over-all policy, Mr. Chairman, to a second area, and that is the cost-price squeeze. This is an old, old story. We have talked about it for years in the House. But, Mr. Chairman, the amazing thing is how this government can expect farmers to survive the relentless squeeze for very much longer. As I put it a little bit earlier, in quoting one farmer who pointed out that in years gone by the protest may have been coming from the marginal farmer but today the protest is coming even more strongly from those farmers who are on the best land — particularly if they are involved in dairying — because they are either going to get out or find some way of making at least a little bit of money very soon — one or the other! The whole cost-price squeeze, I think, can be summed up on one simple set of statistics.

Back between 1951 and 1954, 48 per cent of the recipts of agriculture had to be spent on the operating costs to produce. By 1962 to 1964, that 48 per cent had risen to 66 per cent. That simply means that in some areas there is nothing left. If the costs of production are 66 per cent of the receipts, they have come to the end. In others there may still be some margin — if they are living on their capital and paying themselves something that is in gross violation of the minimum wage law in the province of Ontario.

The OFU, the farmers union, put it very succinctly in their brief. Their comment is:

> The cost-price squeeze is worse now than it has ever been. It is however being camouflaged by some of these large wheat sales and the currently improved price of hogs. We would, however, point out at this time that the current price of hogs is not of too much value to the average farmer who found it necessary to go out of the hog industry, which has caused the price to go to the current level.

In other words, many of the farmers that were driven out have not shared the benefits of these price fluctuations.

The government is not willing to do anything about this. This government is a free-enterprise government. As the hon. member for Huron-Bruce said, their approach is: Let the full play of the forces of the market place shake them down. Let this ruthless process have its toll, and the inefficient ones will be out; indeed, an increasing number of the efficient ones are going to be out so that Canada with its great tracts of rich agricultural land will be importing more and more of its food.

Last year the situation was worsened because you had a dry year to begin with, then it was a wet year, with early frosts, and yet you had a typical government reply. To begin with, nothing at all—farmers just got sloughed off across the province of Ontario, as federations of agriculture and other farm organizations protested. I thought a rather typical reply was the kind of story that came out of New Liskeard from northern Ontario:

> Agriculture Minister William Stewart says there will be no government assistance for Ontario cash crop farmers. Mrs. Dorothy Houston, secretary of the Timiskaming federation of agriculture, Wednesday revealed the contents of a reply from Mr. Stewart following a protest by local farmers that the per livestock aid offered precluded cash crop farmers. Assistance came as a result of severe crop losses due to wet weather this year. Local farmers are completing applications for aid based by federal and provincial authorities on the number of livestock.
>
> Mr. Stewart said he was sympathetic to the plight of the farmers, but he added, "I am sure that you are fully aware that crop insurance on the basis offered by the federal crop insurance Act was not acceptable to the farmers of Ontario a few years ago."

Excuses, excuses, excuses. But when the farmers marched on Queen's Park this spring, suddenly somebody—whether it was the hon. Minister or the rest of his colleagues on the Cabinet—decided there should be a little fence-mending, and within one week we had this thousand-dollar, interest-free loan given to farmers. As some of them have been saying out in the hustings, because of the pent up frustrations and desperation down through the years, "We are not going to be bought off for the interest on a thousand-dollar loan." And do not let the Minister mistake himself that they are going to this time.

Let me turn for one moment, Mr. Chairman, to the milk situation. I am not going to review it at great length because, once again, the hon. member for Huron-Bruce has discussed all the background. But the thing that should not be forgotten, Mr. Chairman, is that of all the milk producers in the four original groups, the ones who perhaps have had the greatest frustration down through the years have been the concentrated milk producers.

The Minister makes excuses, as has been said from this side of the House, but where there is a will there is a way. And he is simply determined not to find the way to meet their needs. As I stated earlier, as far as the farmers are concerned it is a very simple proposition. He was offered 75 cents so that he would then get $4 milk at the farm, and within no time flat he discovered that 10 cents of that disappeared in a cut in prices by the dairies; 15 cents disappeared in an elimination of the bulk premium; 10 cents disappeared in terms of an increase in transportation costs.

I was talking to one farmer yesterday and he made rather an interesting point. Is it not rather strange that when the farmer buys his product he must pay all the transportation costs on the produce that he buys? But when the farmer sells his produce he must also apparently have to pay all the transportation costs, fob the factory, not his farm. In other words, it is still another example of the fact that the farmer is caught both ways.

As far as I can figure out, the Ontario federation of agriculture has not been too explicit on this particular demand. But once again I was interested to note, Mr. Chairman, in the current issue of the *Rural Co-operator* —which I hasten to emphasize is not the official organ of the federation of agriculture, but nonetheless rather accurately reflects some of the grass roots thinking—and in the current isue dated June 21, in an article entitled, "Quit Knocking the Milk Board," they deplored the proposals that have now risen out in the back concessions for the building of still another milk organization which will result in a reproduction of the divisions of the past that we hoped we were getting away from in the milk commission and milk board, with the pooling arrangements that are the objective.

> Nevertheless, this does not solve the present situation. Thousands of dairy farmers are suffering genuine hardship. Temporary government assistance is required, Agricultural Minister William Stewart would win the gratitude of all industrial milk shippers if his department would pick up the tab for trucking milk from the farm gate to the processing plants. This type of assistance should be of short duration and could be dropped with the introduction of milk pooling.

In other words, here you have an organ that goes into all farm federation homes, in effect supporting what the Ontario farmers' union is now out on the highways with their tractors for. And do not let the Minister try to divide and rule once again as he has traditionally done down through the years. Let him face the fact that there is a growing concensus of support for this proposition. And for the simple reason that it is fundamentally sound and justifiable.

I was interested to read a news story in a paper that somebody gave me, to the effect that Mr. McLaughlin stated that in 1962 the cost per cwt to produce milk on the average was $3.74. And since 1962, Mr. Chairman, it has gone up 28 per cent. Now a little bit of simple arthimetic means that the cost for production of milk for the present time then

is $4.78, on an average. How does the Minister think—oh I want to be fair to the Minister—he says he is in favour of $4 milk. He is always in favour of these things that the farmers complain about, but what he is not in favour of is getting off that soft seat he is sitting on and doing something about it. In other words, using the powers that this government has for paying a transportation subsidy.

What is his attitude? You had it perfectly illustrated the other day when the farmers' union came in to visit him, when he was quoted in the front page story in the *Globe and Mail* as saying, "There will be no subsidy, we are holding the line."

Oh, it was wonderful. It sounded like one of those really tough 19th century industrial tycoons talking to a newly organized union. "There will be no subsidy, we are holding the line." Then a little later: "If I give them 25 cents today, they will be after me for another $1 tomorrow." The same old kind of argument that you hear from top management. Now you have it being added to by the Attorney General. When he was asked about it, what were his comments? This is the "sympathetic" attitude of this government towards farmers who are protesting after years of frustration. "And if they think they are going to impress the government they are badly mistaken. They may change their minds after they are hauled off their tractors and have to leave them by the side of the road overnight."

**Mr. H. Worton** (Wellington South): Who said this?

**Mr. MacDonald:** Listen to this: the Attorney General. It was those two comments that I put in a question to the Attorney General and wanted to know if this is the way he is talking—what were the orders that he was giving to the OPP?

Yes, sir. You are treating them just exactly the way you wanted to treat the workers up in Tilco. We found out today how you treat them, with the same sort of basic vindictiveness, Mr. Chairman.

However, Mr. Chairman, the thing that really—

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Chairman, on a point of order. The government had nothing to do with—

**Mr. MacDonald:** The government had nothing to do with it!

**Hon. Mr. Rowntree:** That was the subject that came out this morning—

**Mr. MacDonald:** Mr. Chairman, after that intervention I beg now to introduce into the agricultural estimates for about two minutes, something that is relevant and an answer to it. That action was taken by the Attorney General.

**Mr. White:** Your action was shameful!

**Mr. MacDonald:** He itched to get into Oshawa but the municipal authorities would not permit him to come in. But in Peterborough he walked in and laid the charges. He said—and you could almost see the tears running down his cheeks—"I am sorry to do it, I do it more in sorrow than in anger." All he wanted was a test case.

**Hon. Mr. Rowntree:** That is what we did this morning. What you were referring to was a separate act of the chief justice of the province.

**Mr. MacDonald:** Will you just listen for a moment instead of interrupting?

**Hon. Mr. Rowntree:** Take your finger down.

**Mr. MacDonald:** Perhaps I should not point it at you.

**Hon. Mr. Rowntree:** Of course you should not.

**Mr. MacDonald:** After you achieved your objective of getting a conviction, then you would have thought that the government would have a bit of leniency in its approach and a basic sympathy for the struggles of the people, whether on factory or farm, and would have said, "Well, fine, we have clarified the legal point, let these men go back to their homes, with their wives and children." But what did the lawyer from the Attorney General's department do? He pointed out the severity of the penalties elsewhere and the court obliged by sending them all to jail. This is your action. It was taken at your bidding, and it is precisely, Mr. Chairman—I know—I am back with Agriculture.

**Mr. Chairman:** Order, order!

I must remind the member that we are reviewing the estimates of The Department of Agriculture.

**Mr. MacDonald:** I know. That is right. I am back with Agriculture, Mr. Chairman.

Interjection by an hon. member.

**Mr. MacDonald:** It is precisely the same kind of attitude that was reflected in the comments of the Attorney General when he says that the farmers—the same mood—let me read it again:

> They may change their minds after being hauled off their tractors and having to leave them by the roadside overnight.

Oh, a good rough, tough Tory government approval.

**Hon. S. J. Randall** (Minister of Economics and Development): Who advocated anarchy? You did.

**Mr. MacDonald:** I am not advocating any anarchy at all.

**Hon. Mr. Randall:** In Winnipeg you did.

**Mr. MacDonald:** Both the farmers and the workers are on your trail, you know.

**Mr. Whicher:** Some of you fellows will be on the tractors.

Interjections by hon. members.

**Mr. MacDonald:** Now, I will tell you, Mr. Chairman. Just let me give you a perfect example—

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** All right, I am right on Agriculture.

**Mr. Chairman:** Order, please. I would ask the member, if he will, to stay with The Department of Agriculture — reviewing the department.

**Mr. MacDonald:** Right. And now, Mr. Chairman, I want to show you just why the farmers think that this Minister doublecrosses them and why, Mr. Chairman, they wonder where he stands and for whose cause he works.

Mr. Chairman, let me read into the record four or five paragraphs from a front page story in the Woodstock *Sentinel Review* of last week, June 22:

> At the last Oxford county milk committee meeting, Mr. Langdon—

this is the president of the local of the farmers union.

> —said that Sid Pearson, this district's representative to the milk marketing board admitted that before the 46-cent increase to fluid shippers went into effect there was considerable pressure put on Mr. McLaughlin, chairman of the Ontario milk marketing board by George McCague, chairman of the Ontario milk commission, and the Minister to drop the proposed increase. When Mr. McLaughlin refused to back down Mr. Langdon said that Mr. Pearson reported the Minister insinuated to Mr. McLaughlin that he could be removed from his post. Apparently Mr. Langdon said—

**Hon. Mr. Stewart:** That is an absolute falsehood, Mr. Chairman. Mr. Chairman, I challenge the hon. member on that. That is an absolute falsehood and there is not a shred of truth or evidence in it.

If you want to attribute motives to me and all the rest of these things, as you have all afternoon, you can continue, but you cannot get away with those kind of absolute falsehoods. Absolutely not. Because I have it on record as a statement that the appeal was made to the milk commission on the price, by the distributors; it was rejected by the commission and I have the proof right here in writing.

Now, if you want to say to me that I had anything to say to George McLaughlin, I never even discussed it with George McLaughlin, here or anywhere else.

If you want to read those kind of absolute lies into this House, then you go ahead and do it, because it is indicative of the things you say.

**Mr. MacDonald:** Well, Mr. Chairman, if the hon. Minister wants to get up and dispute the comments recorded by a reliable reporter, from a member of the milk commission, let him get off that soft seat, because at least he is now getting into action. But I will read the rest of the report, because he is doublecrossing the farmers.

**Hon. Mr. Rowntree:** Even though you know it is false. That is the kind of member you are.

**Mr. MacDonald:** He pretends that he is in support of the farmers and behind the scenes he is trying to frustrate the efforts of those who are trying to meet the needs of the farmers. That is the reason why this Minister should not be around here any longer.

**Hon. Mr. Stewart:** That is an absolute falsehood, there is nothing to it.

**Mr. MacDonald:** Mr. Chairman, if the Minister wants to reply, he can reply. I will listen to him—

Interjections by hon. members.

**Mr. Chairman:** Order. I think the member should accept the words of the Minister in this connection. If you prefer to read it—

**Mr. MacDonald:** I am reading it from the paper. A good Conservative newspaper quoting a reliable member of the milk commission.

Interjections by hon. members.

**Mr. Chairman:** But the Minister has said it is not true. I would remind the member that he must accept the word of the Minister on it.

**Mr. Whicher:** And it is tough to do.

**Mr. MacDonald:** Well, Mr. Chairman, I accept the Minister's statement that the Woodstock paper and Mr. Sid Pearson are liars.

**Mr. Whicher:** Well I will admit the paper—

**Mr. MacDonald:** I quote:

> Apparently Mr. Langdon said only after the chairman of the milk board told the Minister that he could —

**Hon. Mr. Rowntree:** That is the kind of member you are.

**Mr. MacDonald:** Now will you listen to this?

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** You do not like it, eh? It is the Woodstock paper that is being accused of lying and there has been no denial of this. This has been out for five days. Apparently we have got a raw wound here at the moment.

I know what has happened. I know that some of the people involved in this have been called in and given a dressing down by the Minister. He dresses everybody down. He operates like a sort of Caesar.

**Hon. Mr. Stewart:** Mr. Chairman, that is an absolute falsehood, and I ask the hon. member to withdraw.

**Mr. MacDonald:** All right, Mr. Chairman, just let me give my evidence. He says it is a falsehood:

> Mr. Langdon stated that during yesterday's meeting the Minister tongue-lashed —

**Mr. Chairman:** If the member for York South—

**Mr. MacDonald:**

> — some members of the union executive for supposed charges of political interference against him.

Now is he or am I accused —

**Hon. Mr. Stewart:** No, that is absolutely right.

**Mr. MacDonald:** That is right, eh? You gave them a tongue-lashing?

**Hon. Mr. Stewart:** I did nothing of the kind. I simply asked him what he was referring to. He talked about political interference and neither Mr. Langdon nor Mr. Miller could give me a single, solitary illustration of any kind. Now, there it is.

**Mr. MacDonald:** Well, he has given it right here. It is a little fatuous for the Minister to make that comment. He is engaged in political interference in farm organizations all the time, he and some of his stooges who are more Tories than they are farmers.

Interjections by hon. members.

**Mr. MacDonald:** It is all very well, Mr. Chairman, but the Minister now accuses us of what he is guilty of all the time. This Tory party has frustrated the farmers in their efforts to get justice through their own logical and genuine protest by playing politics for generations. Indeed, that is precisely what the hon. member for Huron-Bruce said in the concluding page of his comments, too, and it is true all across the province of Ontario. A growing number of farmers are feeling more and more strongly about it.

Just let me conclude this, Mr. Chairman:

> When Mr. McLaughlin refused to back down, Mr. Langdon said that Mr. Pearson had reported that the Minister insinuated to Mr. McLaughlin he could be removed from his post.

The Minister denies this.

> Apparently, Mr. Langdon said that only after the chairman of the milk board told the Minister he could have the job, did the Minister and Mr. McCague give in. If this is not political influence or interference, I do not know what it is, Mr. Langdon said.

Well, if the Minister did not get the evidence then, he has it now. And there are a lot of others who can duplicate that kind

of thing with what the Minister has been doing.

**Mr. Whicher:** Practically every paper in the province.

**Mr. MacDonald:** Of course every paper in the province, Mr. Chairman. The fact of the matter is that the Prime Minister may get up and plead his undying support and confidence in this Minister of Agriculture, but the Prime Minister is about the only person who has continuing confidence in the Minister.

**Hon. Mr. Robarts:** Absolute rot!

**Mr. MacDonald:** The Prime Minister may think it is absolute rot. I will tell you this, Mr. Chairman, when I was visiting in—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** When I was visiting in Huron and Middlesex and Perth yesterday with people, many of whom know the Minister firsthand for many years, one of the disturbing things was that their attitude today has degenerated into a "get Stewart" sort of a campaign.

**Hon. Mr. Robarts:** The member is fostering it.

**Mr. MacDonald:** I am not fostering it, oh no! However, I will tell you, Mr. Chairman, if these policies continue I will foster it; you bet I will foster it to assist the farmers of the province of Ontario.

**Hon. Mr. Stewart:** The member does not need to start, he is in it up to his eyeballs right now.

**Mr. MacDonald:** The point I want to emphasize and am emphasizing to farmers is that these are government policies, not the policies of the Minister of Agriculture. I say to the farmers that you can "get Stewart" if you want to, but when you have finished you still have the Tory policies. This is what they have had to suffer down through the years.

Interjection by an hon. member.

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** Well, that comment came from the circumlocution lad.

I have said all I want to say by way of introduction on these estimates, there will be many other votes. However, I want to conclude with still another delicious little bit of satire. This time from the *Rural Co-operator* dated March 22, and it is entitled "The case of the broken board."

"Honbill is secretly conferring on the bean board," it says. It is a delightful little episode of Mr. Homes looking through the keyhole at a meeting—

**Hon. Mr. Robarts:** Get to the delicious part.

**Mr. MacDonald:** —where the fate of the board is being decided by Honbill. Somebody asked who Honbill is. I do not know, the farmers are trying to find out, and when they do, it is going to be tough.

Interjections by hon. members.

**Mr. Chairman:** Order please!

**Mr. MacDonald:** This article is a take-off on Sherlock Holmes, spelled S-u-r-e-l-o-c-k, Surelock Homes—H-o-m-e-s. After his efforts in trying to track down the mystery of the bean board; he is relating in philosophic mood the whole little episode:

> Homes smiled and filled his Meerschaum pipe while I waited impatiently. My dear What's-on, he said, let me explain it.
>
> He told how piece by piece he had brought together the evidence of the legal trafficking in beans. He had used all the extraordinary talents of which I have tried to give you some account. At one point he had even gained access to the miscreant's office by posing as an auditor from the well-known firm of Price, Waterhouse.
>
> I was amazed and fascinated. Homes smiled.
>
> But now it is all over," he said, you see I learned today that Honbill has seized the offender's assets.
>
> "Does this mean the illegal trafficking has stopped then, Homes?" I asked hopefully.
>
> Homes puffed at his Meerschaum pipe, he shook his head, "No, the trade continues the same."
>
> "But Homes," I cried, "surely, not! Surely nothing could take place under Honbill not fully acceptable to all right-thinking persons."
>
> The great detective nodded: "Precisely, What's-on. You hit the nail on the head, more or less. You see, the illicitness of this affair has consisted not in the actual trafficking. Traffic even in beans, is necessary for our commerce. No, it was

in the persons of those so engaged that the illegal nature of the trafficking was to be found.

"But now these misguided persons have been separated from their wrongdoings and the trade takes place under the auspices of Honbill. Therefore, it becomes legal and there is no longer any case.

"Elementary, is it not?"

**Hon. Mr. Randall:** How about the hound of the Baskerville?

**Mr. MacDonald:** As a matter of fact, I think if you suggest it to Jim Garner, he might produce another one for next week.

This is the attitude, the quiet chuckles under the firm and grim protest that is arising in rural Ontario. I repeat, Mr. Chairman, if the government wants to continue to ignore it, then they will do it not only at a cost to themselves, but unfortunately for the farmers too.

**Hon. Mr. Stewart:** Mr. Speaker, with reference to what my hon. friend, the leader of the socialist party has just said, he talked at the outset of his remarks about wasting the time of the House. Let it be said for the record that no time ever was greater wasted than the last hour and ten minutes.

**Mr. MacDonald:** Well, the Minister at least was interested in it.

**Mr. K. Bryden** (Woodbine): It got the Minister stirred up.

**Hon. Mr. Stewart:** I listened to the hon. member for Huron-Bruce in what he said concerning the department. I would have to take some exception to those things, but I have always liked to listen to him because, like myself, he is a farmer and I think he is interested in the farm situation.

**Mr. MacDonald:** But he wants the Minister out of there.

**Hon. Mr. Stewart:** As I listened to his speech, I could not help but be impressed with the fact that he really was not saying the things that he thought himself. He was saying the things that someone had written for him, and I have a feeling it was written a long time ago.

**Mr. Gaunt:** Mr. Chairman, on a point of order, I have spent a lot of time writing my speech, and I wrote every word of it.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Hon. Mr. Stewart:** Mr. Chairman, let me say this. I would accept my hon. friend's statement as right, but I am more disappointed than ever if that is the case.

Now, the hon. members have had quite a good whirl at me. The hon. member for Huron-Bruce started the other day and I think he spoke for 20 minutes. I believe he spoke for something like nearly two hours today, more or less. My hon. friend, the member for York South, has spoken for an hour and ten minutes, and I did not all through—with one exception when my hon. friend deliberately misled the House—raise my voice in protest against anything that was said, not once.

**Mr. Whicher:** The Minister did not have an answer.

**Hon. Mr. Stewart:** So I would hope that perhaps my hon. friends opposite might do me the same favour.

With regard to references that were made by the member for Huron-Bruce that there were no long-term policies in The Department of Agriculture, I can only assume that those who have been suggesting this, those who have, this afternoon, voiced their support for my hon. friend for Huron-Bruce referring to no long-term policies in the department, have neither taken the time nor the trouble to read the statement that I made, which the member for York South said took up an hour of the time of the House that was wasted the other day. Had they read that statement, or had they had the courtesy to listen to it, had they been in the House when I made it on Friday, they would have known that the policies of The Department of Agriculture throughout the years, even long before I became its Minister, have been developed to do just the thing that they say has not been done. That is to develop a strong agricultural industry in this province and in this nation. An agricultural industry which today produces one-third of the total agricultural wealth of Canada—

**Mr. MacDonald:** And more go bankrupt every year.

**Hon. Mr. Stewart:** An agriculture industry in this province, which—

**Mr. Chairman:** Order! I have asked the members to allow the Minister to proceed without interjections, please.

**Mr. Whicher:** On a point of order—

**Hon. Mr. Stewart:**—this last year produced the highest cash income that has ever been known in the history of this province by fewer farmers than has ever been done before.

**Some hon. members:** Hear, hear!

**Hon. Mr. Stewart:** These are the things that the Opposition members close their eyes to and simply will not accept. And when the hon. member for Huron-Bruce suggested the other day that there were 110,000 dairy farmers that had abandoned dairy farming in Canada, I asked him, does he think that the 85,000 dairy farmers so-called, who have three cows or less in Canada should be considered dairy farmers and should continue dairy farming as such or should they go out of business? Then you see, my hon. friend says: "Oh, no. No, this is not the case." But next year he will come back and say there are 195,000 dairy farmers who have gone out of dairy farming in this province in the last year or so.

Mr. Chairman, I ask, what are the figures? Who are these 110,000 dairy farmers who went out of business? Why did they go out of business? Did they go out, as I did, because of help situation in 1948? Did the hon. member ever sit down and milk a cow seven days a week, 365 days a year? Did he do this? Or did he open a door and let the calves run out as a beef farmer and let them suck the cows themselves? I wonder if he did.

**Mr. Whicher:** On a point of order.

**Hon. Mr. Stewart:** I know what it means to milk a dairy cow year in and year out. The hon. member for Huron-Bruce is yapping away, and he is the man, who, like a parasite, has lived on the depredations of the farmers for years.

**Mr. Gaunt:** Mr. Chairman, on a point of order.

Interjections by hon. members.

**Hon. Mr. Stewart:** Mr. Chairman, I have the floor and I intend to keep it.

**Mr. MacDonald:** On a point of order you have not got the floor—

Interjections by hon. members.

**Mr. Chairman:** Order, please! The member for Huron-Bruce has stood in his place on a point of order.

**Mr. Whicher:** Mr. Chairman, I realize that the hon. Minister—

**Mr. Chairman:** On your point of order, please.

**Mr. Whicher:** I will. I am trying to make excuses for him.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Whicher:** I realize my hon. friend is somewhat irritated and I do not blame him for that, but when he suggests, I hope not seriously, that I have been living for many years like a parasite on the farmers of this province—

**Mr. MacDonald:** Withdraw.

**Mr. Whicher:** —I would ask him to withdraw it.

**Hon. Mr. Stewart:** Well, Mr. Chairman, if my hon. friend feels that keenly about being described as a parasite, I would withdraw the remark.

**Mr. Bryden:** On a point of order, Mr. Chairman.

**Hon. Mr. Rowntree:** You are great at dishing it out, you cannot take it.

Interjections by hon. members.

**Mr. MacDonald:** You are dealing—

**Hon. Mr. Robarts:** He withdrew that remark.

**Mr. MacDonald:** That is a different thing altogether.

Interjection by hon. member.

**Mr. Whicher:** Mr. Chairman—

**Mr. Chairman:** The member for Bruce is on his feet on a point of order. What is your point of order, please?

**Mr. Whicher:** My point of order is this, that the hon. Minister very snidely—

**Mr. Chairman:** I heard him withdraw.

**Mr. Whicher:** Yes, but he did not withdraw it. And furthermore, he went a little farther and said, that if I am hurt by being described as such that he would withdraw. Since I have been in this House for quite a number of years, much longer than the Minister of Agriculture and Food, I have always attempted to act like a gentleman. I would ask the hon. Minister to do the same thing, hard though it may be.

**Hon. Mr. Rowntree:** What were you doing this afternoon?

**Mr. Chairman:** Order, please!

Interjections by hon. members.

**Hon. Mr. Stewart:** Mr. Chairman, it is very regrettable that I have so unfortunately described the hon. member for Bruce because really he is a pretty good fellow. I was simply making the point—

**Mr. MacDonald:** Have you withdrawn?

**Hon. Mr. Stewart:** —that as a dairyman, I think that many times it could be said that we who are farm people, think sometimes the processors live off of us, but perhaps this is not the case. I think they are necessary. I believe that the processors and distributors are important as the link between the primary producers and the ultimate consumer, who is, of course, our best customer.

I was disturbed by the hon. member's comment referring to the Kent county farmer with the $12,000 mortgage on the farm in Kent county and that he did not want to sell the farm, he was going to carry on for a few years. This may well be the case. He may have a $12,000 mortgage on that farm, but I know enough about the land values in Kent county to know that if his farm was even 100 acres, at the value the Kent county farms are selling at he would not have much trouble selling that farm. He could live for the few years that the hon. member indicates that he has to live before he is of pensionable age, on the interest on the money that is invested in that farm.

When I see farm land selling in Kent county from $500 to $700 an acre, and down in Essex county up as high as $1,000 an acre, then I wonder why that land is selling at that price if nobody is making any money off it. What is the reason for it? There is no answer for that.

There is only one thing that makes land prices go up and that is the demand for land, demand for land by farmers who are doing reasonably well. When the hon. member for Bruce county talks about the problems associated with farmers and supports the hon. member for Huron-Bruce, I wonder if he has read The Department of Agriculture and Food's report by his own people in Bruce county, from his own farm people. I want to read this report because I think it is indicative of what has happened in that particular area.

**Mr. Whicher:** Is this the economic council report?

**Hon. Mr. Stewart:** No, it is not the economic council report. It is a report of your farm management committee for Bruce county—a committee that you as a person interested in agriculture should know something about. Evidently you do not.

**Mr. Whicher:** I know all about it, I might say. They are all personal friends of mine.

**Hon. Mr. Stewart:** All right. If you know something about it, then listen to this:

> The 1965 farm account books analyzed in The Department of Agriculture, Walkerton, definitely reveal the major upswing in farm produce prices during 1965. Each factor from the balance sheets was averaged individually and thus the five farms with the highest labour income did not, for example, necessarily have the highest crop index. The greatest and most welcome increase is the average labour income which rose from $1,774 in 1964 to $5,713 in 1965, a rise of 322 per cent.

**Some hon. members:** Hear, hear!

**An hon. member:** How about that!

**Hon. Mr. Stewart:** Now, then—

**Mr. Whicher:** Mr. Chairman—

**Hon. Mr. Stewart:** If my hon. friend will just be quiet for a minute or two.

**Mr. MacDonald:** We have been quiet for too long.

**Hon. Mr. Stewart:** I will read on:

> The greatest part of this was added by the beef, steer, and hog farmers where the average labour income for 40 farms rose $6,719, from $783 to $7,462. However, the 42 dairy farms also had an increase in labour income of $2,103 to $4,961.

It is all not confined to beef and hogs, and these were the farms that were reported by your own farm management committee in Bruce county and were reported publicly by the Owen Sound *Sun-Times*.

I think it is significant to note there that the headline read in the "Weekly Farm News" of the Owen Sound *Sun-Times*, February 24, "Average Bruce farm labour income rises to $5,713 from $1,774."

I want to make it abundantly clear, Mr. Chairman, that I do not for one moment suggest that all of the farm people in the province of Ontario enjoy that kind of a move forward in income. But I do suggest this, that the farm people of Bruce county

who have enjoyed this type of an income increase have been those who have been participating in farm management clubs, and have done something to help themselves by their own self. This to me is mighty important. I find in the surveys that we have done across the length and breadth of this province that the farmers who are not complaining; the farmers who are paying income tax; the farmers who say to me several things concerning price structures, are the people who are using our extension specialists, our farm management specialists and our agricultural representatives as much as they possibly can, using these facilities that we have placed at their disposal.

You say that this is not a long-term project. Oh, no? This is not a long-term project? What else is it? This has been a programme that has been laid out step by step from the time the extension branch was formed in The Department of Agriculture and Food to be of assistance to farm people. This is its purpose, and this is its intention. When I hear people stand up in this House and say the things that have been said here today, it makes me hang my head in shame that such things are said about the agricultural industry in this country, because I as a farmer, know better and so do a great many other farmers in this province who call me regularly and say these things to me. They are in complete support of what this government's programme is to agriculture.

The hon. member for Huron-Bruce—and I like to listen to him speak because I think that he is sincere—I listened to him speak this afternoon about land consolidation and he referred to the Nova Scotia programme. It is true that there is a land consolidation programme in Nova Scotia. But the thing that Mr. Sauve pointed out to me is that the unique feature of the land consolidation programme in the province of Ontario—which was conceived, developed, thought out, and planned in our Department of Agriculture and Food through the ARDA directorate and presented to Ottawa for their approval without a word from them—is that in includes not only land consolidation, but it affects the people who are involved in the farms that are to be helped. That is the thing that is important—people, and not just projects—and my hon. friend suggested that it is Ottawa that has to dream up these ideas. Without detracting from Ottawa one iota, I want him to remember that ARDA originates with the farm people of the province of Ontario, and their local projects and their 22 local councils.

I would like, Mr. Chairman, with your permission to read a statement on ARDA which I had intended to read later in the estimates, but I think it is appropriate to read it here: "The ARDA Programme in Ontario."

**Mr. Worton:** You wrote that?

**Hon. Mr. Stewart:** Yes, I wrote the speech. Is anything wrong with that?

Interjections by hon. members.

**Hon. Mr. Stewart:** I continue:

As mentioned earlier in 1965, this province entered into a five-year rural development agreement with the government of Canada to provide for federal cost-sharing programmes in land use and farm management, rehabilitation—rural development, staff training—rural development, soil and water conservation and research.

Our concept of rural development under ARDA is that rural people should be involved in both the planning and development of programmes and that the services of other departments of the government be fully utilized. With this in mind there have been established 22 county or district ARDA boards which consist of a board representation of the interests of the rural economy.

These boards have at their disposal the advisory services of technical staff of many departments of the government, agriculture and food, lands and forests, tourism and information, energy and resources management. These boards submit recommended programmes to the ARDA directorate of Ontario which consists of senior representatives from the following departments: Agriculture and Food, Lands and Forests, Municipal Affairs, Economics and Development, the Treasury, Tourism and Information, Energy and Resources Management.

The dean of agriculture at the University of Guelph is also a member of this directorate which is chaired by the director of the ARDA branch of our department. The director reviews all projects and ensures maximum co-ordination with the departments of the government involved.

We clearly recognize that although ARDA is primarily concerned with low-income rural people, who for the most part, sir, derive some of their income from agriculture, the solution of their economic situation may rely on greater off-farm employment in the tourist, forest and other industries. In this regard we have worked closely with The Department of Education.

An amendment has been made recently in the federal-provincial training agreement to enable under-employed people to be eligible for retraining programmes and allowances without being registered as unemployed at the national employment service offices. This is an effective and practical method of proving the skills of rural people to meet the expanding requirements of this province's labour force.

Let me outline briefly what has been accomplished by ARDA: 88 ARDA projects have been approved by this province with a total commitment of approximately $18 million. This amount is cost-shared with the government of Canada on a 50-50 basis; 72 projects are currently underway, or have been already completed.

These can be divided into the following categories; Land use adjustment, 27 projects. ARDA financing is used to accelerate and establish municipal conservation authority and provincial programmes in the retirement of submarginal agricultural land for more productive uses, such as forestry, recreation, wildlife and water conservation. Some 252 rural municipalities are benefiting from the increased financial participation of ARDA, which has lowered municipal cost-sharing in the programmes from 50 per cent to 25 per cent.

Community pastures, six projects. Four community pastures were established and in operation in 1965, Victoria community pasture, 1,660 acres; Timiskaming 960 acres; Manitoulin, 2,400 acres; Leeds county, 550 acres; and two others are being acquired, one in Bruce county and the other in the Thunder Bay district.

Soil and water conservation, 17 projects. Additional financial assistance to counties and conservation authorities for water conservation projects, agricultural drainage outlet assistance and farm pond construction are examples of this type of programme.

Of major interest in agricultural eastern Ontario, is the engineering study which is now underway on the South Nation river to provide for a comprehensive water control plan to correct the serious problem of flooding, water supply and drainage outlets.

And then rural development; we have 10 projects. These include such programmes as the re-establishment of the turkey industry in Manitoulin which produced, in 1965, $212,000 worth of new revenue to that district: the expansion of the maple syrup production industry in the Madawaska valley of Renfrew and Hastings counties which brought an additional $15,000 of revenue to 18 farmers in this area and which has a potential production of 200,000 gallons of maple syrup per year.

I might add that there is virtually an unlimited demand for that product:

> Establishment of an abattoir in the district of Thunder Bay to increase the livestock production in this district and thereby improve farm income.
>
> We are advised by our agricultural representative for Thunder Bay that already $35,000 has been subscribed by the farmers in this district. This will be matched by an equal amount from ARDA for the construction and equipping of this livestock slaughterhouse facility.

At this point, Mr. Chairman, I would like to note that the hon. member for York South, the leader of the socialist party does not think enough of our ARDA programme even to stay in the House in his own seat, but wanders back to talk without listening to what I have to say; that is the interest he has in the ARDA programme.

> I notice the enlargement of a producers co-operatively-owned cheese factory near Madoc and the Eldorado cheese and butter co-operative. This will provide a market outlet for 148 farmers in this region who would have lost their only market for milk by reason of the closing down of some of the smaller cheese factories. Assistance to the municipality of Hungerford and Hastings county to provide public access for the establishment of a marble quarrying industry will provide new employment for 35 rural families; assistance to several rural municipalities in Leeds county to improve public tourist facilities which will provide increased income to rural people. Assistance to farmers in northern Ontario will improve the quality and quantity of their breeding herds of beef, dairy and swine.
>
> All of these projects were initiated by district or county ARDA boards and not only reflect the needs of rural people but are enthusiastically supported by it. Then in the field of research there are 12 projects. ARDA undertakes the entire cost of economic analyses of rural development programmes to determine their economic feasibility. In addition, important resource use studies are underway. One of major significance is the testing of a new method of establishing a high-yielding pasturelike birdsfoot trefoil on rough, stony land that cannot be killed. With approximately 2.25

million acres of this type of rough land in southern Ontario and with our long-range requirements for greater production this study which is a pioneer work in Canada will have a great impact on the rural economy. The results of three years of testing to date are quite encouraging.

The training of rural development staff: In order to give direct assistance to local ARDA boards in planning and supervision of ARDA programmes, trained professional staff are being provided on a regional basis.

In addition to the above, I would like to remind the House that many rural resource development programmes provided under the federal-provincial rural development agreement have been underway in this province for many years and have been financed totally by the province.

For the period 1950 to 1965, this government has paid out in grants for resource development programmes, $13,530,000. These consist of agricultural land use grants to county agricultural committees, $248,000; northern Ontario development grants to farmers for land clearing and water supply, $2,490,000; agricultural drainage grants to the municipalities under The Drainage Act, $8,425,000; grants for farm ponds and community ponds, $1,132,000; grants to counties and conservation authorities for acquisition of some marginal land for forestry purposes, $1,235,000; making a total, Mr. Chairman, of $13,530,000. This summary of ARDA in Ontario activities indicate the realistic approach and basic planning which has been followed and the gathering momentum of action on far-reaching programmes based on the long-term needs of the province.

Now I want to refer to the rural development orientation course at Guelph. The rural development orientation course sponsored by the ARDA branch was held in Guelph April 4 to 7, 1966. Participants were farm groups, university personnel and civil servants from The Departments of Agriculture and Food, Education, Lands and Forests, Energy and Resources, Management, Welfare, Economics and Development and federal ARDA. All of these departments have programmes and policies for rural people. The study group method was employed and participants left the conference with a better understanding of the programmes available for the betterment of rural Ontario.

The course was such a success in promoting clear communications and understanding that the delegates endorsed its repetition on an expanded scale for late 1966.

I referred a short time ago to the long-range policy of farm consolidation and enlargement, because we believe this will have major significance and impact on the agricultural economy of this province. Based on the findings of a farm economic study in eastern Ontario by our farm economics, co-operatives and statistics branch and on submissions made by county ARDA boards, a programme has been approved by the government of Ontario and the government of Canada to enable farmers who are living on uneconomic-sized farms to make an adjustment to a more viable unit.

Although great advancements in agricultural technology and mechanization have increased the productivity of many of our farms, there are some farms which because of the limitations in size and quality of land, are unable to provide satisfactory level of income to their operators. This policy will have its major effect in eastern, south, central and northern Ontario. As farms come on the market for sale, they can be acquired by ARDA and leased to a suitable farm operator on a long-term basis. Provisions will be made to encourage the return of this land to private ownership. This will enable the farm operator to increase his productivity without tying up capital on land purchase.

Provisions are made in this programme to allow the vendor the following options: First, to retain a life lease on the house if he chooses to reside in the community and obtain other employment; secondly, receive training under the technical and vocational training agreement to better equip him for other employment; third, if the vendor has confirmed employment beyond commuting distance of his present home, he will qualify for the federal manpower mobility grant to defray his moving costs.

In the case of the purchase of farms from owner residents between the ages of 55 and 65, who are unable to work because of a health disability, special financial assistance will be provided under the federal-provincial rural development agreement. The estimated cost of this project until March 31, 1970, is $7.2 million, which will be sharable with the government of Canada on a 50-50 basis. This is the first farm enlargement programme of this magnitude undertaken in Canada and we believe it will provide a very sound long-term basis to enable farmers now operating

uneconomic sized units to make the necessary adjustments to provide an economic level of income for their families.

Now, Mr. Chairman, I was disturbed to note that it seems some of our friends on the Opposition seem to feel that we should plunge off the deep end and start to swim in all directions without knowing where we are really going. And I would suggest that the hon. Maurice Sauve, Minister of Forestry, on Thursday, April 28, in a speech that he made at the joint luncheon meeting of the service clubs of Regina had this to say:

> The rural problems to be solved are very complex and it was clearly the intent of the Act to seek fundamental solutions and not temporary relief measures. It was obviously necessary to avoid too much haste in development programmes. Early action could be taken on the more obvious problems, but research, investigations and pilot projects are needed for the long-term solutions of the more complex and deep-seated problems.

That, to me, sums it up pretty well, by Mr. Sauve, in suggesting that caution should be used in plunging in to do some of these things that he suggests should be done.

My hon. friend read from a statement that was made in the *Rural Co-operator* by Mr. Don Middleton, whom I know very well, better than I think any other member in this House, and who sent me a copy of what he said and who discussed with me the things that he was saying. I would like to read this letter to the House and put it on the record. It is dated April 14, 1966:

> May I take this opportunity—

and this letter is addressed to me personally—

> May I take this opportunity to thank you personally for the spirit in which you received my comments at our recent meeting with you and your Deputy and the OFA executive and staff.
>
> I recognize that it was not the easiest situation in which we found ourselves but it was a confrontation that I believe was necessary and expedient.
>
> The purpose of this letter, however, is to extend through you to Herb Crown and your department my sincere compliments on the forward stride taken in the recent rural development orientation conference held at Guelph. The experience of this conference seems particularly significant in the light of the announcement made by your Premier with respect to his personally chairing an interdepartmental committee to improve communications within the Ontario government.
>
> The presentations made at this conference were, I am sure, meaningful to all of us and it is rare that we are offered the opportunity of comparing notes on one another's work in such an informal session. The significance of this conference was particularly reflected in the enthusiastic request of many of the participants that this group should join together again for a further experience to pursue in greater detail the significance of the various programmes.
>
> One could not be present for the four days and not become impressed with the depth of understanding that Herb Crown displayed in the intricacies of the department for the occasions were many on which Herb volunteered his assistance and information in relating the presentations of the various departmental speakers to the total programmes of ARDA. The abilities of this man, I am sure, will make ARDA activities more significant as time progresses.
>
> I am sure that had it been possible for you or your Deputy to attend, you would support most wholeheartedly the desirability of a similar meeting at a ministerial or deputy level. I believe we are all prepared to accept some of the limitations of our system and can only hope that by this meeting of minds of various government people the Ministers in question may profit by the most viable information that their employees can provide.
>
> I would concur with the decision of the meeting that this group should be brought together again within two months to explore in greater depth the job they are doing and to develop better personal relationships than was possible in the four brief days we had.
>
> My comments on future sessions have been forwarded to Mr. Crown and I am confident they will be used in the preparation of future meetings. You can be assured of my personal support for your department in these present efforts in the ARDA programme and I can only assume on the basis of past experience that this successful programme will be repeated for the benefit of Ontario citizens.
>
> With kindest personal regards,
>
> Yours sincerely,
>
> Donald W. Middleton,
>
> *Director of properties of the OFA*

That, I think, puts it pretty clearly as to his support for what we are attempting to do.

Now, I want to say just a word, Mr. Chairman, if I may, on some of the things that have been said about the lack of ability of farm people by my hon. friend, the member for Huron-Bruce and by the leader of the socialist party in referring to the farmers not having the ability to be able to do things for themselves.

I would say this, that the farm people of this province through The Farm Products Marketing Act, have the right to set any price they wish to set by their own board if the producers decide to do so. And the milk board or any other board that operates in this province has that right as long as they do not exceed the authority of the Act; they have a perfect right to go ahead and set these prices. No reflection should be directed upon the Minister for this kind of thing. I see no reason why such things should be said as have been said here today concerning this. Because they have the right to do it. Now, why have they not done it? Why have they not done it? Why have not several of the boards grasped the opportunity to set prices within the province of Ontario? Somebody mentioned the fact that lettuce—I believe it was the socialist leader—mentioned that lettuce was selling at two cents a head.

**Mr. MacDonald:** Do you think that is a smear term now?

**Hon. Mr. Stewart:** Not at all. Not at all. Would you prefer me to say some other party?

**Mr. MacDonald:** No—

**Hon. Mr. Stewart:** No. Well all right then. Let me say the hon. member for York South then, if this would suit him better.

**Hon. A. Grossman** (Minister of Reform Institutions): Why does he not call us Progressive Conservatives?

Interjections by hon. members.

**Hon. Mr. Stewart:** I can only assume, Mr. Chairman, that the member for York South, the leader of the NDP is ashamed of the fact that he would be called a socialist party. I can only assume that.

**Mr. MacDonald:** I am not ashamed—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

I would remind the members of the House that the Minister was very polite and courteous and listened to the members during their presentations.

**Hon. Mr. Stewart:** Well, I cannot help my looks, Mr. Chairman. I just have to wear what was given.

I would say this, Mr. Chairman, in regard to the reference that was made to lettuce. To me, this is a typical illustration of what really is the problem to a great degree in many of our agricultural food commodities. Do you realize that in the province of Ontario we import something like $11 million worth of lettuce annually? That right through the growing season we import $1 million of lettuce into this province? I could go through the list of the various products that we import into this province.

As a matter of fact, if it were not for wheat itself — excluding wheat, sir — Canada itself is a net importer of food products, many of them that could be produced right here in this country of ours. It seems to me that we should be very much concerned—

**An hon. member:** What about the Niagara fruit lands?

**Hon. Mr. Stewart:** Exactly. And the Niagara fruit lands is a typical illustration of the problems that our farm people are facing, because there seems to be no regard at all to do anything at all to protect our own producers, particularly in eastern Canada.

Now you may say to me, and it has been said here this afternoon, that we are sloughing everything off on Ottawa. Everything is sloughed off on Ottawa. Well just let me read from the Minister's own statement in the introduction of the national dairy commission legislation in Ottawa. This is what he says — and this is the hon. J. J. Greene whom I am quoting, and he is absolutely right. I am not critical of him at all:

> Under our constitution the responsibility for agricultural production and for marketing controls lies largely with the provinces. However when agricultural commodities cross interprovincial or international boundaries the federal authority is involved.

**Mr. Oliver:** Involved, yes, but not absolutely—

**Hon. Mr. Stewart:** Exactly. And because of The British North America Act we can do nothing to stop food products moving into this province. We have no right to say to any province, "You cannot move in here,"

nor can we say to any other state, "You cannot sell in here," nor have we, as a province, the right under The British North America Act, to levy a charge against any food commodity moving in here. This is what is happening.

Interjections by hon. members.

**Mr. G. Ben** (Bracondale): May I ask the hon. Minister a question?

**Hon. Mr. Stewart:** I have the floor.

**Mr. Chairman:** The Minister would prefer to proceed without interruption.

**Hon. Mr. Stewart:** I would like to suggest to my hon. friends that herein lies the problem. If the milk producers marketing board wants to set the price tomorrow morning at whatever they want to set it at—$3.50 or more for manufacturing milk – they have got the perfect right to do it and they can do it, any time they wish.

**Mr. Oliver** (Grey South): And you could pay the transportation costs, too, without any problem.

**Hon. Mr. Stewart:** This is the real problem, that when a board enters into that kind of a situation, they put the processor in the position that when other processors in other provinces do not have to meet that floor price, that that product flows in here and creates unfair competition with our processors. There is the real problem.

**Mr. MacDonald:** What about the price spread?

**Hon. Mr. Stewart:** Well, there my hon. friend asks a good question and I would say this to him, that if there was some embargo placed at the border on lettuce coming in here when our growers are producing it, it would not come in here and our people would not have to take it. But are we the people to do this because we have not got the authority to do it?

**Mr. MacDonald:** Pay the farmer 2 cents; charge the consumer 25 cents. Why don't you do something about that?

**Hon. Mr. Stewart:** We have not got the authority whatever.

I could say to you this, that as a result of the actions of the Ontario food council in the present lettuce situation – and my hon. friend from Essex will know – there have been several import carloads deferred and the Essex county lettuce is now being used, because of quality improvement, packaging and all the rest of it, precooling and the things that the trade really requires. These are the things that are not quite so simple as my hon. friend from York South would have us believe.

Reference was made to marketing legislation. Now I would say this to my hon. friends that there was a great furore created by the problems which developed out of the bean board takeover by the farm products marketing board.

**Mr. MacDonald:** They have the last laugh—

**Hon. Mr. Stewart:** Yes, that is very true, and you have never heard me say one word personally against one of those people at any time. Let that be on the record.

My hon. friend across the hall thinks a lot more of interjecting and less listening but I listened to every word he said, but he does not want to listen to anything I have to say. He does not really want to know the facts. He just wants to yack about something that he does not know anything about. That is really the problem.

He stood out on the front steps when the farmers union came here with a delegation last year and upheld the cause of farmers. You could almost see him mounting his white charger—

**Mr. MacDonald:** Well, they certainly took a long time to find you.

**Hon. Mr. Stewart:** —and with his flag of socialism waving in the breeze, dash off into the four corners of the wild blue yonder as the great champion of the farmers. Why did not the hon. member for York South stand before the farmers and say to them that when the party he represents stood in Saskatchewan as the government of that province for over 20 years they never introduced a single marketing plan in all their 20 years? Why did he not say that?

**Mr. MacDonald:** They organized the wheat board years ago.

**Hon. Mr. Stewart:** Yes, sure. And I will tell you who brought the wheat board in. My friend does not want to be called the socialist leader, sir, he wants to be called the member for York South, the leader of the ND Party, that is what he wants to be called.

Why did he not say that it was the Conservative government under Prime Minister Bennett in 1935 that brought The Wheat Act in? That is what happened. The CCF government—that was in the days before they

formed the New Democratic Party, before they joined Labour and became the New Democratic Party—the CCF was dragged like a wild stallion freshly lassoed into the corral of farm marketing against their wishes. That is what happened in Saskatchewan.

**Mr. MacDonald:** Nonsense!

**Hon. Mr. Stewart:** The champion of the farmer drools out of his mouth, and words fall from his lips that have the least meaning of any member of this House on this kind of thing. It is just atrocious.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Hon. Mr. Stewart:** My hon. friend from Bruce talked about farmers being given the right to market their products as they saw fit, and to determine their own destiny through that use. My friend, they have that power now. It is in their hands, right there. They can use it when they see fit. If you want to see an illustration of what can really be done, you take a look at what has happened in the tobacco marketing plan in this province.

I recall the days when I stood in this House and the wildest condemnation, far worse than anything we have heard here today, was laid on my doorstep because we refused to come across with a sum of money from the public Treasury to take unsold tobacco off the exchange. That was what the issue was. That was why they went to Ottawa. That was why they came back here. We said the year before we put up, was it nearly $13 million and tobacco was taken off the market, but it hung like a cloud over us, we said the sooner you come to realize that to put that tobacco on the open market, on the exchange, and sell it for what it is worth, the sooner you will generate confidence in the business.

The problem with fixed prices is that when the buyers refuse to buy, somebody has to take it off the market. Nobody can force anybody to buy anything in this country. So tobacco went unsold, sir, because of fixed grade prices. But the next year those grade prices were removed, the auction moved ahead and tobacco was cleaned up and sold. We had an increase last year of 10 cents a pound over the year previous—$101 million revenue to the tobacco farmers of this province at an average price of 66 cents a pound—

**Mr. MacDonald:** That has nothing to do with it.

Interjections by hon. members.

**Hon. Mr. Stewart:** Just keep quiet. If you will let me finish. A 10 cents a pound increase over the year before when a high record was achieved. This is what orderly marketing means; this is what happens when a farm group takes hold of a project they can really accomplish.

That same tobacco board came back to me last spring and said to me that this is the best thing that ever happened.

I would suggest to my hon. friend that there is no reason why marketing boards cannot go ahead and do just this. He talked this afternoon about having some means of establishing a public forum type of an appeal, so that no marketing plan could be taken away from any board; that no marketing board could be dissolved. My hon. friend, I would say this to you and I say this in all sincerity, that as far as I am concerned that would be the most welcome type of legislation that could possibly be introduced in this House. I will tell you this, that legislation was offered to the commodity boards of this province and what did they do? They said, "We are not interested, we do not want any part of it, we do not want anything to do with it. We are satisfied with what we have got." And the commodity boards in session put a resolution on the books, and it goes as follows:

> Resolved that this meeting recommend the continuance of the present system of hearing appeals for the farm products marketing board and the milk commission of Ontario;
>
> and that there be no change in the existing provisions of The Farm Products Marketing Act and The Milk Act 1965 with respect to appeal.

Now, which horse are you riding?

**An hon. member:** Both.

**Hon. Mr. Stewart:** Are you trying to ride the horse of the farmers that you think you are going to gain a few votes from because they were distressed over what happened in the bean situation? Is this the group you are trying to talk for?

Or are you talking for the thousands of farmers—the 90 per cent—of the farmers of this province who sell their produce to the marketing board? Who sell through 19 marketing boards covering 38 marketing plans in this province? Are you talking for them?

Who are you talking for?

I would like to ask you further. If so much animosity was displayed to this government and the farm products marketing board and The Farm Products Marketing Act—as both you, my friend for Huron-Bruce and the hon. member for York South would indicate—why was it that three marketing plans carried, one of them with the highest majority in the history of marketing legislation in this province since the bean board was taken over? Why was that?

**Mr. MacDonald:** Is that your line of reasoning?

**Hon. Mr. Stewart:** You do not have any answers for that one. Because the farm people of this province have confidence in the farm products marketing board.

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Hon. Mr. Stewart:** Well, my friend tries to suggest that waiting in the wings there is somebody just ready to reach in and grab up some marketing board and throw them to the four winds of heaven and say: "You are through. Done." Nothing could be greater nonsense than this.

**Mr. MacDonald:** You did it.

**Hon. Mr. Stewart:** The people of this province, the farm people of this province and their marketing boards, have expressed such confidence in this government and in these marketing plans that we have the best organized farm marketing legislation that there is to be found anywhere; in any jurisdiction, in any nation.

Anybody can say it is trite to make those kind of statements because really we have heard that before and this is quite true. But why has not the CCF government of Saskatchewan introduced marketing legislation? If it would be such a magnificent thing for the people of Ontario, why did they not do that in the province of Saskatchewan?

And my Liberal friends are mouthing over here. Why does the Liberal government of Saskatchewan not introduce marketing legislation now too? There is no plan in the province of Saskatchewan for marketing legislation. Why? I want to know. Why is it that the province of Saskatchewan under your government or the party that you lead, is now so deficient in dairy production and swine that they cannot even begin to be totally self-sufficient? They have gone right down the drain in this kind of production.

Interjections by hon. members.

**Hon. Mr. Stewart:** Why have you not done something about it? If this is necessary, why have you not done something? I would like to ask you this.

**Mr. MacDonald:** Why are you not doing something about the milk situation here? Come back home.

**Hon. Mr. Stewart:** We are doing everything possible.

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Hon. Mr. Stewart:** I will come to milk but I am not coming to milk at this time because I cannot deal with the milk issue in three or four minutes.

**Mr. Chairman:** Once again, I must remind the members of the House that the Minister listened with courtesy to your presentation. I would ask you to do the same, please.

**Mr. MacDonald:** He is asking questions of us.

**Mr. Chairman:** These are rhetorical questions.

**Mr. MacDonald:** There was a big question.

**Hon. Mr. Stewart:** Mr. Chairman, there are things that I want to say concerning milk but before I leave the ARDA subject I want to say a word about my hon. friend's suggestion that there should be more money spent in rural development.

We would have to agree with this, but we here are limited by the ARDA agreement. I have to confess that all the provinces were a party to the ARDA agreement that was signed with the federal government in 1965.

In that agreement it was set out that there would be for a development fund for industrial purposes $3 per family in those areas which were so designated for such development purposes. This is matched by the province of Ontario, and in our case it comes to about $360,000; of which $330,000 is already allocated this year. I am all for it, believe me. I am all for expanding that amount.

We are preparing to make representations to Ottawa to have that programme re-examined and expanding that amount. I think the hon. member has a good point. I believe we could do a great deal in assisting industry to locate in areas under the ARDA legislation that would provide opportunities for employment in those areas where for a great variety of reasons the farm community can no longer consider itself self-sufficient.

Before I would leave the matters the hon. member for Huron-Bruce mentioned, I would suggest to him that the proposals which he has made are most interesting. I can tell you I listened to them with great intent because as a farmer I have a great appreciation for what he is saying as far as the farm people of this province are concerned. But I ask him if the Liberal Party and the New Democratic Party are ready to support the tax increases that would be necessary if these proposals were implemented? This is the real crux of it all.

**Mr. White:** That is the point.

**Hon. Mr. Stewart:** I recall the hon. member for Bruce the other night, when the hon. Minister of University Affairs sat in his place here and listened to a speech that I think will go down in history as the greatest illustration of disunity in the Liberal Party that I have ever seen—

**Hon. Mr. Rowntree:** We get quite a few of these.

**Hon. Mr. Stewart:** —where he deplored the spending of money by the Minister of University Affairs for the development of universities, and the opportunities provided to the young people of this province—

**Mr. V. M. Singer** (Downsview): You can defend the department.

**Hon. Mr. Stewart:** —for a university education. He deplored the spending of this money, but on the other hand, you suggest today that we should reach right into the public Treasury and put untold millions—you did not take the opportunity of suggesting how much that would be—into circulation throughout this province for farm products. I want to come back to that and I will do that this evening.

**Mr. MacDonald:** What is your alternative?

**Mr. Chairman:** It being 6 of the clock, p.m., I do now leave the chair and we will resume at 8 p.m.

The House took recess.

No. 156

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Monday, June 27, 1966

Evening Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, JUNE 27, 1966

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD
(*continued*)

**Mr. R. M. Whicher** (Bruce): Mr. Chairman, I rise on a point of personal privilege. Most unfortunately, at three minutes to six, I was called out of the House for a long distance telephone call and during that time, I am told by several hon. members of the House, the Minister of Agriculture mentioned my name, suggesting that the other day I said to the House that I was against the spending of money for universities, or that I wished to curtail some of the expenditure as far as The Department of University Affairs is concerned. He used this point to say to the hon. member for Huron-Bruce how could I be against this spending when he was for the subsidies for farmers, and that this was a great split in the Liberal Party.

Now, Mr. Chairman, most fortunately, an hon. member of the Conservative Party pointed this out to me at the dinner hour and to protect my name, I wish to read from page 4919 of *Hansard* of last Tuesday afternoon an extract from my remarks made during the estimates of The Department of University Affairs:

> My suggestion is this: that we pay the whole thing, 100 per cent, instead of the 75 per cent that we are now paying.

Mr. Chairman, I do not think that I need to say anything more, and I hope that the Minister of Agriculture is more correct in the facts that he has given for his own department than he is in discussing things that I have said in this House.

**Some hon. members:** Hear, hear!

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Sir, I was not referring to the hon. member for Bruce as a comparison with the hon. member for Huron-Bruce in what he said. I was comparing him with what he said, as I took it when I listened to his speech —and I must confess that I have not read *Hansard*—and I listened to his speech with great interest, because I thought the other night that he was referring to expenditures that sometime, sooner or later, had to be curtailed, in comparison—

**Mr. V. M. Singer** (Downsview): He did not say that at all!

**Hon. Mr. Stewart:** Yes, I know, but let us read it all. I am only explaining why I said this and, of course, if I am wrong, then I have to admit that I am wrong. I simply thought that he and the hon. member for Brant were at variances of opinion in The Department of University Affairs expenditures. I am glad to know that the hon. member for Bruce is all for spending money. This, then, puts it in the right perspective. We know where he stands.

Now then, the position of Ontario agriculture in the national marketing picture is something that we have to take into consideration. We have done quite a bit of research on this thing in the months and I want to say sometime during my estimates in connection with the import situation that Canada imports a great many million dollars' worth of food products each year, much of which could be produced right here in Ontario. Many imports arrive during our own production season.

As a matter of fact, as I said earlier this afternoon that when wheat is excluded, Canada is a net importer of food. This state of affairs exists while Ontario producers of many specialized food crops are restricting production because they are unable to sell profitably all that they are capable of producing.

Now, let me review briefly a few of the items appearing on the Canadian food import list in a single year, items which Ontario farmers could produce and where processing is needed. These products could be processed, thereby employing people right in our own province and in our own plants.

I referred to lettuce this afternoon. I refer again to $2 million worth of canned tomatoes coming into this country; I refer to enough tomato paste to use the production from 7,000 extra acres of this crop, and in the tomato-growing areas of this province, this is a sizable item; considerable volume of fresh

peaches during the Ontario season—$3 million worth of canned peaches that come into this province; to $1 million worth of canned cherries; to $1 million worth of canned pears; the $2 million worth of frozen strawberries; a half million dollars worth of frozen cherries; $2 million worth of frozen vegetables; $18.2 million bushels of grain corn; $45 million worth of meats and poultry; $10 million worth of cheese; with $12 million of all dairy products; to over $70 million worth of duty-free soya bean imports coming into this country.

Now, these figures provide a very real goal for our important replacement programme that we would like to see developed in the province of Ontario. These figures illustrate the impact of imports in our provincial agricultural economy. In certain cases, there is no doubt that these imports have a depressive effect on provincial agricultural prices and production.

I recognize the desirability and necessity of trade, but I feel that some study should be given by the federal government—within whose responsibility under the constitution such matters fall—to the effect these trade policies are having on present and long-range outlooks for Ontario agriculture. After all, the Ontario farmer is being asked to produce and operate his farm under the general conditions and the costs of this economy, and nobody has a greater appreciation of this than those members who represent rural ridings in this House. But I want to say, Mr. Chairman, and make it abundantly clear, that in my opinion the farmer of Ontario has every right to expect to have the opportunity of selling his products under the same constitution and the same conditions.

I say this to you as well, Mr. Chairman, that is the limiting factor of every marketing board in trade policies as permitted by the federal government on an interprovincial or international basis, this is the limiting factor. There can be no other factor, because we have not the right to stop this import of food products into our province which does have this depressing effect on agriculture production.

Milk was mentioned this afternoon, but I point out to you several other products. For instance, broilers. We have a broiler plan operating in the province of Ontario under The Farm Products Marketing Act, that I think has done a good deal for the broiler people of this province. But what happens outside of the province of Ontario? Broiler production has increased more rapidly there than in all the rest of the province of Ontario combined, in any one province. Those broilers are flowing right into this province underneath the ceiling price that has been agreed on and negotiated on a six-week basis — I should say on a week-to-week basis and a quota on a six-week basis.

This is the problem that faces our broiler people today. The same thing applies to all the other plans, because as I mentioned this afternoon, every marketing board has the right to fix prices. They can do it if they want to do it. But what is the point in doing it, if they fix the price at a place that is higher than other provinces or international trade? It just simply creates a vacuum and the produce flows in here and somebody is left with a product they cannot sell. This is the real problem. I tell you that it is something that we have to face.

Here we find Canadian agriculture — and this affects every farmer in Ontario — faced with these problems, in comparison with the highly protective trading arrangements of the European common market countries where the variable levies on food and agricultural products that flow across those international boundaries are used to protect the members' individual positions.

I can say this to you, Mr. Chairman, that there has been no one more aware of the need for increasing the income of Ontario and Canadian dairy farmers than have I right through my term of office.

I go back to the development of the manufacturing milk support price that we have here today. I recall meeting with the Hon. Harry Hays on many occasions to discuss this manufacturing milk price. We have the right to set the price for fluid milk producers. Only in certain areas does fluid milk crossing provincial boundaries interfere with the price structure that is established for fluid milk. Most of the fluid milk markets do not have the competition from outside the province of Ontario, which our manufacturing milk does.

The Hon. Mr. Hays was absolutely specific — indeed, I would say that Mr. Hays annoyed some people by saying that the manufacturing milk price responsibility belonged to the federal government and should be assumed by it.

Now, I must confess as the Minister for Ontario, that I had some reservations on that, but certainly the Minister for Quebec and I had to agree because it is an international problem.

**Mr. Whicher:** But he did something about it.

**Hon. Mr. Stewart:** Exactly as did the Hon. J. J. Greene, after he assumed office. The Minister from Quebec and I were the first two Ministers in his office and we were there within days after he was appointed.

**Mr. Whicher:** Who put up the money; was it you or he?

**Hon. Mr. Stewart:** I am coming to that. I frankly admit that he put the money up; I frankly admit that, and I give him credit for doing it. There is no problem there whatever, but if you will just contain yourself for a moment or two, I think you will hear what I have to say.

**Mr. Chairman:** Order!

**Hon. Mr. Stewart:** When we first talked about the $4 price for milk, this was really the Utopia. You will recall that a year or so ago, $3.50 milk was the target the federal government set as the price for manufacturing milk, and they said that we were going to make a payment in the summer—I believe it was in July or August—based on the production of the year before, amounting to 10 cents, 15 cents and 20 cents per hundred, based on the number of cwt of milk the farmer shipped. Then at the end of the year the price would be calculated and if the average price was less than $3.50 that difference would be made up to $3.50.

In the calculations of the federal government in the figures they had used, they determined that a deficiency payment was not necessary at the conclusion of the last dairy year. But during that year we had been discussing with them—that is the province of Quebec and the province of Ontario had been discussing with the federal government—the establishment of the $4 price. This was really to be the goal; this was what we were after. There was not the slightest suggestion at any time during those discussions that the $4 price would be at the farm; it was $4 at the plant, as milk has been sold throughout the history of milk marketing in this country. Never had it been sold any other way.

In arriving at that price and at the determining of that figure, $4, we took into consideration the requests of the dairy farmers of Canada who suggested that the price should be $4. We took into consideration the requests from the farm organizations that the price should be $4 and we stuck to it; we went right through to a $4 price.

I have to confess this, that we were concerned as was the federal government, with what effect that $4 price would have on manufacturing milk. With the position of surpluses would this $4 milk generate the building up of surpluses as had developed a few years ago when we had the hundreds of millions of pounds of butter and powder and what have you, lying around that we did not know what to do with? Was this going to be the problem? So the price was set at $4 and we hoped that this would work satisfactorily, that the trend of declining production would be reversed and straightened out and that it would be a satisfactory figure.

I think that it is interesting to note the effect that it has already had, because the Dominion bureau of statistics reports some very interesting figures. They report on February 1, 1963, there was on hand in Canada 227,641,000 pounds of butter. There was 46 million pounds of cheese and there was 39 million pounds of skim milk powder.

On February 1, 1964, the butter surplus had dropped to 204,478,000; the cheddar cheese had increased to 54 million pounds and skim milk powder had decreased to a little over 17.5 million pounds.

At February 1, 1965, the butter surplus had decreased. This had been accomplished by negotiations by the federal government with other countries to get rid of the butter surplus, but the butter surplus had declined to 81,103,000 pounds; cheddar cheese had increased to more than 55 million pounds and skim milk powder had increased to 24,750,000 pounds.

It is interesting to note that on February 1, 1966, butter stocks on hand were 62,555,000 pounds; cheddar cheese, 60 million pounds; skim milk powder, 20 million pounds, and then I got the figures for May 1, 1965. For butter this was 53,262,000 pounds and in comparison with this year, May 1, 1966, it stood at 33,096,000 pounds, a drop of 38 per cent.

But let us look at the other figures: cheddar cheese, May 1, 1965, 48,559,000 pounds and at May 1, 1966, 52,802,000 pounds. Let us look at skim milk powder at May 1, 1965, 17,495,000 and at May 1, 1966, 25,431,000 or an increase of 45 per cent.

Let us come down to June 1, 1965, a closer date. On hand at that time we find butter stocks 61,422,000 pounds; cheddar cheese, 52,149,000; skim milk powder, 23,755,000.

Then one year later, June 1, 1966, this very month, we have reversed the trend of the butter depreciation and stocks; we show 41,179,000, which is a drop of 33 per cent in comparison with 38 per cent in the previous figure; the cheese stocks have increased

14 per cent, they are up this year to 59,199,000 pounds at June 1; skim milk powder has increased 62 per cent in one year with stocks standing at 38,599,000 pounds.

Now these are figures that I think have to be taken into consideration and this is why the federal government quite openly expressed to us their concern in getting a price structure on manufactured milk that was set so high that it could interfere with the national dairy programme and policy that they were laying down and with which we were going along in the provinces of Ontario and Quebec.

Now the point of disagreement between the province of Quebec and the province of Ontario is in a uniform price being established for manufacturing milk in both provinces. I firmly believe that this should be a fact so that the processor in the province of Quebec can buy milk at the same price as he can buy it in the province of Ontario and that processors in both provinces start off from an even base. Then the natural factors of competition and efficiency and whatever you may have in the market, can have their rightful place. But when one province has no floor price and the other province maintains a floor price, the product simply flows into the province that has the floor price, at a lesser price than that pertaining in the province without the floor price.

This is the incredible part of it. So this is why we have supported 100 per cent the establishment of a national dairy commission. We believe that it is the real solution to the whole problem.

I read into the House this afternoon, a brief reference to the statement of the Hon. Mr. Greene—the introduction of the legislation pertaining to the establishment of the national dairy commission. I want to read it into the record now in the context in which he has made it, with specific reference to milk.

> And I repeat, under our constitution, the responsibility for agricultural production and for marketing controls lies largely within the provinces. However, when agricultural commodities cross interprovincial or international boundaries, federal authority is involved. The bill that I shall introduce this evening will establish a commission, one of the primary functions of which will be in co-operation with provincial agencies, the co-ordination of such marketing matters.
>
> The commission will also have authority to administer the dairy support programme, to engage in the promotion of dairy products and in general to take such action as will result in the development of the dairy industry best suited to the needs of the country.

Now, that to me, Mr. Chairman, is a pretty clear type of statement by the federal Minister.

He was good enough to send along a copy of Bill C-205, an Act to provide for the establishment of a dairy commission for Canada, first reading June 20, 1966.

I have no notion, whatever, Mr. Chairman, of reading this bill into the records of the House, but I am most interested in it, because I think it is one of the most far-reaching and best pieces of legislation that I have seen introduced in any Parliament for many a day. I want to point out for the benefit of the members of the House, Mr. Chairman, through you, the objects of the commission, because I think this is most important.

Section 8 of the bill says:

> The objects of the commission are to provide efficient producers of milk and cream with the opportunity of obtaining a fair return for their labour and investment and to provide consumers of dairy products with a continuous and adequate supply of dairy products of high quality.

Then section 9 goes on to state the powers of the commission:

> The purchase subject to, and in accordance with, any regulations made under this Act, the commission may (a) purchase any dairy product and package, process, store, ship, insure, import, export or sell or otherwise dispose of any dairy product purchased by it; (b) make payments for the benefit of producers of milk and cream for the purpose of stabilizing the price of those products, which payments may be made on the basis of volume, quality or on such other basis as the commission deems appropriate.

Then I go on to the duties of the commission, sections 10 and 11:

> Each year, following determination by the Governor-General in council pursuant to The Agricultural Stabilization Act of the total amount to be paid by the agricultural stabilization board to the commission for purpose of stabilizing the price of milk and cream, the commission shall submit to the Minister an outline of the programme by which it proposes to carry out its functions under this Act for the following fiscal year. The commission shall carry out its functions under this Act in a manner that

will achieve its objects and meet its obligations from the moneys available to it under this Act.

Section 11 says:

> In exercising its powers under this Act or the regulations in relation to the importation or exportation of any dairy product, the commission shall comply with any direction from time to time given to it by the Governor-General in council or the Minister.

Then I think it is most interesting, Mr. Chairman, to see what is referred to in the regulations, section 12:

> The Governor-General in council may make regulations regulating the marketing of any dairy product, including regulations (a) providing for the marketing of any dairy product on a quota basis; (b) designating the agencies through which any regulated product shall be marketed; (c) providing for the issue of licences to persons engaged in the production or processing of a regulated product for market, prescribing the fees therefor and providing for cancellation or suspension of such licences; prohibiting persons from engaging in the marketing of any dairy product or any class, variety or grade thereof in whole or in part except under the authority of a licence; prescribing the books or records to be kept by persons engaged in the production or processing of a regulated product for market and the information to be furnished by such persons; authorizing the commission to fix, impose and collect levies or charges from persons engaged in the marketing of any dairy product or the production or processing of a regulated product for marketing; for such purposes to classify such persons into groups, fix the levies or charges payable by the members of the different groups and to use such levies or charges for the purpose of carrying out its functions under this Act; providing for the seizure and disposal of any regulated product marketed in contravention of any regulation made under this section and generally for carrying out the purposes and provisions of this Act.

Then I note further in expenditures:

> That all expenditures for salaries, travelling expenses and expenses of administration, excluding those that in the opinion of the Minister are directly attributable to action taken by the commission to stabilize the price of any dairy product, shall be paid out of moneys appropriated by Parliament for such purposes.

Mr. Chairman, surely this sets out clearly the purpose of the federal government in establishing the national dairy commission, because it is a national commission that will have authority across the length and breadth of Canada. Those of us who are anxious to see that Canada is preserved as an entity will go along with that type of legislation that will do so much for the people at this time.

I would say this, Mr. Chairman, that in the discussions that we had with the federal Minister last winter, we hoped that he would see fit to establish a subsidy that would be payable to those plants across Canada that paid a minimum price for milk. If he had seen fit to do that, at once the competition betwen provinces and between processors within provinces, would have been brought to a halt, because the company that paid the minimum price, regardless of the province in which it operated, would receive the subsidy, and we asked that this be done.

We further asked that the minimum price in Quebec and Ontario be set at $3.50, which with the 75-cent subsidy would have made $4.25. However, the $4 price was the goal and we, in both Ontario and Quebec, felt that if the price could be set at $3.50 minimum, with the federal government picking up the 50 cents per hundredweight this would bring the price to that figure of $4, that never before had been achieved for manufacturing milk prices in Canada.

For reasons best known to the federal government, they decided not to implement the suggestion of paying to each of the plants the subsidy based on a minimum price established, and when the announcement was made, it was based on 75-cents-per-hundredweight of milk, 3.5 butterfat test. I have not got the statements here, but I know them well enough to know that the federal government said, "We will offer to purchase butter and powder and whatever exportable product is necessary, off the market, to allow the processor to pay $3.25."

The milk marketing board in the province of Ontario has legislation now to set the minimum price for milk. I am sure they would have been more than pleased to have set it at $3.50 and they would be willing to do it today. But because there was no minimum price set in other provinces, they felt if they set that price higher than $3.25 they would simply put the dairy industry out of business in the province of Ontario.

So they set the price at $3.25, believing that the federal offer to purchase would take products off the market to allow the processing industry to continue in business in this

province. Unfortunately, letters that are reaching me from processors are describing them as being in trouble because they simply cannot sell the powder at the offer-to-purchase price and pay $3.25 for milk.

We are still continuing negotiations with the provincial Minister in Quebec, the new Minister of Agriculture, trying to get a price of $3.50 established per hundredweight on a basis of 3.5 milk at the plant. With the federal subsidy of 75 cents, this will bring farmers $4.25, but because it affects both Ontario and Quebec, it will not jeopardize the position of processors or producers in either province.

I feel that this is a sound, sensible approach to the whole subject, and that it is worth carrying on these negotiations. I have the assurance of the new Minister in Quebec that he and his officials are studying this problem. Indeed I tried to reach him today; unfortunately I could not reach him, but I have also appealed to the federal Minister of Agriculture to reconsider his offer-to-purchase price. I have suggested to him, as I related to this House a week or so ago, that he should give favourable consideration to increasing the price of the powder offer-to-purchase by at least one cent a pound, and purchase the powder. This would put the processors in the position of getting their hands on some money and relieving them of this powder that is building up and which they simply cannot sell. I tell you that it is a very, very serious situation.

You may wonder why I, as Minister of Agriculture, stand here suggesting to you that dairy processors are in this unfortunate situation, but I sympathize with them because they cannot help themselves. The world price of powder is far below the price now offered for purchase by the federal government.

I leave these things with you for your consideration. There are many things that one can say concerning the various problems that face Ontario farmers. I think this milk situation that we have today points up very definitely the problem that Ontario farmers face in the movement into this province of foodstuffs that are on a competitive basis with them. In fact you would almost describe it in some instances as dumping within this province.

I think it is of great concern to us. My friends in the Opposition may criticize us for doing these kind of things, for calling this conference that I have suggested. They say it is just another conference and does not mean anything. As the member said this afternoon, action is the thing, but let us analyze the position of Canadian agriculture as we see it today.

We are more than pleased to know that the federal wheat sales have been made, we are pleased to hear the federal Minister of Agriculture, the Hon. J. J. Greene, say that 600 million bushels of wheat sales annually will be a common occurrence. We know that the Canadian consumers use perhaps 320 to 340 or 350 bushels of wheat on the domestic market annually, so we are getting awfully close to a billion bushels of wheat that needs to be produced each year. We are pleased that this is happening. I am thrilled that it is happening, because this does great things to the economy of Canada, but let us not be unaware of what it does to the rest of Canadian agriculture.

If our farmers in western Canada are to continue to produce wheat and to produce it in even greater abundance than they have in the past, then it seems to me we have to ask them, are they going to continue to produce coarse grains? Are they going to increase hog and beef production in western Canada? Or are they going to follow the pattern of Saskatchewan and get out of dairy production and out of hog production and selling the grain? If they are, then surely there is going to have to be an enormous demand made upon eastern Canadian farmers to meet the demands of meat production in this country, because just to feed the people of the province of Ontario by 1980 we will require a-quarter-of-a-million more 1,000-pound steers than we have today.

**Mr. E. Sargent** (Grey North): Why does not the Minister help?

**Hon. Mr. Stewart:** This is what we will need, we will require 600,000 more hogs by that time, and where are we going to get them? This is why I believe, Mr. Chairman, that it is essential that we have a look at this whole Canadian agricultural picture, and at the time we are looking at the future of production trends in this province of Ontario and in eastern Canada, we look at this business of food imports, because I think this is the worst problem that we face in Canadian agriculture today. I think we have to know where we are going on this problem.

If it is the case that food imports are to keep flowing into this country in the quantities that I suggest — and I do not suggest they should be stopped without any consideration being given to those people who use those products, because they are being

used here — but I am concerned that the farmer who has to buy the products to operate his farm, the inputs of his agricultural production, he is forced to buy on a protected market, but he is selling on a market that is not protected as far as food imports are concerned.

This is why I believe that if the policy in the future is to continue as it is today; if all Canadian consumers are to benefit from cheap food imports, then all of the Canadian people should come to the rescue of the farmer who produces food today on today's markets.

Mr. Chairman, there have been a lot of things said about where we and the province of Ontario stand on many things. I have enunciated what we believe are the things that really are of importance in today's economy. I believe that if we approach this in a commonsense, down-to-earth philosophy, recognizing the basic facts that are here and which cannot be ignored—the economic statistics and information that can be achieved on a world-wide basis—and look at the production of Ontario farms and the things that we are equipped to produce that are competitive on a world-wide market, we should direct our attention to producing those things.

I refer particularly to that 18.2 million bushels of grain corn that comes in here worth, I suppose, $25 to $30 million; the $70 million worth of soya beans. I look at the research projects that are going on in Ontario today to develop earlier maturing varieties of grain corn and I see the opportunities for farmers to use those earlier varities to fulfil the imports that we are bringing into this country. Those imports that will be needed in other places in the world to feed the growing world population. These are the things that must be considered.

**Mr. F. R. Oliver** (Grey South): May I ask my friend, what is the reason that we are unable to grow the soya beans required, and corn required in Ontario?

**Hon. Mr. Stewart:** I would say that one of the reasons we are not growing enough corn is the fact that the varieties are not early enough maturing today. When you look at the production of corn, I believe that 95 per cent of all the grain corn that is produced in Ontario today is produced in the counties of Essex, Kent, lower Lambton, the south part of Middlesex county and Elgin county, I am pretty sure those figures are reasonably accurate. Soya beans are extended over a little wider area than than that. Research is going on now at the University of Guelph, and I have seen these experiments in operation where the research scientists are trying to develop a soya bean that, treated with chemical, sir, will produce less foliage and, thereby, develop more quickly and give to a greater extent a yield of soya beans. If this can be accomplished, and the varieties can be developed as we have hoped that they will be developed, then I see soya bean and corn acreage expanding into other areas of the province because of climatic conditions that we cannot today justify.

**Mr. Oliver:** So it is a question of stepping up the research?

**Hon. Mr. Stewart:** Exactly, and this is what research is doing. That is why the greatest part of our research budget is going into this kind of research—$7.5 to $8 million a year. These are the things that we have to do. I think if we can accomplish these things, if we can put into effect the drainage programmes under ARDA that are in the planning today, and implement them throughout Ontario, we will bring into active production thousands and thousands of acres that today are not producing their potential because of lack of drainage.

The ARDA projects that are underway now in eastern Ontario and in other parts of the province are dovetailed to fit right into the future of agriculture in this province. As I see it, there is a necessary programme to advance ourselves to meet the challenge of food production in the future. I leave these thoughts with you, Mr. Chairman, for the consideration of the hon. members of the House as we proceed into the estimates of my department.

**Mr. S. Farquhar** (Algoma-Manitoulin): Mr. Chairman, I had expected to have a few words on the dairy branch but this particular debate seems to have—

**Mr. Chairman:** The general debate is over. We are now on vote 101. Any further debate shall be by item by item only. We are on vote 101, item 1.

On vote 101:

**Mr. R. Nixon** (Brant): Mr. Chairman, I was interested in the hon. Minister's emphasis on the difficulty of controlling imports into Ontario, and the apparent unwillingness of the federal government to co-operate in this regard.

Naturally, we are all aware of the fact that Canada, and Ontario as a major producing part of Canada, is an exporting nation as

well as an importing nation. I feel that this is the fact that the federal Minister has to face when making decisions as to whether certain imports would be allowed that would seem to militate against the economic stability of certain areas of the agricultural industry in this province. But I feel that the responsibility does remain with this department, not so much to build a tariff wall around Ontario, but through the agency of the Ontario food council to go to these importers and point out specifically the damage that they are doing to their basic source of supply. I do not feel that these people are unreasonable. I do not believe the consumers in this province are unreasonable, and I think the Minister might be well advised, rather than shucking the responsibility off on the federal authorities, to accept it as far as he is able to do by instructing the food council to take much more dramatic action, more drastic action than they have in the past, in bringing this matter to the attention of the consumers and those who do the purchasing from the middleman in this province.

**Hon. Mr. Stewart:** I wonder if we could—I am quite willing to discuss this. The hon. member has raised a good point, and I wonder if we could discuss this under vote 111—2, the food council. I would be very pleased to discuss that with you.

**Mr. Nixon:** Mr. Chairman, I would submit that the point I want to discuss even more than the activities of the food council is the fact that the Minister is laying this responsibility entirely at the door of the federal government and this is surely what would be covered in vote No. 1.

**Mr. Chairman:** This has nothing to do with vote 101, item 1. We are on vote 101, item 1.

**Mr. Whicher:** Yes, Mr. Chairman, and I want to discuss salaries here. I want to discuss something under salaries because I feel that in the ordinary expenditures of main office there are some people who would be very interested about this importation question which the hon. member for Brant has just raised. It was elaborated for quite some time by the hon. Minister of Agriculture.

I am not going to suggest, as the Minister has done, that all of the blame for the importation of oranges, lemons, tomatoes, lettuce, etc., that we have to have in this great province of ours, should be put on the lap of the federal government. You know, the federal government had been controlling this —this is under salaries, Mr. Chairman, this is under salaries. You have salaries—

**Mr. Chairman:** Order. Could we not keep some order in our debates here? I am going to conduct this as I have said. There will be plenty of opportunity through all of these votes to bring the point up that you want to discuss. I am going to hold right to the line. We have had a really good debate from the three—the Minister, the member for Huron-Bruce and the member for York South—and we are going to carry on now, vote by vote, item by item. On vote 101, item 1.

**Mr. Whicher:** You will understand that I am not discussing the food council at all. I am talking about—

**Mr. Chairman:** The vote deals with salaries.

**Mr. Whicher:** Well, this is what I am discussing—these people who are earning their salaries in The Department of Agriculture, concerning this very important question of importing foods from the United States and other countries.

**An hon. member:** That has nothing to do with these salaries.

**Mr. Whicher:** Yes, it does. It has a great deal because there are $295,000 spent there in the main office, and I feel that the taxpayers and citizens of Ontario are very interested in this rather large amount of money.

Mr. Chairman, the point is that this food has been imported for the last 100 years. No matter what the hon. Minister of Agriculture can say, it is going to be imported for the next 100 years.

**Mr. W. D. McKeough** (Kent West): Not necessarily!

**Mr. Whicher:** We simply cannot grow grapefruit in this country, and we cannot grow lettuce in the month of—

Interjections by hon. members.

**Mr. Whicher:** —and we cannot grow lettuce in the month of February and we cannot grow radishes, except in some of the greenhouses of this province. But the vast majority of it has to be imported from the south.

**Mr. McKeough:** Sure we can.

**Mr. Whicher:** Well, we will let the hon. Minister answer that. I understand you are looking for a Cabinet post; maybe you would like to take this one over.

**Mr. Chairman:** Order!

**Mr. Whicher:** However, the thing is this—that for many, many years this has been discussed by all political parties and by many Ministers of Agriculture. May I remind the hon. Minister that when the Prime Minister of Canada was of the Conservative political faith, I did not see that the importation of food into the province of Ontario was any less than it is at the present time? This is a question that seems to have no answer.

**Hon. Mr. Stewart:** May I say this to the hon. member? He is debating a point, and I emphasize that I am not talking politics tonight when I am suggesting the responsibility. You folks may say that I am. I agree that this problem has existed for a long time, that it will exist for a long time, but this does not for a minute suggest that we should not take a look at it and should not look at it in the context of what it is doing to Ontario farmers—

**Mr. Whicher:** Right, I agree.

**Hon. Mr. Stewart:** —and say to the federal government, "Look, if this is the policy that is to be continued"—and I said earlier in my remarks that no one wanted to deny to the consumers of the province of Ontario the food products that are coming in here that cannot be produced here—"if this is to be our policy then surely our farmers have a right to be subsidized or the person who ships the product in here has a right to pay the difference between what it should be fixed at in this province, in this country, and what it is in the country of origin." This is the European common market philosophy.

**Mr. Whicher:** Right.

**Hon. Mr. Stewart:** This is the point. I hope the hon. member does not think—I was not being political—

**Mr. Whicher:** Oh, I know.

**Hon. Mr. Stewart:** —because, quite frankly, I think that Mr. Greene recognizes this problem. And I am sure Mr. Hays recognized it. I am quite prepared in the discussions that we intend to have, in continuing discussions, that this point will be raised. It is one of the things that the economic council, as you will notice here, the agricultural economics research council of Canada—and we contribute to that $7,500 a year—these are some of the things they are grappling with. I would hope that we would be able to come up with some satisfactory answers because farmers want answers. There is no fooling.

**Mr. Whicher:** I want to say, Mr. Chairman, that I agree completely with the Minister of Agriculture and like himself, I am not going to talk politics here tonight either. I am interested in the farmers of Ontario, I am trying to get a decent living for the farmers of Ontario. Would this be a fair question, Mr. Chairman?

Interjections by hon. members.

**Mr. Whicher:** Would this be a fair question? If this is such an important question—that is the importation of foodstuffs into the province of Ontario, and I agree with the hon. Minister that it is an important question—why was it not asked long ago? What have you been doing for the last two or three years while you have been Minister of Agriculture? Why did you not go down to Ottawa and bring up these questions and instead of tonight posing the question, give us a few answers? This is what the farmers of the province of Ontario want.

I want to tell you this, Mr. Chairman, that this is what the farmers of Bruce county want. And when the hon. Minister stands up this afternoon and says that they have increased their net income by 300 per cent, I say that is a whole lot of hogwash because the average farmer in Bruce county today is having a hard time to get along, to pay his taxes, to send his children to school, to pay his medical expenses and everything else. They are not having an easy time at all, and Mr. Chairman, I say that this importation of foodstuffs is a most important problem.

But what did the Hon. Alvin Hamilton say about it, that is what I want to know? He had a chance to do something about this too.

Interjections by hon. members.

**Mr. Whicher:** And tonight, Mr. Chairman, the farmers of Ontario are not going to be satisfied with rhetorical questions thrown up in the air and rhetorical answers of, "Well, we are going to have an investigation into this." The time for investigations is long past. What we want are answers to these questions and you should have asked those questions from the people in Ottawa, from the people in Quebec, from Manitoba, etc. etc., long ago, because, Mr. Chairman, most respectfully I say to the hon. Minister, this is what you are getting paid for, not to ask questions. Our job is to ask questions, yours to provide the answers. Up to the present

time, Mr. Chairman, there have been very few answers given by the hon. Minister, as far as the importation of food is concerned.

**Mr. Oliver:** Mr. Chairman, on the first vote dealing with salaries, I want to follow just for a moment what my friend for Bruce said. It is quite appropriate that we discuss almost anything under salaries, because the men that do the various jobs are paid salaries and all are encompassed in this vote and therefore it is quite pertinent.

But I did want to make this statement to the House and to the Minister. I feel that his quite lengthy statement about the imports of foodstuffs into Canada and into Ontario was a sort of propaganda umbrella even though he does not say it was political; it was a red herring at least.

I remember the days, 25 years ago, when Tom Kennedy used to say the same thing. When he got into a little difficulty, he used to say, what about these imports. I would like to ask the Minister, what about the exports? What about the exports of Ontario meats to the United States market? The exports of other Canadian products? We cannot close ourselves in and build a wall around ourselves in the way you are talking about tonight.

**Hon. Mr. Stewart:** I agree, I agree!

**Mr. Oliver:** But you are suggesting that very thing by inference, if not otherwise, and my hon. friend is quite political in that and he knows it. He is just trying to cover up some of the other deficiencies that have come to light this afternoon. There is no question about that.

Interjections by hon. members.

**Mr. G. Ben** (Bracondale): First of all, it has never been the practice, Mr. Chairman, under any vote to restrict the debate to a specific number under the vote. We are now debating vote number 101.

**Mr. Chairman:** Order! I should inform the member that whether it has been or whether it has not, it is now. I happen to be the Chairman. We are on item 1. Carried?

**Mr. Ben:** Am I supposed to click my heels, Mr. Chairman? I will give you a salute too. That has not been the practice. It is the usage of the House to discuss by vote number. Vote number 101 is what we are debating now.

**Mr. Chairman:** We are right now debating item 1 of vote—

**Mr. Ben:** We are on vote 101, that is the money we are voting, and nothing else. Vote 101.

**Mr. Chairman:** Order!

**Mr. Ben:** Since when has the Chairman taken it upon himself to become the new maker of rules in this House? We are here to vote money for the operation of this province and—

Interjections by hon. members.

**An hon. member:** Which vote are you on?

**Mr. Ben:** I am on vote 101. I do not have to be under any item. I am voting money.

**Mr. Chairman:** I understand it was agreed by the House that we would take the votes item by item, so I am carrying out that understanding. We are on item 1, vote 101.

**Mr. Ben:** With all due respect, Mr. Chairman, there has not been agreement on that procedure.

Interjections by hon. members.

**Mr. Ben:** We are going back and forth, back and forth, depending on how it suits the convenience of the government. I am here to discuss vote 101, that is the subject matter before this House, nothing else.

**Mr. Chairman:** You are out of order! It is item 1.

**Mr. Ben:** I am not out of order. I am here to discuss vote 101. I know nothing about items. I am voting a sum of money.

**Mr. Chairman:** We shall do it item by item.

Interjections by hon. members.

**Mr. Ben:** Now, you want me to use the word salaries. Fine, I will use the word salaries. Well it is a little strange that the Minister should pay salaries to other individuals, and then get up in this House and not have a statement prepared that is concise. He ought to make better use of these salaries.

For instance, he talks about exports. Well if the salaries he paid had any results, he would have brought to the attention of this House that in 1964 in the agricultural statistics for Ontario it showed that the total milk production in Canada rose by only about 60 million pounds.

Interjections by hon. members.

**An hon. member:** What about Ontario?

**Mr. Ben:** In Ontario, the production of milk went up 200 million pounds, whereas in all of Canada it only went up about 60 million pounds. Now, what happened to the extra 108 million pounds? We surely must have done something with it.

The statistics show that all the milk produced in Ontario, 6,782 million pounds, was utilized. The statistics show how much cheese butter and concentrated milk was exported. But you have not broken down the statistics.

All the salaries that you paid out did not supply this House with statistics to show how much cheese and butter was exported from Ontario. Why did not these salaries produce those figures?

You talk about imports, but are you afraid to disclose the exports to show what this province is exporting? What happened to those salaries that you paid out?

Interjections by hon. members.

**Mr. Ben:** Now you have got the gashouse gang there. Talk about closure. They must be afraid that something is going to be revealed here, because there has not been a speaker that has got up on this side that they have not tried to stop being heard.

You talk about imports affecting the markets here. The salaries which you paid should have given you the reason why—for instance, ice cream manufacturers are no longer putting cream in what they call ice cream. Why did not those high salaried employees of yours explain the statistics here with reference to the lack of cream in ice cream? There is more ice cream being consumed now and less cream than there was three, four, five, six years ago. Why have not these salaries produced those figures?

You want to discuss salaries. Now explain why you have not compelled manufacturers of ice cream to maintain a certain percentage of cream in the ice cream. There is one merchant in my riding who told me that he has stopped selling ice cream because he was sick and tired of defrauding the public because there was no longer cream in the ice cream. Was he misleading me? Why does not the hon. Minister get that answer from those high-salaried employees?

**Mr. Chairman:** Carried?

Item 1 agreed to.

**Mr. Ben:** No, I want an answer from the hon. Minister.

**Mr. Chairman:** Item 2.

Item 2 agreed to.

On item 3:

**Mr. Ben:** Excuse me, Mr. Chairman, I asked the hon. Minister how much butter, cream and cheese was exported out of Ontario in 1964? I want to know what law governs the amount of cream that should be in the ice cream, and when are the producers of ice cream going to be compelled to put cream in the ice cream?

**Hon. Mr. Stewart:** Well, my hon. friend, I have been accused in this House of standing here and relating all of the figures of exports that we have exported out of this country.

Suffice it to say this, that of all the tomato juice that is used in the United Kingdom market, over 50 per cent of it comes from the province of Ontario; that of all the kernel corn that is used in the United Kingdom, 68 per cent of it comes from the province of Ontario. And those other figures for manufacturing milk purposes that are shipped in various forms outside of the province of Ontario in manufactured milk form. This is the real problem that our processors are faced with today. They cannot compete, as I have been trying to say all night, they cannot compete with the minimum prices that are fixed in this province in comparison with no minimum prices in other provinces and they are finding themselves in very great difficulty.

I could get the figures for the hon. member of many things, but we would have to go to the Dominion bureau of statistics at Ottawa to get all of them, and break them down province by province, and then it would have to be estimated. You cannot tell the exact amounts. You can get a general idea, but you cannot tell the exact amounts.

Now, as far as the amount of butter fat, I understand this is what my friend was talking about – the cream in ice cream. This is a consumer choice or preference, and some manufacturers choose to produce what is called, I think, iced milk, which is, I believe, butter fat deficient or has no butter fat at all. It is for a dietary problem. This is related to the various outlets, just the same –

**Mr. Ben:** Why permit them to call it ice cream then?

**Hon. Mr. Stewart:** They do not call it ice cream, they call it ice milk.

**Mr. Ben:** That is ice milk. I was speaking of ice cream, let us not confuse the issue. Ice cream no longer contains the butter fat or cream that it did ten years ago.

**Hon. Mr. Stewart:** As I understand it, there is a minimum of ten per cent butter fat in ice cream. I believe it varies from one type to another; some companies use more than others. But I believe it is a minimum requirement under the dairy regulations of 10 per cent. I can assure my hon. friend that with the amount of ice cream being used in the province of Ontario today I think the customers are generally pretty well satisfied with the quality and the quantity.

**Mr. Ben:** Mr. Chairman, on those statistics, in 1962 there were produced 8,102,000 gallons of ice cream mix; in 1963, 8,601,000 — these figures are in thousands — and in 1964, 8,637,000. But as to butter fat used in 1962 for 8,000,000 gallons of ice cream mix it was 7,733,000 pounds; in 1963, only 7,412,000 pounds; and in 1964, only 6,801,000 pounds. In other words, although the production of ice cream mix continues to rise or did rise over the past three years, the butter fat content continues to decline. This is ice cream mix, not what the Minister calls frozen milk. Changing the name is a way of getting around these by-laws in the different municipalities which forbid selling ice cream from trucks.

**Mr. A. H. Cowling** (High Park): Mr. Chairman, on a point of order. I fail to see what this has to do with salaries. There is another item under dairy branch, that would be cream and ice cream and milk and all that, so if the hon. member is going to talk about salaries let us get on salaries, but I cannot see the association between salaries and ice cream.

**Mr. Ben:** Oh, I can see it.

**Mr. Cowling:** I know the member can.

**Mr. Ben:** I am trying to find out why the salaries that we have paid out have not given us the answers to these problems. The hon. Minister has been quick to say that 50 per cent of the tomato juice exported to Great Britain comes from Ontario, but how much tomato juice was imported into Ontario? Sixty-eight per cent of the kernel corn exported to Great Britain came from Ontario, but how much of the corn consumed in Ontario was imported into Ontario? Give us those figures. Let the people who are salaried supply those figures.

**Mr. Chairman:** Order! The member for Huron-Bruce.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, I just wanted to —

**Mr. Ben:** May I have the answers to those?

**Mr. Gaunt:** Mr. Chairman, I was just wondering if I might have a ruling from the Chairman: Is this the vote that we could discuss two or three items on policy? Is this now the time to do this?

**Mr. Chairman:** No, we are on item 3, travelling expenses.

**Mr. Gaunt:** In other words, that debate has gone, is this your ruling, Mr. Chairman?

**Mr. Chairman:** Policy will be discussed in the various items.

Item 3 agreed to.

Item 4 agreed to?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): What vote are we on?

**Mr. Chairman:** On salaries.

**Mr. Sargent:** Mr. Chairman, under salaries, I question the right of the Minister to hold this position, because he said a moment ago that he feared, in the growing economy, for the ability of the processors to produce the meat that will be forthcoming. During this past year, some 13,000 farmers put up $2.5 million to form a meat-packing enterprise and the Minister was so concerned about the need for the overall picture of 60,000 producers in this province that he never once went to this group of 13,000 people who had invested $2.5 million, to see if he could help them. In fact, I question, Mr. Chairman, under salaries, the right of this Minister to collect his salary.

**Mr. Chairman:** Order! The Minister's salary is not under this item at all; it is a different vote entirely.

**Mr. Sargent:** Travelling expenses are in here; we are talking of the voting of money, Mr. Chairman. I submit that this Minister was instrumental through co-operation with the big packing houses in making it difficult for FAME to get a charter through the Ontario securities commission, and further, this Minister has made the statement—

**Mr. Chairman:** Order! The member is out of order; this may be discussed later.

**Mr. Sargent:** Well, I am talking about the ability—

**Mr. Chairman:** It has nothing to do with this vote.

**Mr. Sargent:** —and travelling expenses involved in this department in the operation of the livestock producers of Ontario.

**Mr. Chairman:** If the member wishes to discuss this, it would come under the livestock branch, vote 111.

**Mr. Sargent:** Mr. Chairman, there must have been travelling expenses involved in this operation.

**Mr. Chairman:** You may discuss it under vote 111.

**Mr. Sargent:** It is listed as an amount of $29,000 for travelling expenses. Now, in that $29,000 there could have been an amount of $50 for the Minister to go and meet with these farmers.

**Hon. Mr. Stewart:** The member said I did not go, so how could—

**Mr. Sargent:** I said it could have been there, it should have been there.

**Hon. Mr. Stewart:** Oh!

**Mr. Sargent:** But this Minister made the statement—

**Hon. A. Grossman** (Minister of Reform Institutions): This is next year's vote.

**Mr. Sargent:** —that there was no need for another packing house in Ontario and today in London they are building a multi-million dollar plant for Canada Packers. In yesterday's paper, this firm's sales have risen 13.4 per cent, and its profits have increased to $8,521,000. I suggest, Mr. Chairman, that there is collusion between this Minister and the government and the packing houses.

**Hon. H. L. Rowntree** (Minister of Labour): Say it outside the House.

**Mr. Sargent:** Mr. Chairman, I would like to ask the Minister if he would tell this House how much money they got for campaign expenses from the packing houses for their protection. You all sit back there and smirk but it is time that people knew the truth about what is going on in this province. The farmers are taking dirt, nothing but dirt; discrimination from this government.

**Mr. Chairman:** Order!

**Mr. Sargent:** And it is time someone got up and spoke for them.

**Mr. Chairman:** Order! I call the member out of order.

**Mr. Sargent:** I am talking about the failure of the Minister to spend $50 to go to meet with these 13,000 livestock producers on their problems.

**Hon. Mr. Simonett:** Is the member a shareholder?

**Mr. Sargent:** No, I was not, Mr. Chairman. Is the Minister? He should be if he is not.

Mr. Chairman, I can just imagine these packers coming to the government and saying, "What goes on in this FAME operation? You are in opposition to us, we must find some way to block this." And they had no support from this Minister who draws down $12,000 or $15,000 under the guise of helping agriculture.

**Mr. Chairman:** Will the member get back to the vote? He is entirely out of order.

**Mr. Sargent:** Mr. Chairman, this government, at the same time they were neglecting the needs of agriculture—

**Mr. Chairman:** Order! You are out of order.

Item 4 agreed to.

Item 5 agreed to.

On item 6:

**Mr. D. A. Paterson** (Essex South): On item 5, concerning the apiary services this past spring: With the late frost, I understand there was a near shortage of bees in the province to pollinate our orchards. Of course, bees are very essential to the greenhouse industry, also.

In my riding on the island of Pelee, the department used to have a queen bee programme, and I would ask of the Minister if his department is propagating better strains of bees to take their place in Ontario agriculture. Also, since passing The Bee Act last year, how many infractions of the locations of hives close to our highways have taken place?

**Hon. Mr. Stewart:** Mr. Chairman, I frankly have to confess I have not got that information with me. I believe it can be obtained from the provincial apiarist at Guelph, Mr. Townsend. We could get that information for you. I am sorry I do not have it because it is left in their hands to operate. They operate under grants from the department to

carry this out. If you would wish it, I would be pleased to contact them, or you can contact them directly, and I am sure they would be pleased to co-operate.

I know the point that you raised is most important.

**Mr. Chairman:** On item 6?

**Mr. J. P. Spence** (Kent East): Under item 6, Mr. Chairman, I believe last year The Department of Agriculture gave grants to housing for farm labour. Could the Minister inform us how many farmers made use of these grants, and how much money was involved? Another point I would like to bring to the attention of the Minister, of course, if the processors have not got labour to process the crops, there is no use in the farmers having labour to pick them. It was one of the problems last year that the processors just did not have enough labour to take care of the supply of vegetables that was brought in by the farmers. Is the Minister giving any consideration to assist the processors along the lines of labour this year?

**Hon. Mr. Stewart:** The answer to the first question: There were 23 applications last year for assistance in the construction of housing, with a total construction cost in excess of $60,000, of which we paid 50 per cent. This year, to date—that is to June 14, I should say—there have been 12 applications for an estimated cost of $24,708 to accommodate 98 workers. That has to do with the housing.

Now, as far as the workers in the industrial plants are concerned—that is the canning plants – as I understand it our agreement does not cover the cost of their transportation. On the other hand, we recognize the necessity for such workers, and as I am given to understand, the manpower placement policy is providing up to 600 Jamaican workers for the processing industry—that is to use in the plant. The scale of wages and the rate of pay or the cost of bringing them in and taking them back has been worked out. These people are available, but the applications have to come in for them.

I think many of the processors last year used labour from some of our Indian reservations; they used labour from other provinces; and I am told by our chairman of the farms labour committee, Mr. Bennett, that a great many of them came in from Detroit. So I assume that they are making their arrangements in view of the necessity.

**Mr. Paterson:** Mr. Chairman, on the same topic, I do have a question of the Minister but, first of all, I would like for you, Mr. Chairman, to compliment the assistant Deputy Minister for the work that he has done in this regard.

The many people in my area that worked through him certainly appreciate the valuable time that he has given to this problem. Though many officials in this Dominion-provincial farm labour group are being criticized, I think that the assistant Deputy Minister has earned the respect of all people concerned.

**Hon. Mr. Grossman:** These are the people who need the salaries that the hon. member complains about.

**Mr. Paterson:** I would like to know of the Minister what efforts his department can possibly do—economics and development—what efforts are being made to recruit specialized farm workers, such as for the dairy industry, or for a greenhouse, or some other agriculture industry in Europe and other parts of the world.

**Hon. Mr. Stewart:** Well, a great many efforts are being directed to this very matter. I outlined this rather extensively one day in the House last week in reply to a question, I believe, directed to me by the hon. member for Essex South. With regard to specialized labour, we have brought in the last year, on a pilot basis, ten families—no, we thought we had ten, there were eight of them actually came—and they worked out very well on Ontario beef and dairy farms. We sent a representative back to the United Kingdom this year and we have 40 possible recruits. Now, how many of them will actually come, we do not know; some have arrived, others are on the way. We hope that more will come.

Labour conditions seem to be more attractive to the United Kingdom help and we feel that we are moving into that field to a greater and greater degree.

The farm labour training course that I outlined in the statement I made in the House at the outset of my estimates and which will be introduced at the Kemptville agricultural school this year, is a pilot project and we frankly do not know whether we are going to get people in the course or not. I do not know how many applications we have today, whether there are any or not. But, it is frankly an experiment. Where in the world bodies are going to come from when there is such over-employment in all industry in Canada, and particularly Ontario, is a real problem.

We are concerned with this; we are work-

ing towards the fulfilment of the requirements, but it is very difficult to actually put one's hand on the labour to do the jobs that are required. I would like to mention the particular project in relation to the training of Indians that are coming down to work in the special crops area on a seasonal basis this year. A programme of training is being introduced for them through The Department of Education and The Department of Labour and the federal manpower training agreement so that we may provide to our Indian citizens the opportunity of re-training in some specific trade that they would fit into; so that they do not necessarily have to go back to the reservation, if they do not want to.

This programme offers a great deal of promise. We were very pleased with the results of 550 Indian people who came down last year to work in the seasonal harvesting of crops.

**Mr. McKeough:** Mr. Chairman, if I might just follow up for just one moment what my friend from Kent East has said, I think the problem is—from what I have been able to discover—not nearly as serious on the farm itself insofar as labour is concerned, the problem is going to be this fall in the processing plants. I think it is rather an interesting commentary that we have arrived at this point in time because we hear so often that the farmer is unable to compete in terms of dollars and cents with the industry, with factories, and so on. In my ramblings about my own riding, and my own county, I find that this is not the case. The farmer feels that he will be able to employ, on a piece-rate basis, and that is really what it is, good pickers of tomatoes, in particular, and all other fruits and vegetables; and they will be able to make sufficient money for that work, aside from the obvious advantages of working in the outdoors as opposed to working in a canning plant, it is more desirable and more economically rewarding. I think it is an interesting commentary on the state of agriculture today that we have, at this point in time, arrived at that position.

I realize that probably the matter of labour in canning plants, as I am sure my friend from Kent East does too, is not the direct concern of the Minister of Agriculture and Food, although he has concern for it because you really, as was pointed out, cannot have one without the other. I, too, would like to add this observation that the Deputy Minister has put in long hours on this problem and I think particularly in terms of bringing Indians from the north to work both in the canning plants and on the farms. I think his work should be recognized.

**Mr. Gaunt:** Mr. Chairman, I just want to add a word on this vote. I, too, heartily support the efforts of the assistant Deputy Minister in this regard. I think it is very commendable and I know that he has spent many hours on this type of thing and his efforts are certainly appreciated on all sides.

I am wondering, first of all, regarding what my friend the hon. member for Kent West says about the labour problem whether in fact it is a problem that concerns itself more with the processing end than with the farm end. This is something that I was not aware of. I thought that we still had quite a substantial labour problem on the farm.

Could I have clarification on that point because it would have a bearing on what I am going to say? Is the situation one in which we have actually met the labour requirements on the farms?

**Hon. Mr. Stewart:** I would say this, that last year there was a worse problem in labour requirements in the processing industry than there actually was on the farms to harvest the crops that were being processed, as I understand it.

I believe that what the hon. member for Kent West said is very true. I was interested in talking with some farmers who were in the cash-crop area and they told me that as far as sugar beet labour was concerned they had never seen it as plentiful for a number of years. I remarked on this and questioned them as to why this was the case and they said that there were many reasons—new technology, for one thing. I cannot recall the name of the seed that they plant but it is spaced out and there are not the same blocking problems there have been in thinning. With the better methods of weed control, the farm labourer is making a reasonably good daily wage on piece work, as the hon. member for Kent West points out. These farmers were very happy while they were paying substantial amounts of money. They were getting the job done and well done and were very happy.

I fancy that this same condition will likely pertain to the harvesting of crops when harvest times comes, but in the processing industry, it is quite something else in that it is operated on a round-the-clock basis. Sometimes with the heat and what-have-you it is quite a job to have people come in and I think that my hon. friend would have an appreciation of this.

**Mr. Gaunt:** Mr. Chairman, I take it that there still is a labour problem on the farm but it is not acute.

**Hon. Mr. Stewart:** Oh no, nothing like that at all.

**Mr. Gaunt:** It is not as acute as it was at one time and it perhaps is not nearly as acute as in the processing business.

**Hon. Mr. Stewart:** I do not know what my hon. friend is trying to do; he is trying to lead me into saying something—

**Mr. Gaunt:** No, I am not—

**Hon. Mr. Stewart:** I told you the truth. I agree that there is a real labour problem on the farms and nobody says anything different. I know that this is so, but you asked me if it was worse in harvesting or in processing and I just simply told you quite honestly that in my opinion there were more problems in the processing industry last year to obtain help than there were on the farms to pick the crops.

Perhaps this year it will be more difficult than it was last year to get help in either place. These are things that are difficult to determine at this stage and I would say as well that it is very difficult for the manpower committee to know what is required unless farmers and processing companies set out in detail what they want and when they want it. This is the real problem and we just cannot get this done. I think farmers are reluctant to agree in writing that they are going to hire X number of men for X number of days until they know whether the crop is going to be ready at that particular time to harvest.

This is the imponderable, but I think there is a real possibility that there will be some help available for farm labour in the ARDA programme of land consolidation that has been introduced. This is not something that will take place overnight, but I think that in the long term there may be some men available there who will want to continue farming but who find that the type of farm they are on just simply is not conducive to providing a decent living.

**Mr. Gaunt:** Mr. Chairman, I want to set aside my hon. friend's fears; I was not trying to lead him into saying anything. I was thinking in terms of organizing high school students around the province to work on these farms and if, in fact, the labour problem concerns itself with the farmer and the grower, I see no reason why this should not be done. If, however, it concerns itself with the processing, then of course those young people will be back in schol at that time and this is why I wanted to get a clarification on it.

Even apart from my own area there have been a number of young people who have come to me—as a matter of fact it seems that in the last few weeks I have been running some sort of employment service—because in my area the factories are all filled up, they have sufficient numbers of workers, and these young people want a job in the summertime. They come to me and I have suggested to them on numerous occasions that they get in touch with some of the people around Leamington, and perhaps in so doing, they might find a job. I think that some of them have done this.

I just wonder if the department has given any consideration to this type of thing because there are a great many such young people. As a matter of fact, I had a call tonight from a friend who lives in the city of Toronto and she has a 15-year-old boy who wants to get a job. He cannot work in the city of Toronto because the industries in the city will not take them at 15 years of age. Here is a young chap who would be delighted to go out to the farm and work all summer and I see no reason why not. So this is the reason for my query. I suggest that perhaps a programme of organization, or perhaps, more properly, information, sent out to these high schools in various areas throughout the province, might encourage young people to participate to a greater extent in this type of thing.

The other point that I wonder about is that I believe the department gives a grant —and this was mentioned by the hon. member for Kent East—to the extent of $150 for farm labour buildings. This rather intrigues me because I cannot for the life of me figure out what type of building one could build for $150. Is this just an overnight shack or what?

**Mr. N. Whitney** (Prince Edward-Lennox): Mr. Chairman, I have listened with a great deal of interest to this discussion because we have heard of the import of vegetables and other articles into Ontario which can be grown here. The other day I read a letter to the editor in a newspaper in which the correspondent referred to a lack of fresh Ontario strawberries. The fact is that it is so difficult to get help to pick strawberries, and so on, and there is the danger of their being imported at a lower price than their cost of production, which is the reason that people will not grow any more strawberries than

they have a ready market for, close to home. That is one of the reasons.

The same thing applies to many things such as raspberries, and in my own area, tomatoes as well. I feel that labour is all-important, both with regard to the costs of picking and harvesting and also in processing, but along with that a great deal more of this produce could be grown if the farmers were assured of a good enough price at the time and that other goods from outside would not come in to cut their price, just at the time when their produce is on the market.

I am talking of seasonal products, and that is where I think that the labour question is very important. If the protection was sufficient at those particular times, producers would be able to pay more for labour and the result would be better for labour and better for the people of Canada.

**Mr. Gaunt:** Mr. Chairman, I am just wondering if my friend has done anything in the manner which I suggested. Have you done anything in the high schools?

**Hon. Mr. Stewart:** It is an excellent idea and Mr. Bennett tells me that there have been brochures go out to the high schools indicating to the high school students the opportunities that are available in certain vegetable harvesting areas and tobacco harvesting, and this kind of thing.

I notice that there are several student employment agencies that have been set up throughout Metropolitan Toronto, I believe at least two. But the national employment service is handling orders for young farm help, that is student labour. Believe me, I know from personal experience that this student labour, even at 15 years of age, is not too young. Many people say that a boy would not be any good at 15 years of age. These are good boys, a lot of them, that are able, young fellows and provide a very useful service on the farms and I am all for it.

I think that the more of this kind of labour we can get out to help the rural areas of Ontario, the better, not only in the farm areas, but in rural communities where it is virtually impossible to hire a man of any kind. I am all for it. It is a good idea. We are promoting it through the farm labour committee and the national employment service is doing everything it can to place these students.

**Mr. Spence:** Mr. Chairman, under this vote, we find in some communities youth enterprises, a job placement and training programme for use out of school during the summer holidays. We find them in some towns where the recreational director and community leaders are carrying on a programme to educate these students who wish summertime employment on the farms, on what the individual farmer they work for will expect of them. Of course, to the girls, they give training and educate them along the lines of waitresses and hostesses, and I wonder if the Minister would consider giving any financial assistance to organizations such as this, who carry on a training programme for youths in some of our town and villages?

**Hon. Mr. Stewart:** Mr. Chairman, there are two things about this. First of all, I think that one must realize the time factor involved from the time school stops until it starts again, for a young fellow to get much training and then go out and get the job. I am sure the hon. member recognizes the problems there would be there.

However, there are possibilities along this line and I am advised by the chairman of the committee that a film was produced that has been used to show to these young people, in assemblies and in groups, the possibilities and how certain things are done—that is the picking of apples, for instance, the picking of cherries, tomatoes—so that when they get on the job they will know what to do. They know how to handle the product. This is most important.

I think this has served a useful purpose. It is along the line that my hon. friend is suggesting, and it is a good one.

**Mr. Nixon:** Mr. Chairman, I was interested to hear the hon. Minister say earlier that he had been a dairy farmer until 1948 and then labour shortage had caused him to change his line and go into beef and he realizes the difficulty in getting interested young people with some knowledge of handling animals and dealing with machinery and so on.

Along the line of the suggestion made by the member for Kent East, I was wondering whether instead of offering the training after school and before going to work, that the hon. Minister and his committee have investigated the possibility of having these courses offered in the vocational and special vocational schools of this province. As he no doubt knows, there are springing up in a number of centres, schools that are entirely separated from the ordinary collegiate, which offer one- and two-year courses for students who are not academically inclined nor interested. These courses, I would think, could

have an agricultural slant and these young men, particularly, could be taught some fundamentals in the use of the internal combustion engine, feeding, fertilizers, working with machinery, particularly. In this way you would soon build up a group of young men who could go out into the farms, where I say to you, Mr. Chairman, the salary levels are improving very rapidly and they could embark on very good careers indeed.

Mind you, the young men who have had an opportunity to go out as students and work on farms for a few summers, have gradually worked into some excellent positions, particularly with show herds with which the hon. Minister is no doubt familiar. They have made careers that are second to none in this province.

I would strongly suggest that he would put it to the hon. Minister of Education that we include in our vocational schools—and particularly to what the Minister of Education called the special vocational schools—specific programmes to give background training. It does not have to be too detailed, but practical training to these young people, who might not otherwise have an opportunity to go to Kemptville, or any of these special agricultural schools, would give them the background that would permit them to go into the farm labour force and really be most useful to the industry and accomplish something for themselves too.

**Hon. Mr. Stewart:** Mr. Chairman, I would like to thank the hon. member for that suggestion. I think it is an excellent suggestion. I believe there might be a means of doing it and accomplishing two things at the one time.

The school that is being opened at Kemptville along this line is, as I said, a pilot project and we will watch with interest whether or not we have candidates.

The school at New Liskeard will also be developed along similar lines. I would hope that out of that experience, we might be able to come up with some pretty good answers. In any event, I shall discuss this suggestion with the Minister of Education.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, If I may make a suggestion to the hon. Minister, concerning students enrolling at Guelph agricultural college, or Guelph University: They quite often refuse to go into farm labour for the summer because of the amount of money that they could possibly earn.

My suggestion would be that the department give them credit for a year's tuition for each summer that they spend in farm labour. They would also make sufficient funds to take care of, maybe, their incidentals, and room and board, expenses at the university, and at the same time would get that practical experience on the farm; and, I think, would be an asset to the agricultural community when they graduate.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, may I ask the Minister through you, sir, if his department has any figures as to the number of the so-called cash-crop processing plants in the province?

**Hon. Mr. Stewart:** I am sorry, Mr. Chairman, I do not have it with me, but it is in the office. As a matter of fact, it came in just this last week, and I do not believe it is in my files today—unless someone has it back here, I am not sure whether they have or not.

**Mr. Gisborn:** Well maybe we could get that later, Mr. Chairman.

**Hon. Mr. Stewart:** Yes, I would be glad to get you that figure, as nearly as we can, anyway.

**Mr. Gisborn:** Do I take it, Mr. Chairman, to the Minister, that the government's programme to provide subsidies for housing facilities applies also to the processing plants?

**Hon. Mr. Stewart:** No, just to the primary producer.

**Mr. Gisborn:** Might the Minister explain how the processing plants get along as far as accommodations go for their summer employment?

**Hon. Mr. Stewart:** Many of them provide their own facilities of one type or another, rent quarters, and what have you, and many of the workers, of course, have their own living accommodation and come to work on a shift basis. There has not been the real demand that there has been for the producers for such living accommodation.

**Mr. Gisborn:** Why I raise the question, Mr. Chairman, was that I spent the season in Simcoe in the early '30s, not working at the plant. I worked around town and of course the Canadian Canners processing plant there had a large dormitory style of accommodation housing for the workers and I never in my life ran across anything so disgraceful. That was in the early days that I saw this sort of thing going on. They were crowded and they were dirty and miserable and I wondered if there are many of these dormitory style or type of accommodations being used at the

present time in the processing plants across the province.

**Hon. Mr. Stewart:** I am given to understand that most of them use motel types of accommodation.

Mr. Chairman, I believe some other plants have made other arrangements, but I believe all of them are required to meet health standards today. The days of the '30's and today are quite different, I am sure the member would agree.

**Mr. Chairman:** Item 7, vote 101.

**Mr. Ben:** Mr. Chairman, may I ask how many automobiles the Minister's department insures, and why he insures the motor vehicles, how long have they been insuring them, and who is the agent for this?

**Hon. Mr. Stewart:** There are 195 vehicles insured in the department and the insurance is handled by The Department of Highways through the insurance and claims office. It is a fleet insurance policy—Ontario government fleet policy—handled through The Department of Highways.

**Mr. Ben:** For maintaining insurance on all his motor vehicles; is that correct?

**Hon. Mr. Stewart:** Public liability and property damage.

Item 7 agreed to.

**Mr. Ben:** Would the Minister tell me how much damage was sustained to the motor vehicles of his department, and how many claims were paid?

**Hon. Mr. Stewart:** We can get you those figures. I do not have them with me at the moment.

I could not tell you right off hand, but we can get them for you.

**Mr. Chairman:** Item 8 agreed to.

Items 9 and 10 agreed to.

On item 11:

**Mr. D. C. MacDonald** (York South): Mr. Chairman, with regard to 11 and 12, that I am taking together, I assume that these student bursaries are bursaries that are granted to students that go to OAC, and also that the building grant to the University of Guelph has a continuing relationship between the department and OAC.

May I ask, is it the intention to continue the department's relationship with OAC in bursaries and in grants in this fashion rather than making a department The Department of University Affairs?

**Hon. Mr. Stewart:** Only as it pertains to the agricultural sciences, the agricultural options. We provide bursaries for those who take the subjects. This is the aproach.

**Mr. MacDonald:** Mr. Chairman, $200,000 is a pretty sizable amount. What is the size of the bursary and how many were granted, for example, this past year?

**Hon. Mr. Stewart:** It is $62.50 per semester; there would be four college years at $125.00 per year for each eight semesters. The students who receive the bursary during the first four semesters in agricultural science and proceed to the provincial programme in veterinary medicine, are eligible for the bursary for the first four semesters of the veterinary programme.

Students entering Macdonald institute may, on application to the home economics branch, receive similar bursaries to those in agricultural science, providing they have completed six 4-H homemaking club courses under the programmes sponsored by the home economics branch of The Ontario Department of Agriculture and Food.

**Mr. MacDonald:** Has the Minister got the number of students who received bursaries?

**Hon. Mr. Stewart:** I think we have it some place here. I have not got it at my fingertips.

**Mr. MacDonald:** The figure of $200,000 is a pretty sizable one and I am curious as to its size.

**Hon. Mr. Stewart:** I do not have that figure with me, but we can get it for you.

**Mr. MacDonald:** May I ask, Mr. Chairman, another question in relation to the first vote. It ties in here. How many professional agriculturists with The Department of Agriculture and Food are not graduates of OAC?

**Hon. Mr. Stewart:** That is a good question. I will have to ask my officials because, frankly, I do not know. I have never —

**Mr. MacDonald:** Are there any?

**Hon. Mr. Stewart:** There are, I am sure.

**Mr. MacDonald:** I am informed that some three or four years ago there was not a single one in the department who was not a graduate of OAC.

**Hon. Mr. Stewart:** I would be very, very doubtful of that. I understand there are many graduates of Macdonald college. Quite frankly, the director of our home economics branch, Miss McKercher, was here this afternoon; I do not know whether she is still here or not, but I do know that she has been going across the length and breadth of Canada to hire home economists for the home economics service. Certainly, if we were not to obtain staff from other universities, we just simply would not be able to meet the demand in our own department. In fact, we are short-staffed now. We know this, but we cannot do anything about it. We just simply cannot get the graduates. That is the reason for the emphasis on bursaries in agricultural science subjects and home economics, Mr. Chairman.

**Mr. MacDonald:** The point I wanted to make, Mr. Chairman, is that I have heard the criticism made periodically and I just do not know how valid it is, that with all the very good work that is done at OAC, there has been a tendency for serious in-breeding, so to speak; that too high a proportion of the staff at the college itself, and indeed too high a proportion of the professional agriculturists with the department were graduates of OAC. This is not said with any reflection on OAC, except that it seems to me that you reach a point where there could be – if I am not being too persistent in the use of these terms – a bit more cross-fertilization between various other similar institutions to the benefit of all concerned.

Indeed, I am told that there was one occasion about five or six years ago when some person came on to the staff at OAC – and whether this is a common occurence, or whether it stemmed from himself and personality differences or what, I would not say for certain–but he left and subsequently wrote an article and contended that it was pretty difficult for a person who was not a graduate of OAC even to survive professionally or socially in the closed little circle. Is there any validity in this argument and, if so, is there now going to be a greater tendency in the independent setup of the University of Guelph with OAC being a component part of it and moving away from that?

**Hon. Mr. Stewart:** In the first place, Mr. Chairman, not being a graduate of Guelph myself, nor any other agricultural college as far as that is concerned, I must say that I would not know the validity of the personal aspects of my friend's suggestion. I do know, however, that I have never heard that point raised as long as I have been Minister. I do know that the professional staff of the Ontario agricultural college feels that it is quite an asset to any graduate of the college to take his post-graduate work at some other university, hopefully that he will come back to the OAC because they are in need of staff there the same as they are in other places.

I think we would all agree that the interchange of students of post-graduate level, between agricultural colleges, the same as between any other type of college, can only be construed to the benefit of the person who is participating. I quite frankly do not believe that the argument that my friend has raised – if it ever was valid – is valid today. This is my interpretation of it.

**Mr. Nixon:** Mr. Chairman, on item 11, is it necessary that the students who receive these bursaries get some minimum academic standing before they are awarded, other than their acceptance by the university?

**Hon Mr. Stewart:** They have to pass each semester.

**Mr. Nixon:** Are the requirements co-ordinated with the Ontario student award programme that the Minister of University Affairs administers?

**Hon. Mr. Stewart:** I am told that there is general co-ordination with the departmental officials of The Departments of Education and Agriculture.

**Mr. Nixon:** It is not necessary to take out a federal loan in order to get some of this money?

**Hon. Mr. Stewart:** No.

**Mr. Nixon:** Well, then, in item 12, what use is made of this $750,000? I do not know whether you explained this to the member for York South?

**Hon. Mr. Stewart:** I mentioned in the statement at the outset of my budget that the building grant to the University of Guelph of $750,000 was the first payment towards the new animal science building and the new crop science building. There is a building campaign on now, a fund-raising campaign, at the University of Guelph. We have contributed a certain portion of that campaign. Whatever is the amount, 15 per cent of the remaining cost will be picked up by The Department of Agriculture and Food, over and beyond that which is contributed by volun-

tary contribution. The balance, as I understand it, is to come from The Department of University Affairs building fund for the two new buildings.

We believe that we have a stake in the crop science building and the animal science building, because they are of such tremendous importance to the agricultural industry of the province of Ontario, indeed of all Canada, and we have picked up that much even though they belong to the University of Guelph.

**Mr. Nixon:** Has the staff that mans these two buildings, particularly, at OVC and OAC, now been divorced from the direction of this department entirely?

**Hon. Mr. Stewart:** Yes, they have. The only connection they have with the department is through the agricultural research institute in the approval of projects under the research institute. It comes under another vote.

**Mr. Nixon:** Last year, when we were still in the process of transition, there were some severe complaints on the pension matters concerning these professors and teachers and laboratory people who had been, up until that time, civil servants and would then become employees of the university. The pension was not being equitably calculated, at least as they understood it, and they were going to drop, in their own view, certain equities that they felt should be carried over with them.

Do you know if this problem still maintains or if it has been worked out?

**Hon. Mr. Stewart:** Yes, I am very happy to report to the House, Mr. Chairman, that those difficulties have been overcome and I believe everybody was reasonably happy with the setup.

**Mr. Nixon:** Just one final question: There was either a note in the paper somewhere or perhaps a speech made by someone from OVC that the staff, following the transfer, had dropped considerably in its numbers and the college was having some difficulty maintaining its staff level. Is this a problem that the Minister is aware of?

**Hon. Mr. Stewart:** Not to my knowledge.

**Mr. Sargent:** Are you on item S of 101?

**Mr. Chairman:** No, not yet.

**Mr. Newman:** Mr. Chairman, may I ask the hon. Minister if these student bursaries are for studies only at Guelph?

**Hon. Mr. Stewart:** Yes. Agricultural science and home economics.

**Mr. Newman:** None of them are available for studies beyond the bounds of the province of Ontario?

**Hon. Mr. Stewart:** No.

**Mr. Sargent:** Mr. Chairman, may I discuss the Minister's salary under this vote?

Mr. Chairman, $2.5 million of the Ontario farmers went down the drain through the lack of intervention of this Minister and I have charged that there has been some collusion between his department or the government and the Ontario securities commission insofar as the holding up of the granting of a charter. I quote from an article in the *Monetary Times* and it is on page 53, talking about FAME:

> The new organization began a campaign to raise its first $1 million through a sale of debentures.

**Mr. Chairman:** I would like to remind the member for Grey North that the sale of debentures by FAME has nothing to do with the Minister's salary. This is statutory and I will have to rule him out of order.

**Mr. Sargent:** Mr. Chairman, may I submit this, that there have been questions in this article inferring that there were certain forces at work to advise the commission not to give them their charter. I would like to ask the Minister about this article, if he was part of this, and if he had at any time spoken to the commission.

**Mr. Chairman:** This has nothing to do with this vote.

**Mr. Sargent:** I submit, Mr. Chairman, in drawing down his salary—

**Mr. Chairman:** I have to rule you out of order. Take your seat. This is statutory.

Vote 101 agreed to.

On vote 102:

**Mr. Oliver:** I would like to know from the Minister, is the same tendency developing in the agricultural societies as is prevalent in the amalgamation of schools in the bringing together of certain areas? Are there less agricultural fairs today than there were ten years ago? Or are there more, or what is the situation in that regard? One would almost think that some of the small fairs would be amalgamating with some others in order to provide a real first-class fair, and I was wondering what the tendency was.

**Hon. Mr. Stewart:** I do not know whether I have comparative figures here or not.

Items 2 to 4, inclusive, agreed to.

On item 5:

**Hon. Mr. Stewart:** I am advised that we have dropped about ten fairs in the last five years.

**Mr. Oliver:** About ten?

**Hon. Mr. Stewart:** Yes.

**Mr. Oliver:** Out of a total number of—

**Hon. Mr. Stewart:** A total of 244, and it is now 234.

**Mr. MacDonald:** Mr. Chairman, this special grant to 100-year-old agricultural societies. What exactly is that?

**Hon. Mr. Stewart:** If an agricultural society reaches its centennial—100 years of continuous operation or 100 years since it started—they are given a one-shot grant of $1,000 to build memorial gates or erect some particular project to commemorate the occasion of their centennial. Sometimes they erect a bandstand with a plaque on it or memorial gate, something like this, commemorating their centennial.

**Mr. MacDonald:** Well, if it is a one-shot affair—I thought maybe you had an old-age pension for agricultural societies which are 100 years old.

Mr. Chairman, the general question I wanted to put to the Minister is that I think for historic reasons, The Department of Agriculture is one where a lot of little grants have been given to a lot of bodies and organizations and fairs and so on down through the years. I have a suspicion that some of these just tend to hang on. How serious a review of the various grants is made? Is there one made every year? Does the Minister really probe to discover whether or not the grant is being used for any really useful purpose?

**Hon. Mr. Stewart:** Yes, every year. There is a statement submitted from every agricultural society for every year and that is reviewed by the agricultural and horticultural societies branch and the grants for the following year are predicated on that statement. But every one of them is reviewed every year.

**Mr. Oliver:** Is my hon. friend suggesting that from time to time he refuses to give a grant?

**Hon. Mr. Stewart:** No, I do not think we have refused any that I know of. It has been earned according to the catalogue or the regulations of the department or branch.

**Mr. MacDonald:** There was one organization and to make my point I am rather glad I have forgotten which one it is now; but if you go back into the agricultural estimates some three or four years ago, one was drawn to my attention, which got a relatively small grant. And I am informed that it was spent wholly for buying a box at the Royal winter fair. Quite frankly, if the department wants to make a grant to the Royal winter fair, make a grant to the Royal winter fair, but not to an organization which uses all of it for buying a box at the Royal winter fair, in which they could entertain their friends. It is this kind of thing that I was wondering whether the Minister is catching by a careful examination each year.

**Hon. Mr. Stewart:** I am informed, Mr. Chairman, that that grant has not been made to an agricultural or horticultural society but to an association of livestock people and that it is no longer in existence.

**Mr. MacDonald:** Touché!

**Mr. Gisborn:** Mr. Chairman, may we have a sample of what the grants for commercial production features entail?

**Hon. Mr. Stewart:** Whatever the product may be—whatever the local project may be. In one case, it may be in a fruit area for specific fruit projects and in another area it may be for corn, for cereal grains. Some of the agricultural societies carry out pasture contests. It is for a specific project that the agricultural society may designate. They go through with the various projects and there are days when they bring people in to view the project in the various areas.

I am told Rockland fair had a beef project, for instance, here three years ago. But I see these various agricultural projects as I visit fall fairs. Some of them have different projects, depending on the crop that happens to be of importance in that area, if they are trying to promote a new variety or a new species. This is the idea. That is the commercial aspect of it.

Item 5 agreed to.

On item 6:

**Mr. Paterson:** Under item 6, Mr. Chairman, is that a typographical error in the blue book,

as the amount of $48,000 does not correspond to that line?

**Hon. Mr. Stewart:** Yes, it is off the line, I notice that in mine. I assume that is right. Yes, I am informed that is right.

**Mr. Paterson:** Would the Minister have a copy of that Act forwarded to me, please?

**Hon. Mr. Stewart:** Yes, we would be glad to do that.

Items 6 and 7 agreed to.

On item 8:

**Mr. Newman:** Mr. Chairman, may I ask under item 8, The Community Centres Act, if the grants are limited to $5,000 per project for a community or is it $5,000 per project?

**Hon. Mr. Stewart:** Per project!

**Mr. Newman:** Any number of projects in a community?

**Hon. Mr. Stewart:** Yes, that is right, per project.

**Mr. Newman:** Has the Minister considered revising the $5,000 seeing that the cost of everything has gone up?

**Hon. Mr. Stewart:** Well, I would say it is a matter that can be considered. I think it has generally fulfilled a fairly useful purpose but I think that if you get the grants too high there are municipalities which might look upon that as something that they can get hold of and go ahead with building a community centre. In some cases there has been the odd white elephant develop and I do not think we want really to encourage that; $20,000 is a reasonably good grant to a community centre for the four projects that do qualify.

**Mr. Newman:** That is true, Mr. Chairman, but if the community is putting up only one project, $5,000 sometimes does not go too far, whereas were there a little more assistance the project would be completed much sooner.

Item 8 agreed to.

On item 9:

**Mr. Gaunt:** Mr. Chairman, on item 9, I am just wondering as a matter of interest what type of participation the Minister has witnessed in the farmstead and rural improvement centennial project—I am led to believe that we have not had the type of wholesale participation that we would have hoped for in this project. It is very worthwhile and we welcomed it last year when it was announced, and I wonder how extensive the participation has been to date.

**Hon. Mr. Stewart:** Mr. Chairman, I suppose that the number can be described comparatively as large or small, but there were 3,500 participants as of last fall and there may be more interest but I am not exactly sure.

**Mr. Gaunt:** How many have you right now?

**Hon. Mr. Stewart:** Every county is represented and there are 3,500 in total. Appraisals have been made of those properties and they will be rejudged again this fall, a year later.

Vote 102 agreed to.

On vote 103:

**Mr. Sargent:** It is pretty well recognized that this province has fallen badly behind Quebec in the ARDA programme. In fact, we spend about one-fifth of what the province of Quebec spends. Apart from what we spend about one-quarter in our agriculture budget that is spent in the province of Quebec—but that is an aside. In this vote here we spent last year on ARDA in Ontario about $186,000 with a salary payroll of $19,000. This year about $4 million is going to be spent and the staff salaries amount to $38,000. There must be some reason or something wrong here some place. Is it right that about $4 million is going to be spent this year in ARDA in Ontario?

**Hon. Mr. Stewart:** There are rural development officers added to the project under item 4; there will be more staff involved in that particular project.

**Mr. Sargent:** In the project class. So that the payroll of $38,000 is not going to handle the job. What is the number of personnel involved in ARDA?

**Hon. Mr. Stewart:** We have four, I believe, in the main office—that is, projected for the main office — and five rural development officers, and the salaries of those five rural development officers are, as I understand it, included in the project costs, the sharable costs in item No. 4.

**Mr. Sargent:** So the total complement then, to spend $4 million, is nine people. Is this correct?

**Hon. Mr. Stewart:** Well, through all the extension people and the various departments that go to make up the ARDA—

**Mr. Sargent:** Probably three or four of these are secretaries. You are going to have a really strong force to spend $4 million. What is your programme in Grey and Bruce on ARDA?

**Hon. Mr. Stewart:** In Grey and Bruce? I do not know whether we have them for the counties or not.

In Bruce county the programme for the community pasture is underway — purchase and acquisition and development of the community pasture in that particular area—and there are various research projects that are going on in both counties.

**Mr. Sargent:** When you finally say that nine people are going to spend $4 million in ARDA in Ontario—

**Hon. Mr. Stewart:** No, of course not. I tried to explain to the hon. member a moment ago—I am sorry if I did not get my message across. There are five rural development officers to be added to the staff of ARDA and these will be field officers—

**Mr. Sargent:** They are to be added?

**Hon. Mr. Stewart:** They are to be added. I believe that three of them are already in operation now. These people will be working with the local ARDA committees and the local representatives of the various departments who go to make up the ARDA directorate. This is really what the ARDA project is in the province of Ontario. It is administered through our department, but not all expenditures are made through our department so that we have other departments that are carrying out various ARDA projects, but under the ARDA legislation.

**Mr. Sargent:** Mr. Chairman, with Quebec spending five times as much last year on ARDA — possibly $20 million — we spent $189,000 last year, and this is the man who says that he is doing a job for agriculture! Now, I would like to ask him how many acres in the Grey and Bruce pasture scheme are in effect now?

**Hon. Mr. Stewart:** Were you in your seat this afternoon? If you were, you would have heard what I said—

**Mr. Sargent:** Do not be such a big man, you are getting paid to do this job.

**Hon. Mr. Stewart:** And you are getting paid to take up the time of the House.

In Victoria, there are 1,660 acres in the pasture; in Leeds county, 550 acres; in Timiskaming, 960 acres; in Manitoulin, 2,400 acres and the one in Bruce county, I understand, consists of 800 acres. It is not quite completed as to purchase yet, but when the 800 acres are purchased, it will go on from there.

**Mr. Sargent:** What research projects are underway in Grey and Bruce counties?

**Hon. Mr. Stewart:** The rough land pasture study is under way in Bruce county at the moment.

**Mr. Sargent:** I am sorry I did not hear that.

**Hon. Mr. Stewart:** Rough land pasture study—the rejuvenation of pastures by the introduction of birdsfoot trefoil.

**Mr. Sargent:** So acquisition of takeover of small farms to join with larger units—has this been planned yet?

**Hon. Mr. Stewart:** Not yet.

**Mr. Sargent:** I see you spent $2,500 last year on travelling expenses in all of Ontario for ARDA. This is the thing that you do across this province; you try to con the people into thinking that you speak for agriculture. This is a disgrace to the people of Ontario where three-quarters of the people in this province have to put up with this type of operation with this ineffectual puppet of a government that ignores agriculture entirely.

**Hon. G. C. Wardrope** (Minister of Mines): Certainly the member for Grey North has no respect for anyone here, but certainly loves himself.

**Mr. Sargent:** I have; I respect the House but I have so much to say about the ineffectuality of this Minister that time does not permit. It is a disgrace.

**Mr. Chairman:** The member for Grey South.

**Mr. Oliver:** I would ask the hon. Minister of the three million acres set out for projects, what proportion of that is charged for the development of the tile drainage work in eastern Ontario?

**Hon. Mr. Stewart:** Mr. Chairman, $750,000 for drainage projects in eastern Ontario for this year.

**Mr. Chairman:** The member for Algoma-Manitoulin.

**Mr. Farquhar:** Mr. Chairman, I would like to suggest, first of all—I would like to ask several questions as I am very interested in this programme, as the hon. Minister knows.

Could I have him reiterate the number of local ARDA committees there are in the province, please?

**Hon. Mr. Stewart:** Twenty-two.

**Mr. Farquhar:** Twenty-two committees. And their services except for a little per diem allowance and travelling expenses are essentially voluntary?

**Hon. Mr. Stewart:** I would think so, yes.

**Mr. Farquhar:** May I ask then—we are speaking on an item of $4 million here—does this mean that projects will be undertaken in double this amount—in other words, federal participation is over and above this figure?

**Hon. Mr. Stewart:** The figure that you see here is the gross amount spent through agriculture in ARDA. The Department of Lands and Forests has very large expenditures through ARDA and conservation projects, Energy and Resources Management. These are separate and do not appear in the ARDA estimates of our department. This is just the projects that have to do with agriculture.

**Mr. Farquhar:** This does not fairly represent the ARDA programme at all then, or anything like it, I would say.

**Hon. Mr. Stewart:** No, that is right.

**Mr. Farquhar:** That is one point cleared up. The other thing is that your provincial director, Mr. Crown, who to my certain knowledge is a terrific man—and I unreservedly say that he is a hard worker and in fact, as far as the province is concerned, in my opinion he is the ARDA programme. But I am concerned that I have seen and I have had something to do with the organizing of two local ARDA committees. I know that the Minister has made the appointments, but I have had something to do with the background work of getting two of these groups together. I do know that on several occasions they have put projects together, with suggestions from me. They have researched them, they have come up with several projects that look on the surface, and from anything we can find, completely practical. They fit them into the terms of reference of the programme, they bring them down here, and I am very much concerned that the ARDA director uses up most of his time one way or another, and I doubt if it is his fault, I do not know, but at that point these projects disappear.

Now, with all the examination of this department that I have done and the work that I have done and the experience I have had with it, somehow or other I still do not understand what happens to these projects. There are many of them, and I am not going to try and detail them here tonight, but the net result in these two areas, to my knowledge, is that the voluntary work that is done develops several specific projects, practical, needed, projects that would develop the economy, would stimulate various aspects of society, accepted by the director as being practical and feasible and not very expensive, then they disappear from there on.

I know what the net result of this particular situation is going to be, and is already, in one case. The result is the resignation of these voluntary people and the disillusionment of these voluntary people. I could read you, for instance, from the Sault *Daily Star*. I am not going to put a lot of the stuff on the record. It would be no trouble—evidence, minutes of their meetings in which they have presented these projects. At that level, or some level in there, the roadblocks are thrown in; they disappear; the people involved say, "Well, I intended to give my services voluntarily to this project, I dedicated myself to it, and my time to it. If this is what it means, I am prepared to resign."

This is what is happening to these two groups, there is not any question about it.

On one occasion, as your director knows, the one group threatened to resign, walk out in a body. Somebody poured a little oil on the troubled waters. The same thing is about to happen in the second one. And it is unnecessary, in my opinion, from anything I can find out or any answers I am given. The projects are acceptable. They are not very big, they are acceptable and they would do a good little job for that particular area, it would seem to me—such things as a small boat launching ramp, or a bigger one in connection with a killing plant, but they bog down at that level.

There are reasons given, I will admit, but so far the reasons that have been given are not good enough for me, and they certainly are not good enough for the local ARDA committee. And, of course, as everybody knows, as the hon. Minister knows, the key to the success of ARDA is the local administration, the local involvement and the local ARDA committee. These are the people who

know the needs and are prepared to give their time to researching and selling, and they are not fools. They are taken from a cross-section of people who know what is necessary for the area, and more than that, who do not want to spend government money unwisely. These are the people who are on these boards. There is no question about it.

But as far as I am concerned, I have thought for Algoma-Manitoulin for a long time, that we had the vehicle here in ARDA; no question about it. We had the vehicle, we had the local interest, we have got the people, we have got a cross-section from all segments of professionalism and industrial people—farmers, people who are dedicated and interested and are prepared to do the job for nothing. But they are not prepared to do the job for nothing any more. They have run against too many roadblocks, too many of their projects have fallen by the wayside or have been postponed for another two years, or a year from now.

I am concerned about this. I am concerned that ARDA has not generally been a greater success, but I am more concerned about the reason, and as far as I am concerned, that is the reason. The reason is that these local committees are not being given the support at Queen's Park—whether at the federal level, or the provincial level, or at the level of the Minister, I do not know, but right in that area they bog down. I have some reason to think that at least some of these projects of a very substantial nature, have not fallen by the wayside because of federal roadblocks.

I wonder if the hon. Minister has anything to say about that?

**Hon. Mr. Stewart:** Mr. Chairman, I must confess that I am disturbed and disappointed to learn what the hon. member has said, because if there is any area in the province of Ontario that has really benefited from ARDA, it is the Manitoulin island area. There are few areas in this province where such action has been taken as promptly as was taken in the Manitoulin area, with such positive and definite results, and I find it hard to understand why the hon. member for Algoma-Manitoulin comes here tonight and is as critical of the ARDA branch, and the ARDA director personally, without giving one word of credit for the establishment of what has been done on Manitoulin island.

Last year you had an increase in new business of $212,000 in the turkey eviscerating plant. No mention is made of that. No mention is made of the fact that on Manitoulin island we have a 2,400-acre community pasture established. Nothing is said about that.

**Mr. Farquhar:** Mr. Chairman—

**Hon. Mr. Stewart:** Now, just let me finish; I did not say anything while you were speaking. I am concerned enough about what he has said that I would ask if he would specifically bring to my attention in an outline, the various projects that he has submitted to the ARDA director and I will re-submit them to the ARDA director for further consideration. Now I shall say this—

**Mr. Oliver:** Why did you not say that in the first place?

**Hon. Mr. Stewart:** Because I was disappointed that someone who would give us that type of criticism, but who has benefited in his own riding from what has been done—

**Mr. Oliver:** But his criticism about these two projects in his area that have not been done—

**Hon. Mr. Stewart:** I would be very pleased to look at them and I would say this, that the ARDA director has some of those projects under consideration and this is what they are trying to do.

Interjections by hon. members.

**Hon. Mr. Stewart:** I think that my hon. friend feels that every ARDA project is worthy of consideration and I think the ARDA director has done a pretty good job. Eighty-eight projects are underway in this province, with an expenditure of well over $18 million going right now. I think, as I said this afternoon, when I read this whole ARDA statement, that the whole programme has fitted very well in with the exploratory work that has to be done as we go along.

Sure, some projects come before us that do not qualify under the agreement. There are others that do, but every project that does qualify under the agreement and has an indication that it will be of sound economic value to that area, and will do something for the people involved, I think should get every consideration. But where it does not, then I think we have to be custodians of the public Treasury in a responsible fashion. I am sure my hon. friend would want that to be done.

**Mr. Farquhar:** I am really concerned, Mr. Chairman. The Minister knows that I am not one of these vitriolic members who comes here to criticize the department. He also must have heard me say that I congratulated

his director and if I could have found any more glowing terms I would have. I have expressed appreciation a good many times about what has happened early in the game through ARDA for the Manitoulin. I also thought that I was being a bit constructive in the criticism in laying out what is going on right now at this moment and I am very much concerned at the attitude of the two local boards, that is all I am saying.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I would just like to add to this—

**Mr. Chairman:** If the member for Bruce will defer to the leader of the Opposition.

**Mr. Whicher:** Yes, I do.

**Mr. Thompson:** I would like to say I have been up in this riding and may I say that if anyone is, this member is respected, sir, for the quiet modest way in which he has helped the local people in building these projects and yet refrained from taking any credit himself. Rather he says "No, we will hand this to the Minister of Agriculture," who seems to have a certain tendency to like to open things, and to have credit for these things. People I have talked to in the area said, "I wish your member would take a bit of the limelight instead of the Minister of Agriculture always wanting to get that limelight." I think this is one member who, in a quiet way has been building those two projects constructively for his community. May I say also that in the remarks he was making he did it in a spirit of constructive criticism, and in no way did he make reference to the director except to praise the director on the dedication he is giving to the job.

**Mr. Whicher:** Mr. Chairman, I want to say a word about this, too. I do not want to disturb the Minister of Agriculture, so I will start off by saying that I give him credit for what has happened in Bruce county. I am very interested in the community pasture project, as a matter of fact I approached him personally about that. I do not know whether it did any good or not, but anyway the government bought after I spoke to him. On the other hand, over a period of some years there has been a feeling in some of the poorer agricultural areas of the province, for example, Manitoulin or Bruce county, particularly in the peninsula, that ARDA was going to be one of the answers to the rural area problems. Certainly at every opportunity The Department of Agriculture propaganda machine has spread the word through the papers and in every speech where it was possible, that ARDA was a good thing for the local population, and here was something that was going to help.

I agree that it has every possibility of helping. On the other hand, I am somewhat disappointed that there has not been more done. I appreciate what the Minister said tonight that there are 88 projects, but I believe he said there was a staff of three people who were probably going out to make these purchases, I believe he described them as field men or road men.

Some time ago, about a year and a half ago, I recommended a man from Bruce county. The Minister and director are both familiar with this man. He is one of the most competent people in this field that it would be possible to get, and every indication was given that a man of his capabilities would be hired, if not someone else. I was given to understand that ARDA was going to be a big project all over Ontario and rural Ontario, and that many men would be needed to go and make these purchases, and start up community pasture lands or whatever they may be. My question, Mr. Chairman, is this: Have we any field men at the moment who are out looking over and for possible purchases, and if we have them, how many are there, and will this particular branch be enlarged?

**Hon. Mr. Stewart:** Well, the proposal is this, that if a property comes on the—is the member talking about the small farms that are to be sold?

**Mr. Whicher:** More particularly, yes.

**Hon. Mr. Stewart:** These come on the market and they are offered for sale to the local ARDA director, to the local ARDA committees, or to the local agricultural representative. The ARDA director is made aware of this and the local junior farmer loan appraiser in the area, county or district, has to appraise the property, so this takes in that whole staff of appraisers right across the province doing this particular job, appraising the property and putting their evaluation on it. As I understand it, the property is actually purchased by Public Works after appraisal, it is held or used or leased or sold, whatever it may be, under the ARDA project. This is the way ARDA operates.

The hon. member said there were only three going across the province doing this. I may not have made myself clear in explaining this. It is proposed to hire five ARDA

field men, that is staff men who will be travelling in given areas of the province. Three of them are already on the job now. If we can find the others, two more will be hired. These men will have the responsibility of co-ordinating the ARDA work in the various areas, working with the local agricultural representatives, the local ARDA committee where it may be, and working with the various people who go to make up the ARDA directorate in the various branches.

I am thinking about Energy and Resources Management and conservation, Lands and Forests particularly, various projects that come under the ARDA agreement. This expands the service step by step, rather than building up a huge administration that is just ARDA alone. We are using the people in other departments, in other areas, co-ordinating them in so we do not get a top-heavy administration that is costly to administer and really is not any more effective than co-ordinating the various branches of the government into a unified programme.

**Mr. Whicher:** Mr. Chairman, I would just like to say this, as far as I am concerned the Minister is certainly talking commonsense the last few minutes. But I want to emphasize that in the rural areas, particularly in my own Bruce county, that some years ago—three or four, something like this, when I think ARDA was first dreamed up—there was a genuine feeling amongst the local population that the government finally was going to do something. Practically everybody was determined to put their shoulders to the wheel and carry on. The fact is that now there is a feeling of disappointment.

I cannot help but agree with the hon. member for Algoma-Manitoulin that there is a feeling of frustration amongst some of these people. I think there is a little more oil needed on some of the wheels, I think, as far as the Minister has gone. He wishes to get the co-operation, and so forth, of all his staff, but he needs to go out and take a fresh view of this. The problems of rural Ontario are just as many now, indeed more drastic than they were when this idea first originated.

So, Mr. Chairman, my suggestion to the Minister is this, do not stop now, let us drive this thing. I am sure he has the staff and the capabilities to go ahead and do it. As I understand it, there seems to be quite a large amount of money. I conclude by saying that the problems of rural Ontario are even more now than they were then, and if it was a good idea ten years ago it is still a good idea. So what about a little action? I give the Minister credit for this, but an 800-acre pasture deal is peanuts when you consider the whole area of Bruce.

**Mr. Nixon:** Mr. Chairman, I was interested in the Minister's comment that the local committee originates the suggestions, and it has been said before in this House that the suggestions come from other sources as well. I understand they come from the conservation branch of The Department of Energy and Resources Management and also from The Department of Lands and Forests. Is there any other source of proposals that are considered by the directorate?

**Hon. Mr. Stewart:** I would say that every proposal is considered that has validity—

**Mr. Nixon:** Where would they come from?

**Hon. Mr. Stewart:** I would think they were confined to those particular areas—I cannot think of any others offhand. There is Municipal Affairs in outlet ditches, this municipal drainage project. I think this has been one of the really great projects that has been developed in the province of Ontario under ARDA.

The hon. member for Bruce raised some points that have quite apt validity, and if I have offended the hon. member for Algoma-Manitoulin, I sincerely apologize because he and I get along pretty well as far as the ARDA projects and any other projects are concerned.

I think we have done exceedingly well in that area working together in developing these various projects, and I am quite sincere when I say that if he will send me a list of those we will have a look at them and see what can be done and we will examine them with the ARDA directorate.

As far as Bruce county is concerned, I mentioned the fact that there was a community pasture of 800 acres now purchased and it will be expanded further.

There are three other projects there involving 6,800 acres in various areas in Bruce county of which I think my hon. friend is aware, and I think this will have quite an impact as the effect of the projects that will be developed out of the acquisition of that property is felt.

As far as drainage is concerned, I should like to take a moment of the time of the House to say a word about drainage because in the past The Municipal Drainage Act has provided for one-third of municipal ditches paid by the province. Under ARDA we hope now that we will pay for two-thirds of the

cost of all municipal drains in the province of Ontario, and this to me, will be a real step forward. This has been approved for eastern Ontario, as I understand it, before the ARDA directorate here, and it has been approved by our ARDA directorate. I see no reason why it will not be approved by the federal ARDA people because it falls within the terms of the agreement. They have gone along with these reasonable suggestions and I think that this would make quite a real impact in the areas in which it will have the most application.

We have to recognize that down in the areas of Kent and Essex and Lambton and Middlesex—to some degree, Elgin—I believe that something like 85 per cent or 90 per cent of all the municipal drains in the province of Ontario are in existence in those particular areas.

This has lent itself to outlets and farm tile drainage has been applied and we have drainage that prepares the soil so that something can really be done about it. In other areas of the province there does not seem to be quite the same appreciation for the value of drainage. Under ARDA I think a whole new area will be opened up and bring farmers to the potential that they may be able to exercise in applying for the municipal drains that are paid for now on a two-thirds basis; and then using the facilities that are obtainable under The Tile Drainage Act and administered by The Department of the Provincial Treasurer. Through funds provided by the local municipalities they will be able to use tile drainage in those areas, and I think we have to recognize, beyond everything else, that if we are going to grow crops we first of all have to have drainage in this province on land that can be drained.

To me this drainage problem opens up a whole new field of potential agricultural production and farm prosperity. I am very interested in it and I am enthusiastic about it because I believe that every good farmer first recognizes that everything starts with the soil. They have to have good soil, properly drained, before they can build a fertility base on it. Bearing that in mind, I think ARDA will move ahead into those particular fields. I think there have been some fields in which ARDA may have been oversold, but on the other hand, I believe that with the studies that have been developed in certain areas that will involve much more than just agricultural potential—in the development of industries in areas where people are looking for jobs off the farm. Here again, are opportunities that I think present themselves in a way that we have never had before. I believe the foundation work has been laid and we will proceed now in building the structure of ARDA on the surveys that have been accomplished throughout the province.

**Mr. Nixon:** Mr. Chairman, the Minister listed the sources from which the suggestions came for the ARDA projects and he indicated that the money was spent through his own department and through two or three other departments. Just now he said that it can be used to a greater extent in the future for regional development and that is something I would concur with most heartily.

The regional development aspects of ARDA have not been pressed in Ontario to the extent that they have in the other provinces and in the federal report that was available last September and October, there was an indication that our participation in federal funds was about on a par with Nova Scotia. Unlike the programme that was brought forward some years ago for the development of vocational schools with federal assistance in which Ontario went right ahead and used these moneys extensively, I would agree with those who have said already today that our use of the ARDA programme has been lagging behind.

The Minister has said that he is interested in developing it for regional development purposes. I think that this is excellent, but it appears that in some areas where ARDA committees have been set up there is little or no chance of a project being approved because of the cost of land.

I would assume that there is an overall policy that this Minister applies to any suggestion that comes to him from any source, that if the land exceeds a certain cost then they cannot proceed with it. Is that so?

**Hon. Mr. Stewart:** Depending on the ultimate type of project.

**Mr. Nixon:** Are there some ARDA committees that have been in this voluntary action that has been previously described, that have not had a proposal acceded to yet and, in fact, there are no projects underway? What is going on in Brant county?

**Hon. Mr. Stewart:** As I understand it, in Brant county you have an ARDA project there I believe under—

**Mr. Nixon:** Like Whiteman's creek?

**Hon. Mr. Stewart:** What is it? Whiteman's creek?

**Mr. Nixon:** Yes. The reason I asked specifically is because this was one of the first projects approved, Mr. Chairman, and I understand that it has not been taken to completion and, in fact, the work on it has petered out and pretty well stopped.

We have a county committee that deals with ARDA and it is made up of our very best citizens, I would say. They meet at intervals that I believe are becoming more widely spaced because it appears that the policies of this government do not allow ARDA to be applied to a community of that nature.

There has been one project, the Whiteman's creek project, that was entered into at the very beginning of the programme when, in my view, the government was searching for a project to start on. There has not been one since and I do not believe that this one has been carried to fruition.

Now here is an area that is unlike Bruce and Grey and unlike the poorer parts of eastern Ontario where we do have an ARDA committee. I would say that if the government policy is going to preclude the use of federal ARDA funds there they might as well know about it now and exert their community interests and activities and initiative along a more fruitful line.

**Hon. Mr. Stewart:** I am disturbed to know that the project may have bogged down. I thought that it was well underway and going along. I would certainly ask that this be reviewed and I believe our directors are of the opinion that it is well in hand. There is certainly no thought of leaving anybody hanging in mid-air. I would like to see that this is dealt with properly and I am sure that it will be, but I do think that we have to recognize that there are some areas in the province where ARDA will not have the same application that it will in others because of the general prosperity that may pertain in a particular area, the cost of land and what have you.

These have been some of the problems established with community pastures and I think this was one of the reasons that the Bruce county pasture did not proceed as early as we would have liked it to, because of land costs, but then things got straightened out and we were able to proceed. There are limiting factors as far as costs of land are concerned and the land consolidation programme that is going on now.

I would think that the hon. member is quite right, that there may be some counties in which there is not the same application of ARDA as there is in others. On the other hand, I feel very keenly that under the—and I would like to mention as well, other sources and other departments in which there are projects now: Tourism and Information, water resources commission and Economics and Development. All of these departments have submitted projects and all of them have projects underway which are included in their particular budgets but they are ARDA projects inasmuch as they qualify for grants under the ARDA agreement, but those grants are turned over to that department to carry it out.

I would feel that as far as water resources is concerned, or perhaps better, conservation is concerned, that there are many areas of the province where I would like to see this adopted and I am not sure whether it meets with the full approval of the ARDA directors or not, but certainly it would meet with my approval. There are water holding areas that should be bought as continuing water holding areas, to be held as an ARDA project.

There perhaps should be small dams or reservoirs built, not the great large million-dollar dams, but the few-thousand-dollar dams, that can be used wherever they can be put in as ARDA projects, and we would hope that under the discussions that are presently going on with the federal ARDA branch to get approval for this type of project, that we will be able to have the application of ARDA in counties that hitherto might not have felt that there was any real possibility.

I think we have to recognize the fact that we should do everything possible to retain every drop of water that falls on the good soil of the province of Ontario for the various uses that it may be put to. I do not think we should encourage the run-off of this water. This does not say that we should not apply good drainage principles, but at the same time, we should be cognizant of the value of water for irrigation purposes, for many purposes, that it can be put to in the future, and I would hope that if this ARDA discusion that we have now with Ottawa culminates in the satisfactory answer to the proposal, that we will find a broader application of ARDA in the areas which you specifically mention.

So I would hesitate to say to you as of tonight that there are counties that may have ARDA committees that are not as active as

they would like to be. There may be a day when they will be very active.

**Mr. Nixon:** Are you getting proposals from the Minister of Energy and Resources Management for the use of these funds in conservation projects?

**Hon. Mr. Stewart:** Yes.

**Mr. Nixon:** There has been some feeling among the members of the conservation committee that much more could be done along these lines. It was brought home to me very forcibly in the comments by the member for Oxford a few weeks ago, when there was every indication that it was felt there was a serious lack of leadership along these lines from the directors of the conservation branch. There are some misgivings about this matter. The leadership in this matter must of course, come from the Minister's own colleague, the Minister of Energy and Resources Management.

When we compare what has been done in the other provinces, it is strange that the Minister is just now becoming convinced of the usefulness of ARDA in the promotion of conservation and acquisition of parklands and the retaining of run-off water.

**Mr. Oliver:** I was just going to say, Mr. Chairman, that I feel that one of the contributing factors to what I consider has been the pitifully slow growth of ARDA in Ontario over the last number of years, has been the lack of co-ordination between the various departments of government.

As has been pointed out tonight, it is quite essential if ARDA is to be a success that there be a close co-ordination between three or four of the main departments of government who are interested with the ARDA work.

I want to know from the Minister just what sort of co-ordinating programme is set up. Just how do we arrive at the place where we say this department has recommended this and to whom does the recommendation go and who has the final approval and where do the lines of authority fall?

**Hon. Mr. Stewart:** This is quite a logical question and quite reasonable and I will try to explain it to you as well as I can.

**Mr. Thompson:** Of course, it is. Look where it came from.

**Hon. Mr. Stewart:** Indeed it is. The project proposal does not necessarily have to come from the local committee, as was explained tonight. It can come from various Ministers who go to make up the ARDA directorate. But the ARDA directorate is set up from the various departments, as I read this afternoon, centred in Agriculture; a representative from Lands and Forests, at the Deputy Minister level, I believe. Municipal Affairs, Economics and Development, Treasury branch, Tourism and Information, Energy and Resources Management.

Those are the seven departments that go to make up the ARDA directorate and there is a senior staff representative from each of these departments, either Deputy Minister or his appointment at senior level. The dean of the agricultural college at Guelph OAC is also on the committee. There are several from our particular department. I believe Dr. Patterson of the economics branch is on it, Mr. Lantz is on the committee. Mr. Crown is chairman of the committee and, of course, director of the branch.

Now, a proposal—the project—comes to the ARDA directors at their regular meetings, and it is discussed, and examined in depth. If the project requires further study it is referred to the economics branch of our department for further consideration. Some of them are in that stage right now.

As soon as the project is approved and has the agreement of the ARDA directorate, then it is referred to me for signature, to go to the Treasury board for approval. From the Treasury board, after approval of Treasury it goes to the Cabinet for approval. From there it is again signed by me on behalf of the province of Ontario as a project approved by Ontario and is submitted to Ottawa. There again it goes through the same course of procedure.

It goes before their ARDA branch for consideration. If their ARDA branch feels that the project is of sufficient value and falls within the terms of reference of the ARDA agreement, it goes then to their Treasury for approval and is sent to their Cabinet, and then there is a joint announcement made by the two Ministers involved, of the particular project.

This is the course the project falls into, in a nutshell.

**Mr. Oliver:** Could my hon. friend tell me how many times this committee has met and how often it meets?

**Hon. Mr. Stewart:** They have had ten meetings in the last year.

**Mr. Oliver:** How many?

**Hon. Mr. Stewart:** Ten meetings in the last year, that is our committee here.

There was one other point you raised and I did not answer. What happens to the project after it is approved by Ottawa? It comes back to Ontario and if the project has to do with our Department of Agriculture, if it is an agriculture project, then we carry it out through our extension branch, or some branch of our department, wherever it may fall. But if it happens to be a project having to do with The Department of Lands and Forests, it is assigned to Lands and Forests, just as I mentioned to you; Tourism and Information; water resources commission, that goes through Energy and Resources Management. Economics and development goes through the Minister of Economics and Development. And so on down the line.

I would say as well, that as far as the conservation authorities are concerned, there are 12 conservation authorities with projects now going under the ARDA programme in Ontario. These, of course, are administered by the Minister of Energy and Resources Management and there are six county councils, I understand, with conservation projects that are also going through this branch, as I assume it is a conservation project.

So that we try — and I think this is just sound commonsense — when the project is approved, to turn it over to the department which is geared to carry it out, so that we avoid the duplication that could develop within departments. I have never found the slightest problem between the various departments of our government. There has been the closest co-operation all the way through the case. Ministers recommend projects. The Minister of Lands and Forests, I recall not long ago, made recommendations specifically about certain projects that he was carrying out. These met the approval of the ARDA directorate, and were submitted to Ottawa. I have not got replies back on them, but I assume that they will qualify, because they fall within the terms of the agreement.

I think we first of all had to get that foundation laid. And I agree that perhaps there has been some criticism with us for not moving ahead and plunging into this thing. As I outlined this afternoon, there were $13.5 million worth of projects that were underway, or completed in the province of Ontario that were really ARDA projects in the concept of other provinces that have not been doing these, and this has been done. We had to go on from where we were at that place and develop new ARDA projects throughout the province of Ontario, so we have gone a very long way in development in this whole programme.

**Mr. Oliver:** Could my friend tell me, could he give me, an example of a project that would fall within the definition of a proper ARDA project? For instance, what about flat lands in a conservation area along the river bank that you want to develop? Would that under any circumstances be considered an ARDA project?

**Hon. Mr. Stewart:** I do not know. I think it would depend upon the area and for what purpose it was intended to be used. And, whether it was the kind of land that could be purchased for that particular price. I do not think my friend would want to go into an area where land was selling along the river bank down in southwestern Ontario at from $500 to $1,000 an acre. I do not think he would want that kind of a deal.

**Mr. Oliver:** Is there a price limit as to what you could go to under an ARDA agreement?

**Hon. Mr. Stewart:** Yes, there is.

**Mr. Oliver:** What is it?

**Hon. Mr. Stewart:** Mr. Crown tells me that the price limit on that type of land up for acquisition is $50 an acre.

**Mr. Oliver:** Fifty dollars an acre.

**Hon. Mr. Stewart:** Yes, that is right.

There is a good deal of land in the province of Ontario that can be bought for a great deal less than that, and is being bought for less than that. There is land in the province under the new land consolidation programme —the limit in fact there is $100 an acre and $50 an acre for development purposes of the land after it is acquired.

**Mr. Chairman:** The member for Essex South.

**Mr. Paterson:** Thank you, Mr. Chairman. The hon. member brought up the topic of The Drainage Act and the fact that the grants were being increased to two-thirds. I certainly think the counties of Essex and Kent, and the other areas that over the years have had the foresight and the initiative to get into this field, will certainly appreciate this fact. I think this accounts for possibly the high production in these areas. The Minister stated that this was of prime importance to agriculture—good drainage. But, I feel of equal importance is accessibility to water, both for irrigation and watering of cattle.

This, of course, involves municipal affairs and water resources. I do not particularly

wish to deal with the problem of water resources and pipelines in relation to irrigation tonight, but this past Easter a case in my riding came to my attention. The fact is that many of our lands fronting lakes and rivers were being sold off for resort developments or sub-division developments, and farmers farther in did not have accessibility to the lake water in this particular instance. I feel that there should be some rights to obtain this water under conditions specified by the OWRC; that farming and agriculture had primary rights to this water, such as riparian rights, and that they should be entitled to put pipelines either under private property or over private property in a non-objectionable manner to obtain this water. I just wonder if your department has any policy in this regard, or whether that should be brought to the attention of the Minister of Municipal Affairs or the water resources commission to clarify this for the agricultural community?

**Hon. Mr. Stewart:** I think it is a matter which rightly falls within the purview of the Minister of Energy and Resources Management under which conservation—and this is really a conservation project as well as a water resources project—both of those fall within his purview. I would feel that that is something that might very well be discussed in that particular aspect.

**Mr. Spence:** Mr. Chairman, I would like to ask the Minister if there are any community pasture projects carried on on any Indian reservation, and how many applications for ARDA programmes have come from any Indian reservation.

**Hon. Mr. Stewart:** There are no community pastures on Indian reservations, and there have been no requests or projects from Indian reservations.

**Mr. Spence:** I wonder, if they made application could they qualify?

**Hon. Mr. Stewart:** Yes, there is no reason why they cannot. I understand this has been explained to them.

**Mr. Gisborn:** Mr. Chairman, did I understand the Minister to say that the initiative or application for an ARDA programme need not come from a local committee?

**Hon. Mr. Stewart:** No, not necessarily from them, but it is preferable because I think we have to recognize that the success of ARDA is what it does with and for people. This is why we like to see ARDA projects generate from local interest groups.

**Mr. Gisborn:** How would the government committee initiate a programme?

**Hon. Mr. Stewart:** Well, just as I tried to explain a while ago—

**Mr. Gisborn:** I was listening after you made the comment.

**Hon. Mr. Stewart:** I beg your pardon?

**Mr. Gisborn:** I understood you to say that the initiative and the application need not come from the local committees, and I wonder how the government committee could initiate a programme?

**Hon. Mr. Stewart:** If there is a specific project that appears to qualify under the ARDA agreement, and in a particular department; then if it falls within the terms of that agreement, the department simply makes application to the ARDA director for the consideration of that project under the terms of the ARDA agreement. Others would refer to specific projects, but general projects that affect local areas, we like to see them come from the local areas.

None of these projects are thrust upon any person or any area without their complete co-ordination and co-operation.

**Mr. Gisborn:** Has there ever been a refusal by the federal committee to accept a project of the province?

**Hon. Mr. Stewart:** There have been two, I am advised, turned down at the federal level. I was surprised even to hear that. I did not think there had been any turned down, as a matter of fact.

**Mr. Sargent:** Mr. Chairman, the budget is approximately $4 million under ARDA this year. What is your recovery from the federal government under this?

**Hon. Mr. Stewart:** It is on about a fifty-fifty basis.

**Mr. Sargent:** I take it then in the next three and a half years you are going to spend possibly $14 million and the recovery is about $7 million; is that correct?

**Hon. Mr. Stewart:** Where do you get the $14 million?

**Mr. Sargent:** I am asking if the recovery is 50 per cent and you are going to spend $4 million a year for three and a half years—probably $10 million.

**Hon. Mr. Stewart:** I am not prepared to say what next year's budget will be. It could

be much more than the $4 million we spend this year.

**Mr. Sargent:** I see. Well, then, the projected—using a term I understand—projected transactions amount would be possibly $10,000 per transaction. And if we are going to spend, say, $10 million in two and a half years, the life of the first part of this programme could be possibly 1,000 transactions.

In eastern Ontario, I understand, there are 14,000 farms which are too small for economic use. So here we are, making a big fuss about your contribution to ARDA and solving the great need for regional development—using ARDA as a media or a vehicle—in the fondest hope that the way you are progressing, if you use 100 per cent of the money you have available, you are going to spend $10 million. You are going to do 1,000 transactions in the next three and a half years.

I think this is another way that you keep fooling the people of Ontario, talking ARDA. This is not working. You mentioned a minute ago that if you could hire three or four more people, that you would get them, that you could use them. I suggest that if you were in private business you would go broke in a week. But this is your approach, you are kidding the people for the Prime Minister on your left there, and conning the people of Ontario in believing you are doing something for them. I suggest very briefly, Mr. Chairman, that this is the reason that you see no great vertical potential in it. You are going to activate this $10 million on 1,000 transactions, but you see no great potential. That is the reason for your very unbusiness-like approach to a matter. I think that the Minister should be frank to the House. How many farms in Ontario are not economically a sound operation—14,000, 25,000, 50,000? Do you know that figure? What is that figure?

**Hon. Mr. Stewart:** I do not think anybody knows that.

**Mr. Sargent:** The authorities on the farm paper say there are 14,000 in eastern Ontario. Would there be 25,000 in eastern Ontario.

**Hon. Mr. Stewart:** I do not know.

**Mr. Sargent:** So then you are approaching possibly 4 per cent of the need, 4 per cent, and you are telling us you are doing a job for agriculture.

**Hon. Mr. Stewart:** I will tell you. My hon. friend talks about this as a voluntary programme. How many farmers does he think are going to participate in it?

If we came before the House asking for $100 million to do the job which has to be done, he would be the first person to stand up and—

**Mr. Sargent:** I would not. It is being done in Toronto here, now, for the people of Toronto. Why can it not be done for the rest of Ontario?

**Hon. Mr. Stewart:** Let us be realistic about this. That sets the figure of what we think is likely to be used, and if it is used up we will go back and apply for more. Let us remember—

**Mr. Sargent:** The Minister is not even using what he has now, what is he talking about?

**Hon. Mr. Stewart:** Of course, we are using it. Appraisals have been made already this week, in fact the first appraisals were made last week, the project is already underway. When the members talk about the three or four or five people, these are not the people who are going to be going out actually and buying the land. I have told you and told you and told you tonight how the programme is going to work, but you simply will not listen or you do not understand.

**Mr. Sargent:** The Minister does not even know himself what is going on, he has to ask his help there what is going on.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, I do not know whether I can get Ontario to join Owen Sound again and unite the province or not. However, there were a couple of points in connection with ARDA that I would like to raise.

I was interested in the Minister tonight furthering an argument that has been advanced many times in the House with regard to ARDA, namely, that some $13 million had been spent on ARDA type projects before ARDA came into being. This argument intrigues me because, quite frankly, it has always been advanced to counter the contention that the province of Quebec has done a very imaginative and vigorous job of ARDA, namely, that they were only catching up to a position where we were. Well, if one takes a look, for example, at an area where there is a desperate need for a range of ARDA-type projects, namely, eastern Ontario: According to the studies that have been made in that area, there are just 1.5 million acres of land awaiting drainage, major drainage projects,

so this is something that conceivably we might have been doing if we really had been pursuing ARDA-type projects in advance of the actual emergence of ARDA on the Canadian scene. There are another million acres in eastern Ontario that should be put back into some other use, some of that great deforested area which 10 or 12 years ago, it was suggested at the first annual meeting of the eastern Ontario regional development association, should be returned to forest. Nothing really significant has happened in that connection.

Quite frankly, Mr. Chairman, I get a little weary of the argument that we have done so much before ARDA came on the scene that presumably it is a justification for the slowness in the development of the ARDA projects.

However, I want to ask the Minister—this afternoon he conceded that the approach as spelled out in the rural development committee report of the Ontario federation of agriculture was for a total community development—not to try to isolate agriculture and meet agriculture's needs apart from the needs of the whole of the rural area. This would bring us into a very significant consideration of the development of secondary industries, of the development of tourism, related economic developments. Now, does the Minister really feel that enough emphasis has been put on this? In the committee structure that he spelled out, surrounding The Department of Agriculture, what department is coming forward with the proposals, with the studies out of which proposals can emerge for secondary industry development or any other kind of economic development? I just have no confidence that there is the kind of studying and imaginative tackling of this now that we have the Minister at least paying lip service to the total community development and getting away from a rather parochial approach centered in agriculture and agriculture alone. Can the Minister satisfy me as to what is happening within his committee? Does he expect the impetus and the leadership to come from The Department of Economics and Development in this broader approach in rural areas? And if so, is it coming in fact?

**Hon. Mr. Stewart:** Yes, Mr. Chairman, I would be pleased to answer this. It certainly is. I mentioned this afternoon the limiting factor and that is that there are only $3 per family, according to the agreement from Ottawa, $3 per family in the designated areas in which there would be application. This is matched by the provincial government, so you have $6 per family. And that multiplied against the number of families in the area to be served that is so designated under the federal-provincial ARDA agreement amounts to $360,000. We have already spent $330,000 of that in the first ten months of the ARDA agreement. We have $30,000 left to spend and I understand there is a project underway now where that perhaps could be used up. This is the limiting factor. As I see it, we are discussing now with the federal people that that limiting factor should be raised, because I think there is very real application here. If The Department of Economics and Development—and the Minister is here—discovers through their studies and their contacts that there are possibilities for the establishment of industry in given areas where it really needs to be established—so that it has an overall community effect, not only in the agricultural community, but in providing employment, providing service industries and providing the opportunity for people to sell milk in developing communities, to sell other farm produce. This to me is the total approach of ARDA and as I see it, it has fantastic applications. I believe we must confess there has not been enough money designated for that specific purpose.

Now, in some provinces this $360,000 may be enough, in Ontario we find that it has not been enough. I frankly confess that and I think we have to look at this. I have discussed this with my Deputy Minister and with our ARDA director as to how we might best approach the federal government to have a re-examination of this very aspect of the ARDA agreement. Frankly, I think it should be encouraged because I am sure my hon. friend would agree that there are possibilities that should be developed.

**Mr. MacDonald:** I would say to the Minister that certainly if you are re-examining it, it should be done, because it would strike me that a proposition of $3 per family matched by the two senior levels of government is going to give you peanuts because you have a limited number of families. That is the problem—you are in an area that has been depopulated so that you have no possibility of having the resources. If this is the bottleneck in the development, I hope the Minister and his colleagues will remove it.

However, let me pursue another point and see if I can get some clear picture in my own mind at least of what is happening. How significant is the move through the ARDA programme in various parts of the province of Ontario to put marginal agricultural land

back into forest? I quoted the study from eastern Ontario alone, a cool 1.5 million acres. This has been known for many, many years. For example, what acreage is under consideration at the moment through ARDA in all parts of Ontario for restoring the forest cover that was erroneously cut off in the first place?

**Hon. Mr. Stewart:** I think that the land consolidation programme that we talked about will have a definite bearing on this particular project the member has suggested, because there are areas of the farms that are not productive as far as agricultural land is concerned, but they are perhaps productive as far as other areas are concerned.

I notice that the expansion of Crown land forests in southern Ontario amounts to 876,000 acres under the ARDA project today. That is a sizable chunk of land, I think.

**Mr. MacDonald:** What is that?

**Hon. Mr. Stewart:** Expansion of Crown land forests in southern Ontario, 876,000 acres.

**Mr. MacDonald:** May I ask the Minister, has this land been bought from private ownership by the Crown so that it can be restored to forest cover?

**Hon. Mr. Stewart:** It is in the process of being acquired now, on a five-year programme.

**Mr. MacDonald:** Yes, well, in the process of consolidation that the Minister has spelled out for eastern Ontario, for example, is he in effect going to buy up land that voluntarily becomes available and will some of it be put back into forest cover and the rest of it arable land that might be sold to neighbouring farms to build up economic, viable units?

**Hon. Mr. Stewart:** Yes, that is right.

**Mr. MacDonald:** So the two will be met at the same time?

**Hon. Mr. Stewart:** Yes, and I think it should go further than this. I explained last year in the House on this matter of the Canada land inventory, I believe this is one of the very sound projects that have been introduced. This was assumed by federal ARDA entirely, we do not participate on a cost-sharing basis on this. This is a federal responsibility and we think it is an excellent one because we are analyzing the soils of Canada right across the country, the Canada land inventory. In this land consolidation programme that we are developing wherever there is good agricultural land—if it is not drained, it can be drained and if the land is suitable for agricultural production, that land would be retained for that production. But the land on the farm that is not suitable for agricultural use will be put into reforestation or perhaps into game preserves or recreational areas or hunting preserves. There are a great many uses to which this land can be put and which will serve a very useful purpose for generations yet to come.

**Mr. MacDonald:** During this session the Minister said that they were looking into some projects that had been developed in Quebec by way of tourist development under ARDA. Have you been able to sort that out and find out whether or not this is a legitimate ARDA project?

**Hon. Mr. Stewart:** I think that the information was obtained that the ARDA project went as far as acquisition of the land but perhaps not the development of the project itself. I am not sure that this should be the limiting factor entirely in Ontario. Perhaps there are others and one of them is under study right now that would look as though it lent itself to a recreational area development project. But the economic survey that is necessary is underway now.

**Mr. Chairman:** The member for Bruce.

**Mr. Whicher:** Mr. Chairman, I have a question concerning Indian reservations. A few minutes ago the Minister, as I understood him, suggested that if Indian reservations applied for ARDA assistance to have certain lands purchased that it would be possible to do so and I have been thinking about that because I have two reservations in my own riding which, I feel, wish to qualify, if possible. But, on the other hand, would you not have to purchase this land and how would that be possible? As I understand it, you cannot purchase Indian land, you can only lease it.

**Hon. Mr. Stewart:** It is developed under the federal-provincial committee as a separate, special type of project but our understanding with the federal ARDA people is that we can use ARDA funds for this purpose, used in that particular way.

**Mr. Whicher:** Mr. Chairman, I was thinking about a good-sized pasture area in the Cape Croker Indian reserve. Supposing they were interested – this land, I believe, is a block of 1,000 acres, which the hon. Minister

will agree is quite a considerable acreage for one pasture field, and it is owned by the Indian reservation itself; it is not owned privately. All things being equal and if it were sound business, would the Minister purchase that land from the reservation if it were possible?

**Hon. Mr. Stewart:** The director of the ARDA branch advises me that it can be done through the federal-provincial Indian affairs relationship. We cannot purchase land direct from the Indians. An agreement could, perhaps, be made on a lease-term basis, or something like that, but I would suggest that if the hon. member feels that the project has merit and on the surface it appears to have, that the local band submit this to the ARDA directorate for their consideration to see what could be done. It sounds like an interesting project, so let us go ahead with it.

**Mr. Chairman:** The member for Huron-Bruce.

**Mr. Gaunt:** Mr. Chairman, the decision to maintain the land in forest or to leave it as cultivated land for crop production, I take it, will be a decision determined by the ARDA directorate in the farm consolidation programme.

**Hon. Mr. Stewart:** By the ARDA directorate, but they will be in consultation with local people and with the agricultural representative and the junior farm loan appraiser who appraises the property and gives a detailed analysis of the property acquired.

**Mr. Gaunt:** In this event, if the ARDA directorate does purchase a block of land, some of which will go back into forest and some of which will remain in crop production, the forest land, of course, will become the property and remain the property of the ARDA directorate, I think. The cultivated land will be offered for sale to people who wish to purchase that land. In the event that no one comes along who wishes to buy that land, what happens then? Does the ARDA directorate undertake actually to go into crop production or does it remain dormant and silent during the interim between the purchase by the directorate and the purchase by an owner or by a man who wishes to enlarge his own unit of production?

The other point I want to get into, Mr. Chairman, is the situation about the field men. I am interested in this because I think that the field men can undertake a very real function in this total programme. The Minister mentioned that the department has already engaged three, and it is looking for five, and I wonder does the area of Grey-Bruce and Huron and their environs have a field man?

**Hon. Mr. Stewart:** Not at the moment.

In answer to your first question on the use of agricultural land: We hope to lease any agricultural land that would be on some of those farms, to neighbouring farmers with an option to buy, and to make the lease attractive enough so that there will not be any trouble getting people to enlarge their holdings. We are going to try to encourage this through our agricultural representatives service, through the farm management classes and the various extension services that we provide. I anticipate no problem in finding a use for that agricultural land. We do not intend to get into actual agricultural production as a government department, but I think through the encouragement of leases with option to buy that we can do this.

**Mr. Chairman:** The member for Riverdale.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, my colleague for Wentworth East elicited from the Minister that two of the projects have been turned down by the federal government. In the various procedures that he outlined to us this evening, at what other points can rejections of projects take place and if so, how many of them are rejected?

**Hon. Mr. Stewart:** Of course, the only other objection is by the ARDA directorate of Ontario and I cannot tell how many have been turned down. I do not know whether our directors know. There are very few turned down, I can tell you. If there is any validity to them at all, we would like to proceed with them. If there is any way in which the ARDA project can be of benefit in a local area for the development of the community and for the benefit of the people involved, this is the thing we want to do. But sometimes there are projects submitted that we wonder a bit about at times.

**Mr. Renwick:** Mr. Chairman, that is a very unsatisfactory answer. I assume that the ARDA director would have known how many had been turned down because I think it is just as important to know the ones that have been rejected as to know the ones that have been approved.

Of the 88 projects that the Minister has told us about how many of those projects originated with local ARDA committees and how many originated from the specific departments of government to which the Minister referred earlier?

**Hon. Mr. Stewart:** I cannot give you that answer. I suppose we could take that up through the various records of the department, but I certainly have not got it with me, and, quite frankly, I do not think that the question is pertinent to the ARDA estimates.

**Mr. Renwick:** I do not really think that it is up to the Minister to tell us whether he thinks it is pertinent. Of course it is pertinent because the local ARDA committees are recommending projects through the Minister's ARDA branch and it seems to me that it is important that we know whether most of them come through that branch and whether some of them are rejected or whether really the great bulk of the projects that the Minister has spent so much time talking about tonight are ones that originate with the various government departments.

**Hon. Mr. Stewart:** We will get you the number; I am sure that this is available and we will get it for you.

**Mr. Renwick:** Now that the Minister is going to get that information, he might also let me know which of the 88 projects are land consolidation projects, which ones are community pasture projects and what are the other types of projects if those two particular types of projects are eliminated.

**Mr. Chairman:** The member for Algoma-Manitoulin.

**Mr. Farquhar:** Does this figure of 88 projects represent the projects that have been accepted or that are already established and operating?

**Hon. Mr. Stewart:** There are 88 that have been approved by the province and there are 72 that are underway or have been completed. The difference between 72 and 88 are projects that have been approved and are in the stage of proceeding.

**Mr. Farquhar:** There are two other projects that I want to speak about just for a moment, which are of immediate and urgent concern to me.

The one has to do with a project undertaken by Lands and Forests using ARDA funds and has to do with the acquisition of a large tract of property on the west end of Manitoulin. I think your director can probably advise you as to the status of that one and in the meantime, maybe I could mention the other one.

Not too long ago the Minister made an announcement of a pretty substantial project to my mind, which was the herd improvement programme for northern Ontario. If I am not mistaken, this project had its birth on Manitoulin and was gradually extended —the idea was extended to the north and I think it is a terrific idea. I think it has real possibilities, but it has one concern for me also.

Last Friday, some 30 farmers from the Manitoulin went on tour down through this area to see if they could not get this project started, to find out something about it. Now I am wondering what specific machinery is going to be put to work to actually buy these cattle and these swine, because I would be afraid that this project could have the effect only of raising the price of cattle and of swine across Ontario.

**Mr. L. C. Henderson** (Lambton East): What is wrong with that?

**Mr. Farquhar:** It could move itself into a position where it was a glorified transfer of cattle from one part of Ontario to another. I do not know whether I have explained myself properly, but this certainly can happen and I know that the director is aware of this and I think it is very important in this particular project, which could be a tremendous thing for northern Ontario, if proper personnel are established to keep strict control on whether in fact the cattle that are bought elsewhere are really improving the herd in the place they are going, or whether they are just a transfer of livestock back and forth across Ontario, which can very easily develop. In fact, I have some misgivings at the moment to the effect that it is already happening.

**Hon. Mr. Stewart:** I think the hon. member has raised a very solid point. I would suggest to him that we are as anxious to avoid the thing happening that he suggests as he is.

I wonder if we could specify that not only the local agricultural representative has to approve of the purchase and the quality of the livestock and what have you, but that we would make available to any committee, such as he suggests, the services of the livestock branch of our department in locating breeding cattle for the purposes as set out in the agreement, and do everything possible to avoid somebody capitalizing on another government grant. This is really what he is saying.

**Mr. Farquhar:** This is the concern, of course. It is an immediate concern, because these farmers were holding their breath for this project to come into effect, and they

are already out trying to activate the programme right now. They will need department help right away.

**Hon. Mr. Stewart:** I think if they would apply—is the local agricultural representative working with them on this?

**Mr. Farquhar:** Well, we have a unique situation there. The local agricultural representative has just moved on to the Manitoulin island, as you probably know, but Mr. Hermans, the co-ordinator, is working with them at the moment.

**Hon. Mr. Stewart:** We would be pleased to work through our livestock branch.

**Mr. Chairman:** Is vote 103 carried?

**Mr. Gaunt:** Mr. Chairman, I just want to have one final word on this vote. I think it has been rather obvious up until the point of the new agreement announced by the Minister a matter of weeks ago, that we have been concerning ourselves with the commercial aspect of ARDA. Perhaps we have been concerning ourselves to too great an extent with the commercial aspects of it. I have the feeling that we have been.

I think that under the new agreement we have recognized, and rightly so, that the human element is a very real and important factor in this total approach that we have got to take if ARDA is going to be the success, and is going to do the job, that we all hope and think it will do.

I just want to underscore what the Minister said this afternoon, that we must start concerning ourselves more with the human element than we have been doing. That is not to say that we forget about the commercial altogether, but I think people are most important in this programme, and I think we should never lose sight of this.

Vote 103 agreed to.

On vote 104:

**Mr. F. Young** (Yorkview): Mr. Chairman, on vote 104, I am not sure what I want to say. I want to make a few observations and ask some questions regarding the milk after it leaves the marketing board and before it reaches the ultimate consumer. Whether this should come here or perhaps under the farm products marketing board? I will be guided by your decision.

**Hon. Mr. Stewart:** Right here!

**Mr. Young:** Well, then, Mr. Chairman, in the Minister's statement the other day, he said this:

> The milk marketing policy as established is another example of long-range planning, planning which encompasses not only the needs of the industry itself, but the requirements of the general public as well.

Now, certainly, the department has been doing a great deal towards rationalizing the sale of milk—the marketing of milk—as far as the farmers are concerned. Even though there is a great deal of dissatisfaction evident on the highways these days in respect to certain aspects of it, the marketing procedures have been gradually systematized until today that marketing is well conducted up to the point of where it reaches the processors.

But during the past few years, a real revolution has been taking place here. We see the consolidation of processors until, in Ontario, the distributors from 1945 have dropped from 630 to 380 at the present time, according to the figures given by the Minister of Economics and Development. In Toronto itself, there were 54 in 1946 and 17 today.

This means that there has been a consolidating process taking place. The large dairies are gradually taking over the smaller ones, and except in the smaller centres, this process is very far advanced. I am told at the present time about three big dairies, Bordens, Silverwoods and Dominion handle about 40 per cent of the milk and the milk products going to the consumer.

The Minister of Economics and Development has told us through his publications that efficiency today demands that a processor should handle about 30,000 quarts per day. This means a big operation, and if we are to have efficiency, I suppose we are facing this kind of size.

During the process of rationalization of the manufacturing side, price stability was pretty well held. The milk was delivered to the homes by wagon and then by truck and there was very little competition as far as price was concerned. But recently a new phenomena has taken place in the cities, particularly, where the jug store has emerged. So with Beckers and other similar stores, we see a struggle now emerging in the marketing of milk.

Beckers, in Toronto, they tell us now, have about 80 stores. Some of the large processors have set up their own stores, about 120 of these, some owned by the big processors, some independent, so that we have about 200 in Metropolitan Toronto. These stores today sell milk at something like 57 cents for a three-quart jug, and it is

the container which has created perhaps this great revolution.

The other stores, the chain stores, sell this at the same price. They have met the competition. But the delivery wagons, the trucks delivering milk to the houses sell it for about 71 cents, as against the 57 in the jug stores. This means that the large dairies can no longer afford to deliver to the homes in the same way they did before, without worrying about competition.

There is no question that milk is a vital product and a vital food. People will still buy milk, we are told, regardless of the price, within reasonable limits, but they will buy it wherever they can get it more cheaply.

The result has been a tremendous transfer of the sale of milk from the large dairies and the smaller ones to the jug stores. People are now going to the store and buying there. The car is going on a weekly or semi-weekly expedition, and they might as well buy the milk where they can get it cheaply and bring it home.

Now, Becker's, I understand, buys the milk from the marketing board. It processes it itself and then it uses it as—not a loss leader, because they sell at cost and a little more perhaps—but a very low price. They use it as, in effect, a loss leader in the store to bring people in, and the people have to trek the length of the store to get it at the back. Then they buy other things on the way which are priced according to the Becker policy.

Out of these other things, they make their money. They also make their money from exploitation of the people who work in those stores, because the stores are open from 9 o'clock in the morning until 11 o'clock at night. The families of the people who have these concessions, while they get salary and commission, the families really subsidize the milk that the consumers are getting.

To meet this competition, the chain stores are selling at about the same price. But they say to the distributors, to Bordens, Silverwoods and the others, you sell us at the Becker price and we will sell it at that price. But then there comes this little bit of finagling afterward, and they get a rebate from the distributors of a certain amount. The rebate, going to people who use large amounts of cream, I am told, goes up to about 20 per cent and it ranges from that down to around seven per cent for quantity milk. This rebate averages out something like ten per cent and on that the chain stores make their money.

Mr. Chairman, the result of all this is that the men on the delivery routes in the cities are facing trouble and some of the smaller operators certainly are going out of business at a rapid rate. So, to face this competition, many of the delivery men have been faced with a drop in pay. They have been faced with the situation where they have to extend credit to their customers up to about two weeks, or about $10 in milk. Above that it is their own risk. Up to that point, I understand, the companies will take the risk, but beyond that the delivery men themselves take the risk, and many of them, to hold their customers, will often extend that kind of credit to keep the customer for the future. But when the customer fails to pay, then both the company and the delivery-man share in the loss.

In this situation, Mr. Chairman, we have developing a competitive jungle of marketing. Marketing up to a point is orderly. Beyond that point, it is, as I said, a free-for-all, a private enterprise, a competitive jungle. Now the consumer is benefiting in this situation right now and many consumers say "this is very, very good. As long as Becker's are there and the jug stores are in operation, we love it, because we can get milk for our children at a very low price." But this will not last. There is no question that the industry, sooner or later, is going to be rationalized. This is the history of similar developments over the years. Sooner or later, this competitive struggle is going to be replaced by a consolidation, and perhaps a monopoly situation, where a few big concerns will take the matter over and prices will again be evened out and price competition will in large measure, disappear.

At that point, the consumer will pay the high price and he will no longer profit as he is profiting today. So I would wonder whether the Minister, in this situation, has any policy for the future of the whole milk trade? A lot of us have been concerned, as the Minister has, over the years, to see half-a-dozen milk trucks running up and down the same street, with the same milk. A different name on the bottle, but it is the same product. Then we have a great spate of advertising going on, to sell this kind of milk as against this kind of milk, which again is the same fundamental product. There is waste here, there is duplication. There are features which are driving up the price day by day. And out of all this, there must come some rationalization of the industry and it will come either through some form of monopoly, or through some form of co-operative enterprise, or public delivery of milk. I am not sure just how it is going to come, Mr.

Chairman, but it must come. It seems to me that the lead here should be taken by this Minister and by this government to give a lead in this whole matter.

A lead has had to be given in the first phase of this process, as far as the farmer is concerned. Now there must come some sort of a lead as far as the consumer is concerned. I would like to know whether the Minister has given serious thought to this, as he must have, and to know whether the government has evolved any policy to meet this kind of a situation which we are facing at the present time.

**Hon. Mr. Stewart:** Mr. Chairman, the matter is of very great concern and it is a very complex and intricate matter. I find myself wondering why it is that my hon. friend has singled out the milk industry, as requiring what he is suggesting – actually minimum pricing. Why has he not suggested it should apply to every other type of commodity?

**Mr. Young:** That is–

**Hon. Mr. Stewart:** Of course, but why do you not suggest it? It is not suggested in anything else. Why just restrict it to milk?

**Mr. Young:** We are dealing with milk–

**Hon. Mr. Stewart:** So that there is a principle at stake here, something that has not been accepted by this province. There was a time, I believe, when there was minimum pricing and there was such a constant argument as to what the price should be, that nobody could really determine it. This is the real problem. Who determines what the price is to be when you get into minimum pricing? Who sets that price? Is it to be set by the most efficient producer, or the most efficient dairy, or distributor? Or is it to be set by the least efficient?

These are some of the things that are of great concern, and I do not think there are any clear-cut answers to it, my friend.

**Mr. Young:** Mr. Chairman, the price has been set on the side of the producer, and I think this is good. He is getting a price, we hope, eventually, where he can live and where he can make a good living out of producing the milk. But on the other hand, we have chaos in the whole situation.

I wonder if the Minister would indicate whether or not he has done anything regarding the regulations under The Milk Act? Two regulations, and I would quote them for him, say that he has power–

> governing the collection and transportation, delivery, handling, storing, supplying or receiving of milk or cream, or any class thereof and prescribing the time therefore.

And the second one:

> –prohibiting retail or wholesale deliveries of fluid milk products or any class of fluid milk products by distributors on any day or days.

One of the problems of the jug stores is that you have a seven-day delivery operation to the stores, and the other operators say that this is unfair competition, this is something where government should enter to make some regulations and the power it seems is here in The Milk Act, for the Minister to make the regulations.

I wonder if any regulations have been made in this respect?

**Hon. Mr. Stewart:** I believe the regulations refer to retail delivery. This is really not retail delivery. This is a store operation.

**Mr. Young:** Do the regulations apply only to retail delivery?

**Hon. Mr. Stewart:** Yes, as I understand this.

**Mr. Nixon:** Mr. Chairman, I did not want to get to my feet too hurriedly, in case the House leader might want to say something at this time, but I guess we are going to continue with the agriculture estimates for some time.

**Hon. Mr. Rowntree:** Mr. Chairman, I have had several notes from members of the House, three from the Opposition, indicating that they expected to go until midnight. Now as far as I am concerned, it does not matter.

**Mr. MacDonald:** May I inquire where they came from?

**Hon. Mr. Rowntree:** They came from the opposite side of the House indicating they were prepared to go until midnight.

**Mr. MacDonald:** This is a very oblique kind of comment, and the proposition that having started at 2 o'clock this afternoon and we are going to go on until midnight, I say is a pack of nonsense. Do you want me to repeat it? A pack of nonsense!

**Hon. Mr. Rowntree:** My, you are out of sorts today!

**Mr. MacDonald:** No, I am not out of sorts. You can go out with the hon. Prime Minister

and rest up, while we have to continue the battle here.

**Hon. Mr. Rowntree:** I have been in my seat here, with the exception of the last five minutes, since 8 o'clock this evening.

**Mr. Macdonald:** I do not care whether you were in or out of your seat, the proposition that we go on past 11 o'clock is just a piece of nonsense that we have thrashed through many times before.

**Mr. Thompson:** Mr. Chairman, I wonder, are you referring to the official Opposition, saying you had messages from three members?

**Hon. Mr. Rowntree:** Yes, I have had messages from three—

**Mr. Thompson:** Asking that you—

**Hon. Mr. Rowntree:** Indicating that that was agreeable. If it is not agreeable, well, it is quite all right with me. Again, the member speaking, the member for Brant, were your remarks going to be long? Could you give me some indication?

**Mr. Thompson:** Just a minute. Let us just clarify, who were the three members?

**Hon. Mr. Rowntree:** It is not my place to disclose that whatsoever.

**Mr. Thompson:** With all due respect, sir, from our side—

**Hon. Mr. Rowntree:** Maybe they are.

**Mr. Thompson:** I would say there is a committee meeting at 9:30.

**Hon. Mr. Rowntree:** Oh, I did not know there was one at 9:30.

**Mr. Thompson:** There is one at 9:30.

**Hon. Mr. Rowntree:** Well, that is quite agreeable.

Hon. Mr. Rowntree moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, tomorrow we will deal with the order paper and continue with estimates.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:45 o'clock, p.m.

No. 157

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Tuesday, June 28, 1966

Afternoon Session

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Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JUNE 28, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today in the east gallery students from S. S. No. 4, Logan, Perth county.

Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day I have a question for the hon. Attorney General.

Has there been an increase recently in the crime rate among northern Ontario Indians that would warrant the charge by a Kenora magistrate that a "reign of anarchy" is rampant among the Indians in his area?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I have the clipping from the Toronto *Daily Star* of today using the expression "reign of anarchy," but I do not accept that as firm at all. However, I am having the matter reviewed by the chairman of the Ontario police commission to determine just what the crime situation is. I have not had time to get the figures back in time to give them to the hon. leader but I will have them very shortly.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I have a question for the hon. Minister of Health.

Is the Minister going to make a statement as requested by the Ontario ambulance operators association to clarify the situation that ambulance services are not free, that the recently announced government subsidy goes to the local municipality and therefore ambulance operators have no alternative but to bill the patient directly?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I had no intention of issuing such a statement because I am completely at a loss to understand why the Ontario ambulance operators association should feel the public has been led to believe that ambulance services would be free. No mention of this was made whatsoever in the statement I submitted to this House on the introduction of Bill 137, an Act concerning ambulance services, on May 31, 1966.

For the public record, I will repeat now that the main intent of this bill is to improve standards of vehicles, equipment and training of personnel. The bill also provides interim measures to assist in the financing of ambulance services. The bill empowers the department to reimburse municipalities, hospital boards, public health boards and other non-profit public bodies up to 50 per cent of the subsidy paid to ambulance operators.

I may say here also, sir, it will be recalled that the bill permits the Minister to enter into agreements with ambulance operators' methods of doing business; and if they have been billing patients directly in the past, I see no alternative but that they should continue this.

**Mr. MacDonald:** Mr. Speaker, may I ask the Minister, by way of a supplementary question, did he not have representations yesterday from the association to the effect that they are encountering a public belief—perhaps erroneously we agree—but a public belief that the announcement added up to free services?

**Hon. Mr. Dymond:** Yes, Mr. Speaker, this is quite true. The association did make such representation. I think it was partly born out of their lack of true information, if you will, concerning the bill; they had not yet seen the bill. They were going completely on newspaper reports which they believed gave this impression. However, when I showed them the bill and explained to them and showed them the statement on the public record, they understood that no mention had been made of this at all and that there was no reason for the public to believe they were to get free services.

**Mr. R. M. Whicher** (Bruce): Mr. Speaker, before the orders of the day, I have a question for the hon. Minister of Mines.

Inasmuch as Genex mines has received an

export permit from the federal government, will the Ontario government consider an order-in-council allowing it to export its copper which will allow it to get around 80 cents per pound, whereas the Canadian producer price is only 45 cents?

**Hon. G. C. Wardrope** (Minister of Mines): Mr. Speaker, I wish to thank the member for the question.

The answer is that Genex mines has Cabinet approval to export copper concentrates for a year to obtain the higher free world price for its copper of about 80 cents per pound.

**Mr. Whicher:** Mr. Speaker, by way of a supplementary question, might I ask if the Minister would feel that at the end of a year if the suitable propositions were made, there would be a possibility that this might be increased from one year to another two or three years?

**Hon. Mr. Wardrope:** Mr. Speaker, we as a Cabinet or government are waiting for investigations that are now going on about smelting copper ore in this country as against foreign countries, and thought will have to be given to what to do when the end of the year comes if there is no further assistance for these companies in Canada. We are studying deeply the whole situation and we will have an answer, I hope, before the end of the year. That is why this permission to Genex to export is just given for one year.

**Hon. T. R. Connell** (Minister of Public Works): Mr. Speaker, the hon. member for York South asked a question the other day.

> Further to the question asked by the leader of the Opposition yesterday, will the government stop contracting out window-washing work to non-union companies with bad safety records and substandard wages?

I might say in answer to the question of the hon. member for York South, that we currently have three contracts engaging the services of three window-cleaning companies which have contracted to provide window-cleaning services to all Ontario government buildings in Metro Toronto. These contracts are awarded on a basis of public tender to specifications set out by public works. Our specifications spell out precautions which must be taken for the safety of the workmen. Up to the present time and to the best of our knowledge there has been no recognized, organized union for this operation. To the best of our knowledge also the companies with whom we have contracts do not have bad safety records, since we require, as a condition of our contracts, certification by the workmen's compensation board that in this respect these firms are in good standing.

Our building superintendents, together with our construction safety division staff, are continually on the alert for any infraction of safety practice by individual cleaners. They are stopped and the contractor is advised if a violation is observed.

Furthermore, an inspection of all Ontario government buildings in Metro Toronto is currently being carried out to assure that the building attachments for the safety of window cleaners are in a satisfactory condition. Where the need is evident, they are being completely replaced.

It is not the policy of our department to force any of our contractors to restrict employment to members of any organized union. We do, however, adhere to any rates that are established for any type of work by The Department of Labour.

**Hon. Mr. Dymond:** Before the orders of the day, the hon. member for Scarborough West asked a question on Friday:

> Would the Minister inform the House the results of yesterday's case conference concerning the future of the ten-year-old boy presently in the Hamilton Ontario Hospital?

I am now assured, Mr. Speaker, that this patient's case has been discussed, they have considered their assessment of the patient with the agencies concerned and suitable arrangements are now being made for his continuing care and attention.

**Mr. S. Lewis** (Scarborough West): What does that mean? When the Minister says "continuing care and attention," does that mean continuing within the Ontario Hospital at Hamilton?

**Hon. Mr. Dymond:** Mr. Speaker, I do not know that. As I pointed out in the House the other day the preliminary answer to the question is a matter relating to the relationship between the medical staff, the professional staff of the hospital and the patient and his guardians. It is confidential information which I do not believe is geared to help the patient in any way by being paraded on the floor of a public assembly.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, on Friday I asked the Minister of Health a question which I thought he was going to answer on Monday—

**Hon. Mr. Dymond:** I have the answer to the hon. member's question. The question is as follows:

> What have been the total expenditures to date of promotion of all types under the Ontario medical services insurance plan? Is it feasible to break these expenditures down for each of the open enrolment periods which have been declared to date? If so, what were the total expenditures for each period?

The total expenditures to date for promotion have been $691,330.47. We were able to break the two amounts down although they were not two distinct open enrolment periods, as I have already explained, Mr. Speaker.

Of the amount, $583,539.47 was for the promotion of the open enrolment period closing May 1, 1966; and $107,791 was spent in total in the period from May 1 to May 16 and supported a two-week extension. This latter amount was spent entirely in newspaper advertising.

**Mr. Speaker:** Orders of the day.

## THIRD READINGS

The following bills were given third reading upon motion:

Bill 130, An Act respecting legal aid.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, before this bill passes I would like to reassert the position of our party in connection with legal aid. Our party takes the position that under this bill there is no right in any person to be represented by counsel in circumstances where, in our opinion, the person should have the right. Stated simply, it is that if a person has been summoned to appear in a court or if a person is a defendant or a respondent in a law suit and must attend in a court, then he is as of right entitled to be represented by counsel; and if he has financial need, then under this bill the area director should have no discretion whatsoever in the question of whether or not a certificate will be issued to him.

Similarly, in instances where a person has a valid claim assertable in a court and has been advised and received technical competent legal advice to the effect that he has a claim or a right which should be adjudicated in a court or which should be decided before a board or other tribunal, then in the opinion of this party, the area director should not have any discretion. If a person has the financial need and it is so established that the financial need exists, then in such a case, a person should be entitled as of right to obtain a certificate from the area director so that he will be represented by counsel at any trial.

To decide otherwise is simply to provide that someone else will exercise a discretion as to whether or not a person is, or is not, entitled to be represented by counsel in a court in the province of Ontario.

It is our position, simply stated, that everybody is entitled to be represented by counsel in court. If people have the funds they usually make their own arrangements to be so represented. We are talking in this bill about the people who do not have the funds to be represented, and it is our asserted principle that this bill should contain, and must contain in due course, a provision which will make certain that any person in the circumstances which I have outlined will be entitled, as of right in the province of Ontario, to be represented by counsel.

It is now, Mr. Speaker, too long past for us to take the position, as it has been taken over many years in England, that the right to be represented by counsel is not a right at all, but is a privilege in the discretion of the court or some other body.

In our opinion, it is high time that in the province of Ontario the right of representation by counsel in a court should be a right established by statute, and in the case of this bill for legal aid, if the financial need is shown and if the person must appear in the court, he is as of right, entitled to be represented.

Motion agreed to; third reading of the bill.

Bill 142, An Act to amend The Expropriation Procedures Act, 1962-1963.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I had no intention of speaking again on the third reading of this Act until I came across an editorial in a newspaper called the *Rural Co-operator* — which has not been noted in the past for its antagonism toward any government efforts—which seems to have missed the complete point of the approach of the Opposition, or certainly this party's approach, insofar as expropriation procedures are concerned.

The *Rural Co-operator* in its last issue said:

> It should be noted that the Opposition voted against the provisions of this Act, which is at least a halting step forward.

The point is this, Mr. Speaker, we opposed that Act for two substantial reasons. One is that it only nibbles at the problem; it deals with some ten per cent or less of the expropriation authority. We feel that there should be a reference as to the wisdom of any expropriation, and it should apply to all expropriation authorities. I think we made our position abundantly clear on that.

Second, we do not support that reference to a judge because we believe for the reasons that we outlined that a judge is not the proper person to do it. It should be someone with political responsibility, and the only reason that I say this is because it is apparent that whoever wrote that editorial did not take the trouble to read the debates in *Hansard*, or to analyze the speeches that were given before the board. I underline these remarks with a special reference to the editor of the *Rural Co-operator* and would suggest that he inform himself of what goes on before he writes editorials.

Motion agreed to; third reading of the bill.

Bill 156, An Act to amend The Pharmacy Act.

Bill 157, An Act to amend The Dentistry Act.

Bill 159, An Act to amend The Ontario Water Resources Commission Act.

Bill 161, The Pawnbrokers Act, 1966.

Bill 162, An Act to amend The Insurance Act.

**Mr. Renwick:** Mr. Speaker, on Bill 162, before it passes third reading I would like again to draw the attention of the House to the fact that it perpetuates the iniquitous provision in the statutory conditions relating to automobile insurance which permits an insurer to cancel an automobile insurance policy by a mere 15 days' mailed notice, or five days' personal notice on an insured person in the province of Ontario without any obligation of any kind to give any reasons as to why such a policy is terminated.

Mr. Speaker, it is the opinion of this party and we believe that it is, in fact, the opinion of a large number of the hon. members of this House, that there should not be the unilateral reservation in the statutory conditions in an automobile policy that would permit an insurance company, on such short notice and without giving reasons, to cancel automobile insurance policies. I would doubt if there is a member of this Legislature who has not at some time been faced with a situation where a person has had an automobile insurance policy cancelled for what could not be, under any circumstances, considered equitable ground.

Mr. Speaker, we moved in the committee of the whole House that at the time such a notice is given, that it be given also to the superintendent of insurance, and at least the reasons should be given in writing to the superintendent of insurance, if not to the insured person. Going back one step earlier in the bill, in the reading—

**Mr. Speaker:** Order, order!

I would remind the member that the point which he is raising was raised by him, I believe, during second reading and again during the committee of the whole House. Having been decided upon on both those occasions in the House, he has to present some new material at this time on third reading, but he is merely repeating what has already been decided upon by the House in both second reading and in committee, and I, therefore, have to advise him that he is out of order at this time.

**Mr. Renwick:** Well, Mr. Speaker, I will be very brief in completing the new reason. I rose on the third reading of this bill because I believe that I had been misled, and I feel that a number of other persons had been misled, by the remarks of the Attorney General at the time of the second reading, that an amendment would be given favourable consideration to provide for such an amendment to the statutory conditions. During committee of the House, the Attorney General did not see fit to make any comment of any kind about it. I simply reiterate the position of our party that this perpetuates an iniquitous provision in an automobile insurance policy.

Motion agreed to; third reading of the bill.

## THE COUNTY JUDGES ACT

Hon. A. A. Wishart moves second reading of Bill 184, An Act to amend The County Judges Act.

**Mr. Singer:** Mr. Speaker, in connection with this bill, which adds two county court judges to the number presently authorized for the province of Ontario, I wonder if the Attorney General has given any consideration —and he will probably get to this later in his estimates—to a matter we discussed in the estimates last year relating to county courts and county court judges sitting during the summer time; having the courts open over

the summer time, so that there can be available to the members of the public, a forum before which they can present the matters that usually come before county court judges. I noted myself last summer that when you have a chambers motion before a county court judge, they set aside one afternoon or one morning a week during the summer time and they go on *a rota* so that each judge in the county of York, in any event I suppose, has one turn at it during the whole summer. It took, I think, two or two-and-a-half mornings to get before a judge a very simple ex parte motion which needed a signature.

There were in the lobby of the city hall, where his chambers are, I would guess at 10.00 o'clock in the morning when he started to sit, perhaps 50 lawyers. There was an attendant outside who was trying to make a list of who was there, and to get the simplest sort of order signed it took me the better part of two full mornings to get in before the judge.

I do not think that is the way the public business should be carried on. I would hope that since the Attorney General is now asking that we have two or more judges in the county court system in the province, there can and should be some system set up whereby the courts just do not stop for the months of July and August. I think there should be some service to the community and to the profession.

**Hon. A. A. Wishart** (Attorney General): First of all I would like to point out that this bill only asks for the appointment of one additional judge.

**Mr. Singer:** Well, the principle is the same.

**Hon. Mr. Wishart:** And, second, I would say that some study went forward on the matter discussed by the hon. member last year. Most of the representations were received from the members of the bar who did not favour the idea—at least a great many of them did not favour the idea of having the courts continue through the summer months. Some of the judges were willing to extend their services, particularly in chambers' matters. I think this is done as a matter of assistance and custom, and certain of the judges are allocated to sit in rotation, I believe, through the summer months.

**Mr. Singer:** One morning a week in the county of York.

**Hon. Mr. Wishart:** Only one morning in the week. I would be glad to take this up with the chief judge of the district and county court to see what he might be able to accomplish. There must be willingness to try to meet the profession's wishes in the matter. But most of the profession seem to indicate they are not interested.

**Mr. Singer:** I suppose it depends.

**Mr. E. Sargent** (Grey North): Will the Minister accept a question?

**Mr. Speaker:** On this bill?

**Mr. Sargent:** On this bill, yes. Why are the judges singled out? Every other segment of our economy has to work 12 months a year; why are these judges given special treatment? They can take two months holidays, and people across the whole economy suffer because of this. Why is this?

**Hon. Mr. Wishart:** First of all, the judges of the supreme court and judges of county and district court are appointed by the Parliament of Canada, Governor-General in council.

I think we, perhaps, in the province do have some authority in the administration of justice to set certain hours, times, days and months during which they shall work. In the study of this—which has been done from time to time, it is not a new matter—the judges find themselves with substantial duties in the court, and having heard evidence they require considerable time to write judgments. The facts of the matter are—as represented to us by the judges, and I think their word may be taken as factual—that they need this break from their strenuous duties of the ten months of the year during which they are sitting in court dealing with very responsible matters. They need a reasonable holiday. They use a good portion of the summer months to catch up on the matters they have had to hold in reserve, and to write their judgments.

I think, perhaps, the lay person—I do not use that term in any other way except one who is not accepting the responsibilities of the judge—may regard that as a long period of idleness. But, let me assure you, it is not spent in idleness. It is a period spent to restore the strength of the judges who sit on the court and to give them an opportunity to clear the decks so that they may give service.

That is the best answer I can give to the hon. member.

Motion agreed to; second reading of the bill.

## THE PUBLIC SERVICE SUPERANNUATION ACT

Hon. J. N. Allan moves second reading of Bill 185, An Act to amend The Public Service Superannuation Act.

**Mr. K. Bryden** (Woodbine): Mr. Speaker, I have a number of comments to make that relate to the principle of this bill. As the hon. Provincial Treasurer advised the House, when he introduced the bill, it is in accordance with the terms of a memorandum of agreement between the government and the civil service association, as I understand it, or as I understand the statement he made. I am glad the government has consulted the civil service association about this matter. I do not put the same amount of stress on the fact that they have agreed to the terms of the bill as the hon. Provincial Treasurer, himself, no doubt does. We all know that, in negotiations of complicated matters, sometimes people out of expediency agree to less than they would like to agree to, and in this case I would say less than what is reasonable. As the Provincial Treasurer stated on first reading of the bill, these negotiations have been tied up with the negotiations of fringe benefits generally, and no doubt various compromises have been worked out along the way. As I understand the bill, it represents a sort of a compromise position that has now been accepted by the civil service association and the government.

However, in my opinion, the bill is still not a just bill. Whether or not the civil service association agreed to it as part of an overall bargaining procedure is not the matter that is now before this House. I think it was vital that the government should consult the civil service association about it. I still think we should try to achieve justice in the superannuation plan we have for the employees of the province. There are a number of ways in which it falls short of a just solution to the problem. In fact, I will try to illustrate in a moment, Mr. Speaker, that it comes pretty close to robbery, as far as the government is concerned, in relation to the employees who are covered by the superannuation plan. I will not get into that point right away. There are two or three other points I would like to deal with first, but as far as I can see, from studying what is admittedly a very complicated piece of legislation, the government is grabbing most of the benefits of the Canada pension plan. The employees are not getting those benefits, and they ought to get them.

Before I get on to that point, first there are two or three other points I would like to mention.

First of all, it is now provided in the bill that the funds invested by the employees will bear interest at a rate of three per cent, compounded semi-annually. Admittedly that is a great improvement over the present situation. My recollection is that the Act, as it now stands, provides for three per cent simple interest. That formula must have been conceived by Simon Legree. It is incredible that we should have had in this province a proposition whereby people would, under compulsion—they had no option about it—invest money over long periods of time and only draw simple interest on the money. However, Mr. Chairman, that is the way it was. Now it is being improved, admittedly improved quite substantially, in that the money invested will draw interest at the rate of three per cent compounded semi-annually. This, in itself, is just simple justice, except that it falls short of any reasonable proposition. The Provincial Treasurer must be living in the past of at least 20 years ago, if he thinks three per cent is anything resembling the going rate of interest on long-term debts. A person investing his money elsewhere, if he was not required to contribute to the superannuation fund, could certainly get a lot more than three per cent. He could probably get six per cent on a perfectly safe investment—if he put his money in the Provincial Treasurer's own bonds, which I assume are safe. If we want to look at annuity plans, we can look at The Dominion Government Annuities Act. Under that Act at the present time, the rate of interest on investments by the annuitants is either five per cent or five-and-a-quarter per cent, depending on the nature of the annuity that they are purchasing. Yet we stick at three per cent.

I realize one cannot write into a statute of this kind what is probably the going rate of interest, because the going rate of interest can change. We all know that. But I would say that as the absolute minimum the Provincial Treasurer should think in terms of four per cent, rather than three per cent. My impression is that most existing pension plans do in fact provide at least four per cent. Even though the Provincial Treasurer has removed an iniquitous injustice from the bill, in at least providing for compound interest, I submit, Mr. Speaker, that he still has not gone far enough. He still is unreasonable in holding the interest rate at three per cent.

Another injustice that continues to exist under this bill relates to the unclassified

service. We have the greatest difficulty getting information in this House about the unclassified service. If one asks the operating departments, they tell us the civil service department knows all about this. When we ask the civil service department, it tells us that it does not know anything about the unclassified service. That comes under the jurisdiction of the various operating departments. So we have been getting a run-around for years in trying to obtain information about the various types of people who continue to exist in the unclassified service.

I appreciate the fact, Mr. Speaker, that people who are employed on a purely seasonal basis—short-run employment for a matter of a few months—could not reasonably be covered by pension plans. However, there are people employed by this government who are not in short-term temporary seasonal employment. I do not know how many, because we cannot get the information from the government, but certainly there are some, and these people should be brought under the pension plan.

There are two groups of them in particular to which I would like to call attention. First of all, there is a significant group of people—again I do not know how many; the Provincial Treasurer ought to know, but he will not not say—there is a significant group of people whose employment is seasonal as far as a particular department is concerned but whose employment with the government is not seasonal. I refer to people who may be employed by one department in the summertime and another department in the wintertime. Now I am told by people who should know, that there are quite a few people in such categories. They are kept in the unclassified service because at the end of each season they are discharged by the employing department and then within a matter of a few days or perhaps a week or two, they are taken on by another department. Then they are discharged by that department at the end of the season. And so they go, as if they were seasonal employees, year by year, for periods that can extend into, I am told, ten and 15 years. These people acquire no penson benefits at all, simply because of the technicality that they are employed by any one department only for a season of the year.

I think it is time we did something about these people and brought them under the superannuation plan in the same way as other long-term employees of the government.

Another group which is perhaps in even a more invidious position consists of those in the unclassified service, who are employed the year round by operating departments. They are not seasonal employees. Some of them have been there for many years, but they still are treated as being in the unclassified service and they are not certified for superannuation. The rationale in relation to these people in the past was that they were tradesmen being employed under the conditions of employment applying in their trades in private employment. In the past those people received somewhat higher wage rates than are payable to people employed the year round. On the other side of the coin, they used not to be covered by pension plans.

The point I would like to call to the attention of the House, Mr. Speaker, is that most of the trades now have pension plans and other fringe benefits, even though they are now in private employment. The day has passed when building tradesmen, for example, are no longer covered by any fringe benefits. Gradually they are getting the same range of fringe benefits as all other employees . I think the we should bring to an end discrimination against this group of employees within the public service, sir, some of whom have already been in the employ of the service for a good many years and some of whom no doubt will continue for a good many years, but without any pension benefits at all.

It is high time, Mr. Speaker, that we took a hard look at this question of the unclassified service. There are substantial numbers of people within that service who ought to be covered by The Public Service Superannuation Act and I regret that yet another review of the Act is passing by without any consideration being given to the needs of these people.

There is another feature of this bill that I think is a retrogressive step. In a sense, I suppose, it applies to a clause in the bill and perhaps it could be discussed more fully in committee of the whole. But I will at least mention it at this time, because I think it is of sufficient importance that note should be made of it while we are discussing the bill in principle.

Under The Public Service Superannuation Act as it has existed up until now, it was possible for a person with 20 years of service to retire and get the full pension relative to that service at age 60. This is now being changed, under the bill that is now before us.

I should mention in passing that existing employees will not lose any rights that they now have—but any future employees will have to have continuous service up to the

age of 65, which is the retirment age, in order to get the full pension benefits that apply to their length of service.

Unfortunately, neither the Minister of Reform Institutions nor the Minister of Health are in the House at the moment, but I would think that this changed provision is one that should cause some concern to them. People who work as attendants in reform institutions or mental hospitals suffer stresses in employment which are not common to the service. I think it is desirable that such people should have an opportunity for early retirement, because frankly, Mr. Speaker, a great many of them finally reach the point where it is impossible to carry on. I do not think I have to detail the matter for the members of the House. I think that they can appreciate that for a person who is, day-in-and-day-out, in attendance upon people who are mentally ill, this has an effect on the attendant himself. There comes a time when he cannot take it any more. I think it is regrettable that we are now changing The Public Service Superannuation Act in such a way that these people cannot retire prematurely without loss of benefits. I would suggest to the Provincial Treasurer that between now and the committee stage of the bill he might give consideration to the change he is making on this point at least with a view to continuing the present situation for certain specified categories.

It may be that for the average run of employment in the service, perhaps, his new provision is quite reasonable but there are certain special categories of employment where I think we should make provision for early retirement without loss of pension benefits—in much the same way as many fire departments make provisions for early retirement. We think firemen have a soft job but it is a very stressful job and some of them cannot work past the age of about 60. Sometimes also in police departments, a special provision of that kind is made. At any rate, there are certainly some categories of employment in this province where consideration should be given to early retirement without loss of benefits.

Those are three points that I wanted to bring to the attention of the House, Mr. Speaker. Now, I would like to turn to what I think is perhaps the most important point involved in the bill before us.

The bill as far as its major purpose is concerned, as I read it, is designed to integrate the Canada pension plan into the public service superannuation plan—or integrate the two plans. I am not objecting to that principle that has been agreed to by the civil servants themselves. As long as they are agreeable to the integration, or at any rate if their duly authorized representatives have indicated a willingness to go along with integration, I am not going to challenge the principle of integration. That is really their business as far as I can see, to negotiate in their own way. However, I do object most strenuously to the method of integration that is being adopted. I suggested earlier that this bill comes very close to robbery of the civil servants on the part of the government, and it is here that we find this robbery. It is hard to describe it in any other way.

Under the legislation as it has existed until now, a civil servant contributes six per cent of his wages. In return for that, he gets a pension which amounts to two per cent of the average earnings over 36 months at the moment—this is being changed to 60 months, but we will take it at two per cent of his average annual earnings over his best years of earning. Let us put it that way—multiplied by his years of service up to 35. Unfortunately pension legislation is always complicated and it is hard to express in a simple way. But to take an example that is simple, take an employee with 35 years' service with the government: His pension will be 70 per cent of his average earnings in his best earning years. For that, as I said, he contributes six per cent of his earnings during his period of employment. Now then, what is happening under this bill as it is being integrated with the Canada pension plan? An employee continues to contribute to the public service superannuation plan six per cent of his earnings up to earnings of $600 a year. This is because no contributions are collected under the Canada pension plan for the first $600 of earnings. But our employees here are still paying the six per cent, so they pay the public service superannuation plan six per cent up to the first $600. Then from $600 to $5,000, when the Canada pension plan contributions come into operation, the contribution to the public service superannuation plan is 4.2 per cent of the employee's earnings. In other words, the employee still pays six per cent for that level of earnings but 1.8 per cent of it goes into the Canada pension plan, leaving 4.2 per cent for the public service superannuation plan. Then, beyond $5,000 a year the contribution to the public service superannuation plan again becomes six per cent.

We could get into great complexities here but to simplify the point I will take an employee whose earnings, shall we say, are

$5,000 per year and figure out how this affects him. He will contribute, of course, to the two plans together. He will pay six per cent of his earnings right across the board but, as far as Ontario's superannuation plan is concerned, he pays six per cent of the first $600, and 4.2 per cent of the remaining $4,400, so that his average contribution on the whole $5,000 into the Ontario plan is 4.4 per cent of his earnings, if my arithmetic is correct. It is just a shade over 4.4 per cent of his earnings.

What does he get in the way of benefits from the public service superannuation plan? His benefits as paid out of the plan will be 1.3 per cent of his average earnings in his best years of employment, multiplied by his years of service, rather than two per cent as it has been up until now. The benefits paid out of the plan are reduced from two per cent to 1.3 per cent. The contributions are reduced from six per cent to 4.4 per cent. I am pointing out to this House, Mr. Speaker, that on a pro rata basis—if we retain the same proportion of benefits to contributions as now exist the employee should be paying only 3.9 per cent rather than 4.4 per cent. In other words, previously he got two per cent in benefits for six per cent in contributions, one figure is a third of the other. If he is now going to get 1.3 per cent in benefits, then he should pay only 3.9 per cent in contributions. That would maintain the same ratio.

I will agree that there are some minor improvements for at least some employees so that they get a little better than the 1.3 per cent—it is almost impossible to figure out how much better, but it is a little better than the 1.3 per cent that is set forth in the Act. If you average it over the whole service, it will be a little better than that, but nothing as goal as the contributions the government is getting. I would say that all the benefits that are now being provided to the employees under this bill out of the public service superannuation fund could be provided with contributions from the employees into the fund on the average of about four per cent—and the government is taking 4.4 per cent. In other words, there is about .4 per cent which, as far as I am concerned, is just being stolen from the employees.

I asked the Provincial Treasurer some questions about this during the estimates of the civil service department and he assured me that the government's contributions are just the same as they would have been if the Canada pension plan had never come into effect. Well, I am telling him that cannot possibly be so. It is very difficult to make comparisons from year to year because wage rates go up and the number of employees increases and so on, so naturally the amount of money the government pays this year will be more than last year. It nevertheless is making a substantial saving. The Canada pension plan, for reasons that would be too detailed to go into here, is more favourable to employees than the Ontario public service superannuation plan. And the government is grabbing the favourable features, it is taking the benefits to itself, it is not giving the benefits to the employees. In other words, what it is really doing by integrating the Canada pension plan with the public service superannuation plan is collecting for itself a subsidy from the federal government.

I object to this principle, Mr. Speaker. I am quite willing to go along with integration, since the employees have agreed to it, but if there is to be integration, then I submit that any additional benefits accruing from the more favourable terms of the Canada pension plan should go to the employees. They should not be claimed by government. They should go to the employees either in the form of higher pensions or of lower contributions. I would say that is a matter on which they themselves should make a choice. They might choose one or the other, or a combination of the two.

But if benefits are to continue at the scale set forth in this new bill, then the average contribution of an employee making $5,000 a year to the public service superannuation plan should be not more than four per cent, plus, of course, his contributions to the Canada pension plan, rather than the 4.4 per cent which the government has now imposed.

I am not going to oppose the bill on second reading because of this highly unfair provision, although I must say I am strongly tempted to do so, Mr. Speaker. I really think that it is a most unfair arrangement. I am surprised that the Provincial Treasurer would associate himself with such an unfair arrangement, and it is a pretty close thing as far as I am concerned, whether or not the bill should not be opposed altogether just because of the inherent unfairness involved in it.

Now, Mr. Speaker, there is one last point I would like to make with respect to this bill and I may say that the same point applies to other bills that follow on the order paper relating to pensions for various classes of employees. I will make the point now and that will save me having to make it in relation to the later bills.

I would say that in all of these pension plans we should be now thinking in terms of escalation features. It is true that by providing that the pension will be calculated on the basis of five, or seven, or whatever number of years of employment you want to take, that does in itself provide a certain escalation.

In other words, under the new legislation as it comes into effect, an employee's pension will be calculated on the basis of the 60 continuous months of employment in which he achieved his best earnings. Those are usually the earnings at the latter part of the employee's career, and, therefore, his pension is related to wage levels at approximately the time he retires. That feature is in this bill and in the teachers superannuation bill. Unfortunately it is not in the OMERS plan. We will deal with that when we come to it, but it is in this bill. That feature does, to a certain degree, relate pensions to wage levels at the time of the employee's retirement. The fact still remains that we have no adjustment factor at all for changes in wage levels and in the cost of living that occur after an employee's retirement.

I am not saying that the bill now before us is unique in this respect. In fact it is unfortunately far from being unique. I would say it is probably typical of most pension plans. The fact still remains that the Canada pension plan has now set forth the proposition of an escalation that takes into account changes in the cost of living and in the general level of wages. I think that we, in private pension plans—if I may call them that, the plans that we have under the jurisdiction of this assembly which relate to specific groups of individuals—we should start thinking in terms of escalation features for those people too.

This, I may say, is also a point that is relevant to workmen's compensation. It is a matter that I have discussed with the Minister of Labour on a number of occasions and I think he agrees with the principle. He points out that it is one thing to agree with the principle, and another thing to implement it, and I will agree with him on that. Even so, he brought in legislation last year that recalculated pensions, or some of them under The Workmen's Compensation Act, and I think he is actively considering the whole question of relating permanent pensions to changes in wage levels and in cost of living.

I think we should also think in those terms with regard to The Public Service Superannuation Act, The Teachers' Superannuation Act, and The OMERS Act.

I will recognize, Mr. Speaker, that this point is one that one mentions now for consideration at a future time. I am not suggesting that the Provincial Treasurer should be in a position to write an escalation feature into the legislation at this time. I do think, however, that it is a matter to which high priority should be given, and that the government should have in mind writing such features into the legislation in the very near future. However, I will leave that to the future, merely mentioning now that it is a matter that is urgently in need of consideration.

As to the other points I have raised, I submit, Mr. Speaker, that they are matters that ought to be dealt with at his session, and that the government's legislation should be changed to remove what are grave injustices in The Public Service Superannuation Act as it is now before us in its revised form.

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Speaker, I may say with respect to the comments of the hon. member for Woodbine that I think it is only fair to repeat something that I have said here before, and that is that in developing this pension plan, attention was given to the fact that we felt the fringe benefits that were given to the public servants of this province previously were lopsided. The contribution by way of fringe benefits was quite large, in fact, very large. However, the public servants received no assistance with medical services, or with group insurance, and as we studied this—and the hon. members will remember that we had a study in detail—it was recognized that if the pension plan could be revised, and I am quite free to admit that some of the features in the bill that I am proposing now are not as generous as they were under the old plan, but it was felt that the pension benefits could be kept very generous and we could provide the other fringe benefits.

**Mr. Bryden:** They are providing these fringe benefits out of their own pockets then—

**Hon. Mr. Allan:** Mr. Speaker, I think I gave the hon. gentleman a good hearing.

**Mr. S. Lewis** (Scarborough West): His arguments were more persuasive than yours.

**Mr. Bryden:** I just wanted to make sure that we had you right, very clearly.

**Hon. Mr. Allan:** Mr. Speaker, it was agreed, it was discussed with the civil service as-

sociation. They were anxious to get the fringe benefits they had not enjoyed, and together this plan was worked out. Rather than to say that this is a mean plan, I think it is still a very generous plan, an excellent plan.

On balance, I would say it is slightly more generous than the pension provided in the federal public service, and in the opinion of persons who have made a study of pensions it is adequate.

Replying to some of the particular comments made by the hon. member, I may say that there are two sides to every coin. The three per cent interest is placed there to be of assistance to those persons who come into the public service after they have been employed on the unclassified staff, and it enables them to pay up their back payments with a minimum of cost to them. That is, the back payments are paid up on the basis of three per cent. If the amount was increased, it would make it very difficult for those persons who come into the public service with some years in the unclassified service to pay up the back payments and get the benefits of the complete length of time they have worked for the government.

With respect to the unclassified service—and I may say I am not trying to be nit-picking—the unclassified service is not covered in this Act because the unclassified staff are not public servants.

I would assure the House, however, that the matter of pensions so far as the unclassified staff, particularly certain classes of the unclassified staff, will be studied and given consideration.

The raising of the retirement age for deferred annuitants to 65 was considered reasonable. It is the feeling of government that a pension is intended to be provided for persons after they cease to be employed. We were finding that a number of public servants were resigning from the service as soon as they reached 60, persons we were sorry to have leave the service, and were seeking employment in other areas. This was one of the reasons for the raising of the retirement age to 65.

With respect to the integration, I must apologize for not having some examples of the pensions that will be received by those persons who retire after they have had ten years' service following the introduction of the Canada pension plan. They will all receive larger pensions than they would have under the old plan and some of them will receive very much larger pensions and I will see that I have a number of those instances at the time when the bill is in committee.

So there is no robbery in connection with the integration. I am sure that a reasonable person must recognize the fact that the contributions that were made into the previous fund were not sufficient to keep the fund fully funded. The fact that the government is contributing each year more than $4 million to the fund is an indication that the government, in my opinion, is endeavouring to use the employees fairly and to make sure that there will be funds provided for the pension they are looking forward to, when they reach the pension age.

As a matter of fact, I am very proud of this pension bill. I am sure that the public servants generally accept this as being fair. We have kept faith with every person who was employed. No one will receive a smaller pension than he would have, had there been no change in the plan; and the benefits that will be available for those who come into the service will be as good as they would be able to obtain in other places.

Motion agreed to; second reading of the bill.

## THE TEACHERS' SUPERANNUATION ACT

Hon. W. G. Davis (Minister of Education and University Affairs) moves second reading of Bill 186, An Act to amend The Teachers' Superannuation Act.

**Mr. Bryden:** Mr. Speaker, I have what I hope will be briefer comments to make about this bill. I believe it has been worked out in considerable detail with the teachers' federation. In its major implications, at any rate, it is acceptable to them as well as to the government and I am not suggesting that we should upset what seems to them to be reasonable. I am glad that they find it acceptable because it saves one the trouble of trying to figure out all the complexities of it.

There is one phase of this matter, however, Mr. Speaker, that is by no means satisfactory to me as it stands at the moment. I hate to get back again to the question of the small group of retired teachers and teachers' widows who are living on pensions of $600 a year or so. It is however, necessary to make a brief reference to them in order to bring out the point that I now want to bring out with relation to this bill.

It will be recalled, Mr. Speaker, that I, as well as many other hon. members of this

House, have been pursuing the Minister fairly regularly with regard to the small group of superannuated teachers who were superannuated a good many years ago. When I asked him some questions about it in February and March of this year, he advised me at that time that he was not in any position to say anything about the small group of retired teachers because the teachers' federation was in the process of discussing with the government the entire reassessment of the teachers' superannuation plan. Therefore the Minister said that action was deferred with regard to this small group while the government could consider representations that the teachers' federation was making on the reassessment of the fund. So this small group of teachers was stalled off for a few more months while the government heard the teachers' representations regarding the assessment of the fund.

Unfortunately, it did not see fit to accept the teachers' federation representations with regard to teachers already on pension. I now would like to make it clear, Mr. Speaker, that I am not now talking only about the small group who were retired 15 and 20 years ago and are subsisting on pitifully small pensions, I am now talking about all teachers who have retired, including those who have retired within the last few years.

According to the information I have—it could be wrong because it is second-hand, but if it is wrong I am sure that the Minister will correct what I say—but according to the information that I have, the proposition that the teachers' federation made to the government with regard to all teachers who have already retired, was this: First, there should be a minimum pension of $1,400 per year; second, all existing pensions should be recalculated on the basis that is now being provided in this bill for future pensions.

Let me explain what I mean there. Under the Act, as it now stands, as it has stood up until now and will continue to stand until this becomes law, a teacher's pension was calculated on the basis of the ten best years of his service, his ten highest earning years; this has been the plan. Under this bill, this is to be changed and the ten is to be reduced to seven, so his pension will be calculated on the best seven years. I welcome this provision, Mr. Speaker. I think that is an important step forward and it will undoubtedly mean a considerable amount to a great many teachers retiring in the future, in terms of their pension.

However, Mr. Speaker, I cannot see the justice of providing that those teachers who retire in the future will have their pensions calculated on the basis of the best seven years' earnings, whereas those who retired in the past continue on the ten-year basis. I personally know of cases where a conversion from the ten to the seven could mean $20, $30 and $40 a month.

Surely it is most inequitable that we should differentiate between those who retire after this bill comes into force, and those who have retired before it comes into force. This is a form of discrimination that I do not think is tolerable, Mr. Speaker, and I do not think that we should accept it.

I am proposing to the Minister that he accept the proposition put forward by the teachers' federation, of a basic pension of $1,400 per year, plus reassessment of all pensions on the seven-year rather than the ten-year base. As a matter of fact, if he would do that he would certainly go a long way towards solving the problem of the small group of superannuated teachers whose misery has been a blot on the record of this House for 10 years.

I do not even know what the Minister plans to do about those teachers. He told us that he was going to do something; it was not going to be done under this bill, after all, he said. After having kept us waiting for several months for something to be done under this bill, he has now said that it is not going to be done under this bill. I hope that another session is not going to pass into history without anything being done. And even though it is only, shall I say, Mr. Speaker, marginally in order, perhaps the Minister might tell us now exactly what he is going to do about that small group. Or if he cannot tell us precisely now, I wish he would tell us when he will be able to tell us.

**Mr. Speaker:** May I ask the member, is this principle in the bill, as corrected—the principle on the retired superannuated teachers?

**Mr. Bryden:** It is provided in the bill that the period on which pensions will be calculated will be reduced from ten to seven. I am merely suggesting that that should be universalized and applied to all teachers. However, I have already made my point, I think, as clearly as I will ever make it, so I will not pursue the matter any further. I think the Minister should make an announcement about the small group of teachers, and in addition he should be prepared to change this bill so that all pensions will be calculated on the seven-year rather than the ten-year base. Has the Minister nothing to say?

**Hon. Mr. Davis:** I can only repeat what I have said earlier. The government has decided to deal with the group superannuated with the teachers, and when the actual policy is determined it will be announced. I assured the House that this will in fact be done, Mr. Speaker.

Motion agreed to; second reading of the bill.

## RELOCATION OF THE MULHOLLAND CAIRN

Hon. H. L. Rowntree (Minister of Labour), in the absence of Hon. Mr. Spooner, moves second reading of Bill 187, An Act to provide for the relocation of the Mulholland cairn.

Motion agreed to; second reading of the bill.

## THE ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 1961-1962

Hon. J. W. Spooner moves second reading of Bill 188, An Act to amend The Ontario Municipal Employees Retirement System Act, 1961-1962.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, I made very lengthy comments upon the introduction of this bill. Perhaps there is a point which I should make. We are also enlarging the group of employers and employees who may participate in OMERS to include employees of the development councils, the municipal associations, and a number of other similar organizations that have requested us to permit them to participate in OMERS.

So far as the other benefits of OMERS, and the principles which I explained when the bill was introduced for first reading, I do not think there is very much that I can really add to what has already been said in that regard.

**Mr. J. B. Trotter** (Parkdale): Mr. Speaker, I just want to make a few brief remarks in regard to this. As far as the amendment that has been introduced, we were glad to see that the government took the advice our leader sent by wire about six months ago to the government, asking them to introduce such an amendment. The principle of what was in our telegram is very similar to what the government has brought in.

Unfortunately, the government I think, as it has done on other occasions, not necessarily with this party but with other people, did not see fit to reply to our telegram. But the main thing is that this change has been brought about. It is unfortunate there was a six-month lapse before anything was done on this subject of whether they would have integration or stacking. As a result a great deal of confusion was caused among various municipalities here in the province of Ontario. A lot of time has been wasted, not only by various local councils but by this government, because they just did nothing. A few months ago we saw the confusion on the side of the government. The hon. Prime Minister was not quite sure what the hon. Minister was doing and the Minister, I do not think, was quite sure what the Prime Minister wanted done. But this comes from a lack of thinking ahead and what the major problems are going to be.

There are many groups who are dissatisfied with the OMERS plan, as it now stands. These people who are dissatisfied point to the scheme that the teachers have here in the province of Ontario. Compared with OMERS, the teachers have negotiated a very good plan. It is unfortunate that the people who now come under OMERS do not have the same benefits and the same opportunity to get a decent pension as the teachers have.

I just want to cite an example, Mr. Speaker. Take a man who is now earning about $7,200 a year as a maintenance worker for a local municipality. This year it is his 13th year of employment with the municipality. On the last year of employment, prior to his retirement in 1977, he will be earning something in excess of $10,000. I am assuming in that time, between now and 1977, he will receive an increase each year of $300, so that by the time retirement comes he will be earning $10,000.

When you take into account the annual raises and he has his $10,000, under the OMERS scheme he will be retiring on approximately $3,360 a year. It is quite a drop. If he had been similarly under the teachers' plan, which was negotiated I believe very recently, he would be receiving a pension of $4,600 a year. There is a difference of $1,300 a year between those who are on the same salary scale, working as a teacher or working for a municipality, under the present scheme as before us in the present bill. So an employee of a municipality working for 24 years still has a long way to go to get the proper treatment that he should be getting.

Now there is no doubt a difference in the contributions made by an employee over the 24 years of employment. I think the difference between the two schemes, between what

the teachers get and what comes under the OMERS scheme, is one half of one per cent. But certainly the scheme we have before us has still got a great deal yet to give to the people who are working for our municipalities. And I think we should also bear in mind that today government has greater and greater responsibilities, be they on the local level of the city, or of the province. If you are going to have people properly qualified, and are going to continue to compete with industry to attract people into the public service, you are going to have to give them not only decent salaries but decent pensions, because this is what they are entitled to. It is the only way we will be able to staff our government agencies the way we should. OMERS, as we are bringing it to the House today, as the government is bringing it in, is not helping us in that very necessary problem of seeing that we have a proper staff here.

The government's policy is to have new employees join OMERS, so that in time all local employees in the province will come under one scheme. If this can be accomplished, it makes actuarial sense. Over a long period, probably it can be done, to see them all in one scheme. However, more local employees would apply as groups voluntarily to join OMERS in the terms of the plan, if the terms of the plan were as attractive as the terms of the teachers' plan. So if you want to bring about this ideal, Mr. Minister, and I say this through you, Mr. Speaker, you are going to have to make your scheme as attractive as the teachers' plan, in order to have all your local employees voluntarily come under this scheme.

We do acknowledge there are certain other benefits under the OMERS scheme that the teachers do not have, but they are small in comparison to the benefits that the teachers are actually receiving. Bear in mind that a teacher, and I use the example of a person earning $10,000, that a teacher earning $10,000 today, on the same terms as a person under the OMERS scheme, will receive $1,300 more. Any benefits that might be better under OMERS certainly do not account for that difference of $1,300.

So this plan of OMERS is obviously going to require periodic changes. It is going to require a great deal of improvement. The unfortunate thing is that instead of having one plan and having it set out properly, and getting off on the right foot, we are doing this piecemeal. We find we are really treating our employees, working in our cities and our towns and our villages, really second rate, compared to the teachers. Great as our respect is for the teaching profession, and particularly having you, Mr. Speaker, as the Speaker of this House and being a teacher, we can emphasize we have great respect for the teachers. Still, our employees working in our municipalities certainly require and deserve our greatest respect, and there is really only one way to see they are given proper respect. This is making certain they get decent working conditions and decent salaries and pensions.

This scheme does not give them what we feel they should get. If I was to give the government an example and suggest an improvement that could be made, it would be to follow the scheme we have here for our teachers, here in the province of Ontario.

**Mr. Bryden:** Mr. Speaker, in relation to the first remarks made by my friend from Parkdale about this bill, I would suggest to him and to the House generally that we should not jump to the conclusion that the government has seen the light. Notwithstanding the telegram from the leader of the Opposition, and what I think was probably much more effective pressure from many other sources, the government has not by any means backed entirely away from the arbitrary position of six months ago with regard to municipal pension plans.

Six months ago its position was that the Canada pension plan must be integrated. It could not be stacked wholly or in part, and there could not be any supplementary plans. The OMERS board, who happens to be the Minister of Municipal Affairs, seemed to think he was a descendant of Louis XIV, or Napoleon. He decreed what pension plans these people could have, notwithstanding anything they might be able to arrange between themselves and their employers.

We have not really departed entirely from that. He is less arbitrary than he was. He has a little less of Bourbon or Bonaparte complex than he had a while ago, but it is still there. The only trouble is, it is not written into the bill. It is only in the bill indirectly. The bill provides that regulations may be made providing for supplementary benefits and prescribing the terms and conditions upon which such supplementary benefits may be provided.

The Minister, I will give him credit, was honest with the House and indicated the conditions he was going to lay down, or were to be laid down in regulations. I think those conditions, or whatever conditions he had in mind, ought to be written right into this Act.

When the Minister knows what the conditions are, he ought to be prepared to put them right here where they are for everybody to see.

They are going to be put into regulations. Of course, the regulations can be changed almost at will, as far as the OMERS board sitting over there is concerned. But, at any rate, what the Minister has told us is going to be the condition is that he is going to place a ceiling. Employees by agreement with the employing municipal corporation or board may stack the Canada pension plan, or may enter into other pension arrangements over and above OMERS, but there will be an overall ceiling as I understood his statement. I do not happen to have it in front of me, but I understood his statement to say there will be an overall ceiling. In effect, that will permit the same pension as is now provided in The Ontario Public Service Superannuation Act.

In other words, the pension cannot be more than two per cent of the average of the best five years of employment, multiplied by the number of years of employment up to a limit of 35. I think that states it accurately. It means that an employee with 35 years of service cannot get a pension that exceeds 70 per cent of his average annual earnings over the best five years of his employment.

I see no reason why the Minister of Municipal Affairs, now in his capacity as a board, a board all by himself, should undertake to dictate in that way to municipalities and their employees. Municipal councils consist by law of people who are over 21 years of age. They know what they are doing and surely they can negotiate with their employees. If they wish to negotiate more favourable terms than those, and if the employees wish to have more favourable terms which, of course, would also likely mean higher contributions on their part, why should they not be allowed to have them? What business is it of the Minister of Municipal Affairs? He seems to look upon himself as sort of a father of all the municipalities. The municipalities are his children and he stands there, with the restraining hand of the father, making sure that they, in their puerility, do not do anything rash.

**Mr. R. Gisborn** (Wentworth East): What happened to local autonomy?

**Mr. Bryden:** Yes, my friend from Wentworth East asks, where is the principle of local autonomy? I have never known the principle of local autonomy to operate, except where the government had some scheme it wanted to foist off on the municipalities. Usually there is so little autonomy. Here, Father OMERS board, Father Minister of Municipal Affairs stands supervising them all, boxing their ears and slapping them on the wrist to make sure they do not get out of line with what he thinks is good for them. I welcome this bill at least as a significant departure from the intransigent position that he took six months ago, but I still say the paternalism inherent in it is both unnecessary and undesirable. I think where a union of municipal employees can persuade its employee council or board to improve pension benefits, where they can as adult human beings arrive at a better arrangement, face to face at the bargaining table, it is none of the business of the Minister of Municipal Affairs. If he wants to have some sort of residual control, okay, but I do not think he should be forever laying down the conditions. He still leaves the municipal employees in the position of second-class citizens as far as pensions are concerned.

The OMERS plan as it stands provides a pension that works out to two per cent of an employee's earnings averaged over the entire term of his employment. This means he does not even get the benefit of the quasi escalation feature that exists in the public service plan or the teachers' plan.

**Hon. Mr. Spooner:** The money has to come from some place.

**Mr. Bryden:** Well, the money has to come from some place in the teachers' plan and the public service plan. In the teachers' plan they get two per cent of the best seven years, and in the public service plan two per cent of their best five years, but under this plan the pension is calculated over the entire period of employment. Thus, if prices and wage levels continue to go up as they have been going up for the last 30 years, the employee will have lost a great deal of his pension benefit by the time he comes to claim it, because his lower wages of the early period of his employment will help to pull down his total pension. This is the OMERS plan as it now exists. What the Minister is saying is that he will permit municipal employees to bargain themselves into the position, if they can do it, where they will be as well off as public servants.

I would say he should make them as well off as the public servants in this bill, or alternatively he should permit them to negotiate as far as they and their councils want

to negotiate. Why should they be cut off at that point?

As a matter of fact, it is very hard to say just what the effect of this ceiling will be. I frankly do not know, but if employee organizations are going to try to stack the Canada pension plan on top of the OMERS plan, they may run into trouble with this ceiling. The ceiling is going to be very difficult to calculate. And I just do not know what difference it will make. I hope when we get into committee the Minister may be able to give us some idea of what the difference is between OMERS as it now stands and this ceiling they can negotiate up to. I would like to hear about that, because I do not think it is clear and it is obviously not going to be easy to calculate. That being so, I can see a lot of trouble arising when it comes to the practical implementation of this plan.

Another point I would like the Minister to bear in mind, for consideration either now or in committee of the whole, relates to pension plans already in existence which are already above his ceiling. Are they going to be adversely affected, are they going to be cut down to his ceiling? Well, he shakes his head, so undoubtedly he will when he gets an opportunity. He will elaborate on the negative indication that he has now given.

In any case, I think we can treat this bill only as an improvement over what was the totally unsupportable position of six months ago. I do not think the position is reasonable even now, I think the Minister should give these people an opportunity to negotiate what they want to negotiate, but I would stress once again that if the Minister is going to impose a ceiling he should put it right in his Act where we can all see it and we will all know what it will be.

We will not run into the possibility six months from now, that it will be suddenly cut down, just as the Hydro employees a year ago suddenly found all the terms changed by an order-in-council that was slipped through and that most of us never even heard about. We found out about this order-in-council a long time after it was passed. The Hydro employees were in the process of negotiation with their employer about pensions, and found their feet had been cut out from under them by an order-in-council which for all practical purposes was a secret order-in-council. I do not like to see the possibility of that happening under this bill. I do not see why the Minister cannot put his ceiling, if he must have one, right into the bill.

A final point I would like to make is this. I welcome the change in the definition of employer, I think that is a step forward, it obviously is broadening the terms of the Act.

I regret, however, that we still have the Minister as the board. It is high time that a board was established as was intended in the Act. If the legislators when they first passed this Act about four years ago had intended it would be administered by the Minister, they would have said so in the Act. They did not say that, they said it would be administered by a board. I think it is high time the government followed the instructions of the Legislature as laid down in the law, and set up a board.

I am suggesting to the Minister and to the government that the board should include in its membership at least two representatives of the employees. Then we could avoid a lot of the troubles we had had in the past because of the government arbitrarily laying down the law, and the Minister of Municipal Affairs in particular doing that. We would have a situation where these problems could be discussed by people who could reasonably be said to speak for the affected parties. We would have a much saner administration than we have now.

As far as I can see, the present administration is arbitrary and capricious. It goes flatly in the face of the clear intention of the law, and I think it should be changed. If we got that changed, perhaps we could start to work towards some system of reason and common sense with regard to the OMERS plan. The OMERS plan is a very good idea, it is an excellent idea, but the way it has been administered up to now is destroying its usefulness to a very important extent. It has left a legacy of real ill will on the part of significant groups of municipal employees who resent being treated like children. I am afraid that the bill now before us will eliminate that ill will only to an extent.

**Hon. Mr. Spooner:** May I just make a few comments? I think we have to bear in mind that OMERS is not the teachers' superannuation fund. OMERS takes money in with this hand, it earns interest, it puts it through the years of operation, and puts it out in the way of pensions with the other hand. And all the way along there has to be enough money to pay that pension at that end. That is the important thing.

**Mr. Bryden:** Why is it not done for superannuated teachers then?

**Hon. Mr. Spooner:** It is not the same thing at all. The teachers' fund is a fund which is operated by the province. This fund

is operated by the employees of municipalities and local boards. I think if we agree on that basic principle then OMERS is actuarily sound at all times, and that is very important to bear in mind. So the money comes in at one end, it earns interest and it goes out the other end in pensions. There is always the money there to pay the pensions, to accept the liabilities that arise for these pensions as they become due.

Now, as regards the statement I made the other day, I realize it is difficult to follow. This is because it is a very involved piece of legislation, and the management of OMERS and associated pension plans is very involved also. As a matter of fact, I have said so before. Each morning I have to telephone the actuary and say, "Am I still in business?" This statement which I read to the House when I produced the OMERS bill contains four-and-a-half pages of very condensed information. Actually, this was about the 16th draft of this statement; the first one was about 25 pages.

**Mr. Bryden:** Some of it should have been put in the bill.

**Hon. Mr. Spooner:** It is not possible to do that. If I did the same thing as the member with my legal people and with the management of OMERS, I am just as interested as you are as being restricted in my operations as the Minister responsible for this plan, but that is not possible to do in legislation to meet the problems of the operation of this system as they arise from day to day. If we agree on that—and I think any person with commonsense would agree—I am not going to steal the money, that is the important thing.

If you consider parts of my statement which relate to some of the questions the member has asked, no change is contemplated in the present basic benefit structure of OMERS or in the present rates of contribution for the basic benefits. The cost of the optional pension benefits, if undertaken, will be borne by each municipality that elects the option of supplementary pension benefit, and by its employees.

Remember at that point these are going to be individually costed. I cannot tell you, unless I have an actual case I can give to the actuaries, how much money will have to be contributed to provide this particular pension in this particular group of employees. There may be just one group of the municipal employees.

For the sake of argument, they could be the employees of The Department of Public Works, who as a group wish to obtain this optional supplementary benefit.

OMERS itself covers 37,000 employees throughout the province. Some municpalities or local boards only have one or two. Ordinarily, they would not be able to obtain a pension benefit plan at all because the cost of an individual plan is just too high.

The next statement I made was this, and you asked a question on this: The amendment provides that the municipalities which participate in OMERS may provide optional pension benefits to employees, so long as the individual employee's total penison benefits, including the basic benefits of OMERS, do not exceed two per cent of his best five-year average earnings, multiplied by the number of years of his service, up to 35 years, integrated with the Canada pension plan in the same manner as a pension payable from the public service superannuation fund. That was the plan we hope to reach, and that is what has been done about this legislation.

The other point you raised was in connection with presently existing pension plans, the so-called "approved municipal pension plan." Those are the ones you are concerned with.

**Mr. Bryden:** I understand what your limitation is; I just do not think it is clear that the gap is between the present OMERS pension and the ceiling.

**Hon. Mr. Spooner:** But you cannot tell what the gap is until you get actually working in an individual case.

**Mr. Bryden:** You are going to have a lot of trouble—

**Hon. Mr. Spooner:** It does not matter; we attended to the troubles with OMERS.

**Mr. Bryden:** —in determining what is within the limit there.

**Hon. Mr. Spooner:** But this is the limit.

**Mr. Bryden:** It is the limit you are arbitrarily imposing.

**Mr. Speaker:** Order, order!

**Hon. Mr. Spooner:** Someone has to reach a decision somewhere.

**Mr. Bryden:** You do not have to take all the problems of the world upon you. Why do you not let those people work out their own problems?

**Hon. Mr. Spooner:** Because that is not the situation at the present time.

**Mr. Speaker:** The debate is getting a little away from second reading debate. If the member will just wait until the Minister finishes his remarks; he should ask questions in the committee of the whole.

**Hon. Mr. Spooner:** Mr. Speaker, the next point is also contained in my statement of the other day and it says:

> The principle which I have just outlined will also apply to the approved municipal pension plan.

In other words, an amendment to an approved pension plan in future will be accepted by the department so long as the amendment is within the limits that apply to OMERS.

I am assured by my staff, and the staff of OMERS, and the consulting actuary, that all the approved pension plans of which we know will fit in within the terms of this bill, if application is made.

Now then, sir, the member made certain remarks about the board of OMERS. I said this a year ago:

> As soon as OMERS has been completely organized, you will see how fast I will recommend to the Lieutenant-Governor in council that a board be appointed, because I can assure you this has been a lot of work. But OMERS is still in its infancy. Once we get over the next hurdle, which will be reached, probably, by the end of this year, I am quite confident we will be in a position to turn the management of OMERS over to an outside board. This, of course, is regulated by the Act itself which sets out who these particular members of the board are.

I want to tell the House that I do have an advisory committee which is composed of top staff in The Department of Municipal Affairs, who always advise me in this connection. One of them is the chief of the finance branch of the department, another is the chief legal counsel, and another is the Deputy Minister. So I do not think there is any need to worry about the Minister of Municipal Affairs stealing any money.

**Mr. Bryden:** Mr. Speaker, there certainly was no suggestion from anybody I know that the Minister was stealing money. I would like to make that clear. I would suggest he should have people from outside the department on his advisory committee.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The ninth order; committee of the whole House.

## THE PLANNING ACT

House in committee on Bill 169, An Act to amend The Planning Act.

Sections 1 to 7, inclusive, agreed to.

Bill 169 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

That,

> the Minister may make grants to the Moosonee development area board, until March 31, 1967, out of the consolidated revenue fund,

as provided in Bill 175, An Act to provide for the establishment of the Moosonee development area board.

Resolution concurred in.

## MOOSONEE DEVELOPMENT AREA BOARD

House in committee on Bill 175, An Act to provide for the establishment of the Moosonee development area board.

Sections 1 to 14, inclusive, agreed to.

Schedules A and B agreed to.

Bill 175 reported.

## THE DRAINAGE ACT, 1962-1963

House in committee on Bill 182, An Act to amend The Drainage Act, 1962-1963.

Sections 1 to 5, inclusive, agreed to.

Bill 182 reported.

## CROP INSURANCE

House in committee on Bill 112, An Act to provide for crop insurance.

Sections 1 to 6, inclusive, agreed to.

On section 7:

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, on section 7, I just want to make a few brief comments to underscore my position in the committee when this bill was before the committee of agriculture.

I suggested at that time the province should be matching the contribution of the federal government as it applies to premiums. I suggest they give this matter further consideration and see if this cannot be done, because I think encouragement must be given to the farmers to participate in the programme. I think the object of the plan should be to involve as many farmers as possible in it, and I do not think this can be done on a wide basis unless encouragement is given in the form of premium assistance to the farmers. So I say once again, the provincial government should be matching the contribution of the federal government as it applies to premiums.

**Mr. J. P. Spence** (Kent East): Mr. Chairman, I also join with the hon. member for Huron-Bruce. The federal government is going to contribute 20 per cent of the premium or 25 per cent—and the provincial government here is only going to contribute five per cent. It looks like a very small amount.

I would say it is an indication that we are not too interested in this crop insurance. I would say it is going to take quite a while to get this off the ground. If we read our newspapers we see there is not too much interest. I know it will be a lot of uphill work, and this is one way that will take care of some of the great losses, and naturally I believe that if this is sold to the farmers, it will save this government money in the future.

**Mr. Chairman:** Shall section 7 carry?

Sections 7 to 17, inclusive, agreed to.

Bill 112 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

payments of interest made under subsection 1a of section 5b of The Department of Agriculture Act, as enacted by section 1 of The Department of Agriculture Amendment Act, 1966, during the fiscal year ending on the 31st day of March, 1967, shall be paid out of the consolidated revenue fund,

as provided in Bill 113, An Act to amend The Department of Agriculture Act.

Resolution concurred in.

## THE DEPARTMENT OF AGRICULTURE ACT

House in committee on Bill 113, An Act to amend The Department of Agriculture Act.

Sections 1 to 4, inclusive, agreed to.

Bill 113 reported.

## THE EDIBLE OIL PRODUCTS ACT

House in committee on Bill 114, An Act to amend The Edible Oil Products Act.

Sections 1 to 4, inclusive, agreed to.

Bill 114 reported.

## THE WEED CONTROL ACT

House in committee on Bill 120, An Act to amend The Weed Control Act.

Sections 1 to 7, inclusive, agreed to.

Bill 120 reported.

## THE FARM PRODUCTS MARKETING ACT

House in committee on Bill 143, An Act to amend The Farm Products Marketing Act.

Sections 1 to 4, inclusive, agreed to.

Bill 143 reported.

## THE COMMUTER SERVICES ACT, 1965

House in committee on Bill 160, An Act to amend The Commuter Services Act, 1965.

Sections 1 to 3, inclusive, agreed to.

Bill 160 reported.

## THE CHILDREN'S INSTITUTIONS ACT, 1962-1963

House in committee on Bill 166, An Act to amend The Children's Institutions Act, 1962-1963.

Sections 1 to 4, inclusive, agreed to.

Bill 166 reported.

## THE DISTRICT WELFARE ADMINISTRATION BOARDS ACT, 1962-1963

House in committee on Bill 167, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Sections 1 to 6, inclusive, agreed to.

Bill 167 reported.

## THE HOMES FOR RETARDED CHILDREN ACT, 1962-1963

House in committee on Bill 168, An Act to amend The Homes for Retarded Children Act, 1962-1963, and to extend its scope.

On section 1:

**Hon. L. P. Cecile** (Minister of Public Welfare): Mr. Chairman, I move that clause (i) of section 1 of the bill be deleted, and the following substituted therefor:

(i) "Retarded person" means a person in whom there is a condition of arrested or incomplete development of the mind as verified by objective, psychological or medical findings, and whose best interests would be served by admission to an approved home for retarded pelrsons.

The amendment substitutes an improved definition of retarded persons: the principle intent of definition is unchanged.

Section 1, as amended, agreed to.

Sections 2 to 15, inclusive, agreed to.

Bill 168 reported.

## THE FARM LOANS ACT

House in committee on Bill 171, An Act to amend The Farm Loans Act.

Sections 1 and 2 agreed to.

Bill 171 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

That,

notwithstanding any other Act, the Lieutenant-Governor in council, on the recommendation of the Treasurer of Ontario, may, if he considers it in the public interest, remit any,

(a) tax, impost, duty or toll payable to Her Majesty, imposed, or authorized to be imposed, by any Act of this Legislature;

(b) fee; or

(c) any forfeiture or pecuniary penalty imposed, or authorized to be imposed, by any Act of this Legislature for any contravention of the laws relating to the collection of the revenue, or to the management of any public work producing toll or revenue, notwithstanding that part of such forfeiture or penalty is payable to any other person,

and any remission granted under The Financial Administration Act or any other Act may be paid out of the consolidated revenue fund,

as provided in Bill 173, An Act to amend The Financial Administration Act.

Resolution concurred in.

## THE FINANCIAL ADMINISTRATION ACT

House in committee on Bill 173, An Act to amend The Financial Administration Act.

Sections 1 to 5, inclusive, agreed to.

Bill 173 reported.

## THE DEPARTMENT OF PUBLIC WELFARE ACT

House in committee on Bill 176, An Act to amend The Public Welfare Act.

Sections 1 to 3, inclusive, agreed to.

Bill 176 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

That,

the moneys required for the purposes of subsection 4 of section 2, and section 3 of The Day Nurseries Act, 1966, shall, until the 31st day of March, 1967, be paid out of the consolidated revenue fund,

as provided in Bill 177, The Day Nurseries Act, 1966.

Resolution concurred in.

## THE DAY NURSERIES ACT, 1966

House in committee on Bill 177, The Day Nurseries Act, 1966.

Sections 1 to 12, inclusive, agreed to.

Bill 177 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

That,

the moneys required for the purposes of The Elderly Persons Centres Act, 1966, shall, until the 31st day of March, 1967, be paid out of the consolidated revenue fund,

as provided in Bill 178, The Elderly Persons Centres Act, 1966.

Resolution concurred in.

## THE ELDERLY PERSONS CENTRES ACT, 1966

House in committee on Bill 178, The Elderly Persons Centres Act, 1966.

Sections 1 to 11, inclusive, agreed to.

Bill 178 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

That,

the moneys required to provide benefits and for the administration of The Family Benefits Act, 1966, shall, until the 31st day of March, 1967, be paid out of the consolidated revenue fund,

as provided in Bill 179, An Act to provide benefits to persons and families in need.

Resolution concurred in.

## BENEFITS TO PERSONS AND FAMILIES IN NEED

House in committee on Bill 179, An Act to provide benefits to persons and families in need.

Sections 1 to 6, inclusive, agreed to.

On section 7:

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, on section 7, could the Minister explain to the House the reason for section 7, subsection (b), No. 2—"whose husband has deserted her for three months or more and his whereabouts are unknown"? Could the Minister explain why that provision is in this bill as a qualification for support, for benefit, and what happens to the person in the three-month period prior to the establishment of the so-called unknown husband?

**Hon. Mr. Cecile:** Mr. Chairman, I think this is already in existence. If her husband is not around, provisions are made under The General Welfare Assistance Act to deal with a person until such time as she qualifies under The Family Benefits Act.

**Mr. S. Lewis:** To pursue this point, Mr. Chairman. Is my assumption right that the mother and dependent children would receive slightly more under this Act, under the present mothers' allowance as it were, than they would under general welfare assistance? Am I right in that?

**Hon. Mr. Cecile:** Well, yes, there are some services that are different and more adequate under the mothers' allowance programme than under The General Welfare Assistance Act.

**Mr. S. Lewis:** Well then, one would assume, therefore, that the needs of mother and children after the three-month period were rather different than the needs during that original three-month period, since the income they receive would be different? Could the Minister explain to me why the needs become different after three months?

**Hon. Mr. Cecile:** Well, Mr. Chairman, there might be many conditions. For the period of the three months there might not be any necessity at all. There might be some funds in the family itself which could be used. The three-month period is a reduction from a much longer period years ago. I think, Mr. Chairman, that my friend realizes that there must be a time limit, otherwise you would have no control over it. In other words, it might be a game that could be played very easily.

**Mr. S. Lewis:** What exactly is the implication of the Minister's remarks—that mothers would have more children if they had these benefits?

**Hon. Mr. Cecile:** No, I do not mean that. It may be that the husband has not been away for a long time, but it is proved he has abandoned his family or that he has disappeared, and you cannot find him at all. A certain amount of time must be left to look for him.

**Mr. K. Bryden** (Woodbine): But she is still under general welfare assistance?

**Hon. Mr. Cecile:** Yes.

**Mr. S. Lewis:** This is what I am trying to ascertain—the hon. Minister admits that she is entitled to an allowance immediately, he admits that?

**Hon. Mr. Cecile:** Well, not necessarily. If it is necessary, yes.

**Mr. S. Lewis:** We will make the assumption that the family does not have assets and she is entitled to an allowance immediately. Now, my question to the Minister is, if she is entitled to an allowance immediately, why should she have to wait three months before that allowance can be raised to a reasonable

living income? What circumstances change that suddenly raise that allowance for her? Why should we not get rid of this category entirely?

**Hon. Mr. Cecile:** I see what my friend means. Actually he wants me to say that the programme under The General Welfare Assistance Act should be the same as The Mothers' Allowance Act?

**Mr. S. Lewis:** I want the Minister to admit that the women's needs and the children's needs are exactly the same the moment they have been deserted, whether or not that desertion is proved three months hence.

**Hon. Mr. Cecile:** I do not think I can agree with that thinking, Mr. Chairman.

**Mr. S. Lewis:** Would the hon. Minister tell me why he cannot agree with that thinking? What changes in the family?

**Hon. Mr. Cecile:** The conditions have not been established. I will admit to the member that the three-month period of desertion, or the need for a man to be in jail for at least six months before anything can be paid, is an arbitrary decision.

**Mr. S. Lewis:** Not only is it arbitrary, Mr. Chairman, it is senseless. And the Minister knows it is senseless. He knows it is senseless because he reduced it from two years to six months, and then from six months to three months, and all the time we have needled at him to strike it out entirely. But it is much more important in this Act than in any of its predecessors, because this Act purports to meet needs.

Again, Mr. Chairman, we are here arbitrarily setting aside a separate category of indigent persons and consigning them to a lower fixed income by designating this three-months waiting period. Therefore, we make a mockery of the intent of this Act, which is to provide money on the basis of need. But you are forcing them to wait three months.

I assert, Mr. Chairman, that there is absolutely no difference in the requirements of a mother and two children who have been deserted on March 1966—there is no difference in their requirements at that time, to their requirements on June 1, and yet we make a difference. We assert a difference in legislation, and, therefore, the question of need has really become irrelevant in this legislation. This legislation means nothing. It purports to do something that it denies in its own clauses.

**Mr. Chairman:** Shall section 7 carry?

**Mr. Bryden:** Mr. Chairman, I would like to associate myself with the point made by my friend from Scarborough West, and perhaps put it on a broader basis. There simply is no answer to the case made by my friend from Scarborough West. A mother who has been deserted has the same need after two months as she has after three months, but under the legislation as it has existed in the past and presumably will continue to exist, notwithstanding this shiny new bill, there is a differentiation. Less consideration is given to her needs after two months, than there is after three months. This makes no sense. There is no logical argument that could possibly be marshalled to support it, and I will not press the hon. Minister to do the impossible. I will not ask him to justify the distinction, because it is unjustifiable.

However, I think we can carry it more broadly than that, Mr. Chairman. I would now like to pursue a point that I raised in a preliminary way on the second reading of this bill. The bill is misnamed, and it is right in this section where we see how it is misnamed. It is declared to be An Act to Provide Benefits to Persons and Families in Need. It does not do any such thing.

Let us assume it is in force, fully in force and operating. What it will provide are benefits to certain persons and families in need who fit into certain categories determined in certain bureaucratic minds, and it takes the bureaucratic mind two pages to list the categories. We are not getting rid of categorical assistance here. We still discriminate among people who have identical needs on the basis of the categories into which they fit.

The only effect of this bill, when it is fully in force, will be that it will consolidate the categories into one, but there will still be gross discrimination as between people who fit into these categories and people who do not. Let us just consider some of the discriminations that will exist.

The categories include, for example, people on old age assistance; people on the so-called widows' pension, as we call it; people on the blind persons' pension and in the disabled persons' pension. Apart from the blind persons, they are all treated about the same. They all get a flat amount of $75 a month, subject to a means test. In addition to the $75 they get, they are allowed to earn $30 a month. I am now taking a single person as an example. He gets a pension of $75 a month, he is allowed to earn an additional income of $30 a month without his $75 being reduced. In the case of a blind person, I think $50 is the

supplementary income, but leaving that one exception aside, it is $75 and $30 supplementary income. That is a person who fits into one of your categories which are still being retained here, set forth in two pages. A person whose needs are precisely the same, but who does not fit into one of your bureaucratic categories, will be on general welfare assistance, and he will get maybe $60 a month. He might, if he is lucky, get $70, he might even get as high as $75. I doubt it, but he might. He certainly would never get more than $75; more likely considerably less. He is not allowed to earn a penny of supplementary income. Furthermore, the person in the categorical programme, in addition to being allowed to earn supplementary income of $30 a month, can have $1,000 in liquid assets. The person on general welfare assistance is not allowed one copper's worth of liquid assets. If he runs into tough times, is unemployed, has no means of subsistence, he has to run his bank account right down to practically nothing before he can get a penny out of the government for assistance.

What conceivable argument can there be for such discrimination among human beings? If this bill did what it purports to do in its title, I would be very strongly in favour of it. I believe that a person, where he has to receive assitance, should get it on the basis of his needs. He should not get it on the basis of a category that some bureaucrat has fitted him into, or has failed to fit him into. There is absolutely no reason why the general welfare assistance people should be excluded from this legislation. We are still maintaining a pitiful sort of aristocracy in the realm of public assistance. Those who fit into the categories of the bureaucrats get one level of treatment. All the rest get a much worse level of treatment, so inadequate that it really is hard to believe that the Minister would continue to justify the sort of allowances that are paid to most people under general welfare assistance.

I will make this one exception. If a person has a large family, he probably will do better under general welfare assistance than he will under the categorical programme. Again, why the discrimination? Surely, what we should consider right across the board is the need, and I see no reason at all why the Minister is not prepared to have one overall programme to provide, as the title claims to provide, benefits to persons and families in need on the basis of their need.

Let us take some of the kinds of discrimination that exist. A woman who has reached the age of 60, who is a widow, or who has been deserted by her husband or is single, is entitled, if she does not have more than $1,000 in the bank, to receive the categorical allowance of $75 a month. She can have supplementary earnings of $30 and she can retain her $1,000 in the bank.

A man who has reached the age of 60, who cannot earn, who is out work and has no money, no means of subsistence, cannot have that.

Now, I realize that the overwhelming majority of the laws, where they discriminate on the basis of sex, discriminate against the female and not against the male. But here is a case of discrimination against the male, and I object to that form of discrimination just as much as I object to discrimination against the female.

Why should the man have to get along on general welfare assistance, when the woman, in exactly the same need, will probably get $10 or $15 a month more, and also be allowed to retain some of her assets, and to earn some supplementary income? There is no logical support for that proposition. The same applies to say, a woman who is 59, maybe in precisely the same circumstances as the woman who is 60, but who gets general welfare assistance. The woman who is 60 gets the so-called widows' allowance. I could multiply instances of anomalies of that kind till the cows come home and I really do not see why we do not get rid of them.

The federal government, by moving ahead with the Canada assistance programme has now made it possible for us to take a broad, overall, unified approach to the problem of need and dependancy. We are now in a position, where, at the provincial level, we can have an overall programme based on need, instead of continuing this discrimination as between two different groups.

When I raised this point on second reading, the Minister said that general welfare assistance is covered under a separate agreement with the federal government. That is true, but the agreement that we have with the federal government with regard to general welfare assistance, authorized federally by The Unemployment Assistance Act, 1957, gives the province carte blanche to do what it likes.

It can make its allowances as large or as small as it sees fit. It can attach whatever conditions it wishes to the allowances. Therefore, there is absolutely no reason why the general welfare assistance programme cannot be co-ordinated with the programme which is presumably to be developed under this bill.

Just the technicality that there are two separate agreements, surely means nothing, because in future the agreements are going to be identical as to their terms. They are both going to give the province carte blanche to set whatever terms it wants.

What we are pleading over here is that the terms should be the same for all people, and that it should be the needs that are fundamentally taken into account. Surely there cannot be any justification for giving one woman with two children a lower allowance than another one with two children, whose assets are otherwise identical. How can we justify that continued discrimination?

I would like to see this bill now before us become what it purports in its title to be, and that is a bill in which we will gradually—and I admit that this will take time—bring all these assistance programmes into one overall programme in which all people will be treated as human beings with needs on the basis of their need, and not on the basis of an arbitrary category.

I know what is holding back the Minister of Public Welfare. If he started to give decent treatment to the people on general welfare assistance, if he even brought them up to the level of the people who are on the programmes covered by this bill, it would cost money. It would cost quite a bit more money than he is now paying.

I am sure the Minister himself would be happy to see the money paid. I am sure he feels very sympathetic to the people on general welfare assistance. I am sure he does not in his heart of hearts believe they should continue to be discriminated against. But, of course, there is the problem of Treasury board.

**Hon. A. Grossman** (Minister of Reform Institutions): You mean the people of Ontario.

**Mr. Bryden:** We mean the Treasury board which refuses to release money which I would suggest is absolutely essential to an adequate welfare programme in this province. I am not saying income maintenance is the only answer to welfare problems, but I am saying that an adequate basic income is a sine qua non of every other welfare programme.

This very department has conducted a number of experiments which have shown that with proper service a great many people who are on welfare assistance can be rehabilitated, can be helped to get back on their feet. But one major obstacle preventing these people from getting back on their feet is the pitiful allowances they have.

A single man with $60 a month is just ground down further and further. He cannot afford clothes so that he can go and get a new job; he cannot even afford carfare to go to a place of employment where he might get a job. He cannot even afford soap to clean himself. So we have a programme of welfare allowances which is stingy in the extreme, but is not economical because it helps to keep people permanently on welfare. I am suggesting we should now accept the humanitarian principles of dealing with people according to their needs, and in doing so I submit that we will also be accepting the economic principle—the principle that will contribute most to our economy in the long run.

With that in mind, Mr. Speaker, I move that subsection 1 of section 7 be amended by striking out all the words after the word "regulations" in the third and fourth lines. Now, if this amendment is passed it will save about two pages of this bill, so we will save a little bit of paper. In other words, it takes out all these categories. We are suposed to be getting away from categorical programmes so let us get away from them, let us knock out the categories.

**Hon. Mr. Rowntree:** Is this your amendment?

**Mr. Bryden:** This is my amendment, and I am speaking to it. Let us knock them all out so that the subsection will merely say:

> An allowance shall, and other benefits may, be provided in accordance with the regulations to any person in need who is resident in Ontario as determined by the regulations.

This would mean everyone.

Let us bear in mind that this does not mean the general welfare assistance programme would have to be co-ordinated with these programmes tomorow. The bill provides all the flexibility in the world. The government and the department can work out the integration of programmes in their own time.

What I am suggesting is that we should state as an objective of the bill the elimination of all special programmes and their integration into a single programme. If this amendment is adopted, as it should be, then a complementary amendment would have to be made in section 14 to include The General Welfare Assistance Act among the so-called predecessor Acts. We should think in terms

of phasing that Act out along with all the others. Unless this amendment is adopted, Mr. Chairman, the bill is a fraud. It is not a bill to provide benefits for persons and families in need; it is a bill only to provide benefits to certain categories of people in need. We have been doing that all along. I am suggesting that it should become truly a bill to provide benefits to all those in need.

**Mr. Chairman:** It has been moved by Mr. Bryden that subsection 1 of section 7 be amended by striking out all the words after the word "regulations" in the third and fourth lines.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, I would simply like to say from our side that certainly in principle we agree with this. One of the things we have watched over the years is the kind of bureaucratic definitions which take place with respect to people in need. I do not think there is anyone on this side, and I am sure on the government's side, who has not seen the sort of Philadelphia lawyer approach that is taken to fit someone into a certain category, so that he can be provided for.

I can give many examples in my own riding such as people killed in industrial accidents. I must say many members of The Department of Public Welfare have been most humanitarian in trying to explain to you that you have to fit this person or the other into some sort of category, in order that they may get provision. Surely, it is completely wrong with respect to helping people to help themselves, with respect to need, that we have all these qualifications. Recognizing two things, first, they make a straitjacket for the people who go out to assess what the need is in order to get people back on their feet. The straitjacket is in all the definitions which cover two pages, as the hon. member for Woodbine has said.

The other thing, of course, is the very real danger that the people will not fit into any category—very seriously deserving cases. They may find that, because of some quirk of definition, they do not get any provision. This has been pointed out by the other two speakers, and for our part we will support the amendment.

**Mr. Chairman:** All those in favour of Mr. Bryden's amendment—

**Mr. S. Lewis:** Mr. Chairman, before the amendment carries, has the Minister any conceivable objection to this amendment since his bill purports to work on the basis of need? Is there any possible objection he would have? Might he step in?

**Hon. Mr. Cecile:** Mr. Chairman, this Act simply allows me to take every advantage there is in the Canada assistance plan, which should permit us to transform all the categorical Acts we have now and to deal with them. I am not saying I am for or against these arguments, but at the moment I cannot support them.

**Mr. S. Lewis:** Mr. Chairman, I would just like to follow that up. This is what is so interesting in the interim between second reading and today. This Act does not allow the Minister to take advantage of The Canada Assistance Act.

**Hon. Mr. Cecile:** Well, I do not agree with the hon. member.

**Mr. S. Lewis:** Just one moment, Mr. Chairman, this Act defeats the intent of The Canada Assistance Act, and let me say why. When we had this bill on second reading, a very significant event had not yet taken place in the federal House of Commons, namely, the spelling out of the particulars of The Canada Assistance Act.

When this bill first came in, along with ten or a dozen others introduced by this Minister, they set the stage to take advantage of the terms of The Canada Assistance Act. The Minister on first reading and on second reading made it clear these bills were in the nature of enabling legislation, that they could not be as specific in some regards as he might wish them to be, because the content of The Canada Assistance Act was not yet known.

Thursday last, after our debate on second reading, it was revealed through the federal House of Commons that The Canada Assistance Act would share 50-50 with the provinces on all this legislation, and that the terms of implementation would be left exclusively to the prerogative of the provinces. The federal government would set no minimum, would impose no regulation, would reflect no arbitrary rules. It would be up to the provinces to determine the definition of "need," and so we finally got from the federal officials some concept of what was meant.

Mr. Chairman, this Act therefore denies the validity of The Canada Assistance Act because it imposes from the outset a set of arbitrary categories into which people must fit in order to be entitled to benefit.

The federal Act says nothing of that. The federal Act says that it is up to you to define "need" and if people want it or people deserve it, the federal level will pay 50 per cent and it does not care about the basis of your definition.

Mr. Chairman, the Minister cannot suggest then that this Act meets the Canada assistance plan. This Act is a very great disappointment in contrast to the Canada assistance plan, which opens up unlimited possibilities for this government and for this Minister.

As I say, there has been this major change, this major piece of information between second reading and today's committee of the whole House, but all these fixed maximums, all these arbitrary categories, all these restrictive practices flout the intent of The Canada Assistance Act. I think all hon. members of this House should recognize that when they vote for this bill, they vote for the perpetuation of an evil social principle which is to confine people to less than subsistence levels of benefit. No one in this House has to do that any longer.

The Minister has been given a free hand by his federal counterpart and he refuses to take advantage of it.

**Hon. Mr. Cecile:** That is not my understanding of the bill.

**Mr. Bryden:** Mr. Chairman, I have one supplementary point that I would—

**Hon. H. L. Rowntree** (Minister of Labour): He spoke on it.

**Mr. Bryden:** Surely the House leader is familiar with the rules. We are in committee.

**Mr. Chairman:** I know that in committee a member may speak more than once, but I would expect that the member for Woodbine would co-operate and not repeat a great deal of what has already been said.

**Mr. Bryden:** You can be sure of that, Mr. Chairman. As you know, I never repeat.

I think it should be pointed out—

**Hon. Mr. Rowntree:** Mr. Chairman, let us make this point clear. There are some rules of the House and with respect to a motion, you speak once.

**Mr. Bryden:** Mr. Chairman, in committee of the whole House, subject to the rules of relevancy and subject also to the rule governing repetition.

**Mr. Chairman:** In committee of the House a member may speak more than once.

**Mr. Bryden:** Mr. Chairman, if the House leader would just sit still for a while I would make my point—

**Hon. Mr. Rowntree:** I was just thinking of the rights for which you stand from time to time.

**Mr. Bryden:** Sometimes your thinking is very perverted. However, let me make my point, Mr. Chairman.

**Mr. Chairman:** May I ask the member, if he has some comments to make; to present them now, please.

Interjections by hon. members.

**Mr. D. C. MacDonald** (York South): He could have made his comments if you would listen.

**Mr. Bryden:** I think it should be emphasized that this amendment will not require the Minister to do anything. It will however, give him afree hand to work out a co-ordination of all welfare programmes into one over a period of time. The Act as it now stands ties his hands in a most important respect. It should be proclaimed for all to know, Mr. Chairman, that in this matter the Minister wants to have his hands tied. That is the only point at issue. He is not forced to do anything at all under my amendment; he is merely free to do it if he can work it out in due course.

**Mr. Chairman:** As many as are in favour of Mr. Bryden's amendment will please say "aye."

Those opposed, will please say "nay."

In my opinion the "nays" have it.

Call in the members.

As many as are in favour of Mr. Bryden's amendment, will please rise.

Those opposed will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 25, and the "nays" 38.

**Mr. Chairman:** I declare the amendment lost and section 7 carried as part of the bill.

Section 7 agreed to.

On section 8:

**Mr. S. Lewis:** Mr. Chairman, I simply want to point out to the Minister, in order

to emphasize what we just moved but which unfortunately was defeated, that section 8 subsection (1) says:

> In cases presenting special circumstances and in which investigation shows the advisability of an allowance being provided to an applicant who is not eligible for an allowance—

In other words, you have to write in a special section because of all your restrictive categories which would inevitably exclude large numbers of people from benefiting. So you write in a special section 8 giving the Lieutenant-Governor in council the right to grant an allowance. I want to emphasize the point, Mr. Chairman, because for too long this piece of legislation has masqueraded as a positive social advance. It is not and this section again confirms our contention.

Sections 8 to 10, inclusive, agreed to.

On section 11:

**Mr. Bryden:** Mr. Chairman, on section 11, the principle that is established here is that there will be a board of review, which I presume will be independent of the departmental administration, and which can review cases where an applicant or a recipient feels that he has been unfairly dealt with. This, I think, is a sound principle and I congratulate the Minister for incorporating it in this legislation. In view of the fact, however, that he is still going to carry on with general welfare assistance as a separate programme I wonder if he would consider giving either this board of review or another one jurisdiction over general welfare assistance cases.

It seems to me that the principle is the same with the one as it is with the other, that if there is a board of review to which people can complain of unfair treatment, then it seems to me the same rights should apply to people who apply for or actually are in receipt of benefits under The General Welfare Assistance Act. I wonder if the Minister would give that consideration?

Sections 11 and 12 agreed to.

On section 13:

**Mr. S. Lewis:** Mr. Chairman, on section 13, we in this party want to give the hon. Minister one further opportunity to demonstrate his faith with the principle of need, and so I am going to move that subsection (k) of section 13 be deleted and that section 13 be amended by striking out clause (k) and by renumbering the succeeding clauses accordingly.

Mr. Chairman, the intent of this motion is simple. If, in fact, we are assessing people on the basis of need then you do not have to set maximum limits. The need will determine the benefit, not any predetermined arbitrary limits. If the Minister is genuinely invoking the principle of need in this piece of legislation, he will accept that amendment. Indeed, as I said before, Mr. Chairman, the federal Act now allows him to do so. There are no restrictions; he may do so, and I urge him, therefore, to accept this amendment.

**Mr. Chairman:** It has been moved by Mr. S. Lewis that section 13 be amended by striking out clause (k) and by renumbering the succeeding clauses accordingly.

**Mr. Thompson:** I would say from our side that we have already stated previously that we are in agreement with this principle. It should be purely on the basis of need.

I would suggest that under section 13 there could have been a number of other items that could have been deleted and I appreciate the charitable approach that the hon. member for Scarborough West is giving to the Minister so that he will have a chance to redeem himself. For our part we hope that the Minister will accept redemption.

**Hon. Mr. Cecile:** I would like to point out, Mr. Chairman, if you noticed the English bill, there are maximums right across the board right now.

This is here not for the purpose of disturbing anybody, but after all this has to be looked at very carefully and if they have done so in the English bill, I fail to see why I should immediately run hog wild in this matter. I have to be very careful.

I do not know yet what the specifics of The Canada Assistance Act are, and as a matter of fact, if there is any socialistic thinking in this matter, if we could use that expression, it should certainly be present in Britain at the moment. They have decided to create a maximum in all cases.

**Mr. Bryden:** We are not asking the Minister to run hog wild. We are only asking him to accept the socialist principle which the bill itself purports to establish, namely to provide benefits to persons and families in need. The explanatory note says the purpose of this bill is to provide allowances and other benefits to persons in need on a needs test basis. This is the declared principle.

I will agree with the Minister that it is a socialist principle and we support it fully. The only trouble is that the terms of the

bill do not carry out the stated purpose. How can one determine benefits on the basis of need and then cut them off by an arbitrary maximum? If the need as determined by qualified people is ten per cent higher than the prescribed maximum, then we are not following the principle of need.

All we are asking is that you implement the very sound humanitarian socialist principle that you declare you are implementing. We are not trying to convert the Minister to socialism; he has already proclaimed that he has been converted to that much of it at any rate. But then he weasels when he comes to the actual terms of the bill. There cannot be any logical argument in favour of an arbitrary maximum in a needs test programme.

**Mr. S. Lewis:** Mr. Chairman, just to make one final point on this in the terms of the motion. The principle of maximums which was discussed in the British legislation was not discussed until another very important principle was recognized and that is the principle of a guaranteed annual income. The two work hand in hand. Now, we have nothing comparable to a guaranteed annual income. The principle in terms of this bill is a joke, it is reduced to a travesty. So let the Minister not extract one aspect of it.

We appreciate his socialism—make no mistake about it Mr. Chairman. We are avid supporters of his socialism and appreciate the support of his colleagues like the member for Kent West for this kind of a bill. But I want to say, Mr. Chairman, that while the Minister accepts the socialist principle, he should accept it to the fullest and remove section (k).

**Mr. Thompson:** I want to clarify my own position on this. As I remember The General Welfare Assistance Act, previously maximums were given. The hon. Minister can correct me if I am wrong, but at one time they were given provided you fitted a category, and one of the categories was that you should have 12 rooms in a house. I remember debating that a number of years ago.

There was another category, that if you had seven children, then you could get a maximum. But if you had 13 children, you still got the same as if you had seven. I am not quite sure if my figures are correct, but it was something on that basis. It showed the ludicrous approach that was taken with respect to maximums, the insensitive approach, the utter lack of assessing the needs of people.

The reason we are opposing this is because it smacks of the same thing—categories, and deciding again in this bureaucratic terminology who will achieve a maximum, rather than on the basis of the needs. It is for that reason that we are opposing this.

**Mr. Chairman:** As many as are in favour of Mr. S. Lewis's amendment will please say "aye." Those opposed will please say "nay."

In my opinion, the nays have it.

**Hon. Mr. Rowntree:** Mr. Chairman, would the Opposition be content to take the same vote as the previous?

**Mr. Chairman:** I declare the amendment lost and section 13 carried.

Section 13 agreed to.

Sections 14 to 18, inclusive, agreed to.

Bill 179 reported.

## THE CHILD WELFARE ACT, 1965

House in committee on Bill 180, An Act to amend The Child Welfare Act, 1965.

Sections 1 to 7, inclusive, agreed to.

Bill 180 reported.

## THE NEGLIGENCE ACT

House in committee on Bill 170, An Act to amend The Negligence Act.

Sections 1 to 3, inclusive, agreed to.

Bill 170 reported.

Hon. Mr. Rowntree moves the committee of the whole House rise and report certain resolutions, certain bills without amendment, and one bill with amendment, and ask for leave to sit again.

Motion agreed to.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain resolutions, certain bills without amendment, and on bill with amendment, and asks for leave to sit again.

Report agreed to.

## THE MUNICIPAL ACT

Mr. J. Renwick moves second reading of Bill 50, An Act to amend The Municipal Act.

## THE MUNICIPALITY OF METROPOLITAN TORONTO ACT

Mr. Renwick moves second reading of Bill 51, An Act to amend The Municipality of Metropolitan Toronto Act.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, the purpose of these bills is to transfer from the boards of police commissioners, including the Metropolitan Toronto police commission, the power to pass bylaws regulating parades or processions on highways, and to transfer that power to municipal councils.

Bill 51 deals specifically with the transference of that power in the Metropolitan Toronto area and Bill 50 deals specifically with The Municipal Act itself in the other cities throughout Ontario.

The proposed power which would be transferred, should this bill be passed, is the power to regulate parades or processions on highways and from time to time as occasion may require, prescribing the routes of travel to be observed by all vehicles, horses and persons upon the highways, and for preventing the obstruction of the highways during public processions or public demonstrations, and for giving directions to constables for keeping order and preventing any collision or obstruction of traffic at the intersections or other frequented portions of the highway on all occasions when the highways are thronged or liable to obstruction.

Mr. Speaker, I know that you will readily appreciate that implicit in the power to pass bylaws to regulate parades or processions is the fundamental assumption that the citizens in the province of Ontario are intended to have and to exercise should they choose to do so, the right to parade and the right to have processions on highways in municipalities in the province of Ontario.

I think, Mr. Speaker, that we on occasion lose sight of the fact that it is part of the right of a citizen in the province of Ontario peaceably to assemble together, and to demonstrate by parading and by taking part in processions for the purpose of putting forward any views which he, as a member of any group, may wish to put before the public by so parading or by taking part in such a procession.

One of the principal reasons for bringing forward the proposed bill is that when this particular power to regulate parades and processions on highways is immersed amongst the powers which are granted to police commissions, you tend to assume, and I think it is part of a tendency and assumption in Ontario, that people do not, as of right, exercise the power of parading peaceably and proceeding peaceably on the highways by way of demonstration. The inference would appear to be that when this power is left with the boards of police commissioners, that you exercise the right only to the extent that the boards of police commissioners choose to allow you to exercise it, whereas in fact, Mr. Speaker, the emphasis is the other way.

The right of a citizen to take part in parades and processions is a fundamental right, and the power which is granted under The Municipal Act at the present time to boards of police commissioners is simply a power to regulate in an orderly way and to facilitate – indeed, in a very real sense, to facilitate people who choose to parade or to proceed. There is, naturally, a correlative obligation which is assumed again in this provision regulating parades and processions on highways, that by so regulating them, you can not only facilitate the purpose of the public demonstration or the parade, but you can make certain that it will be carried on in such a way that others who do not choose to take part in it, will not be obstructed.

Now Mr. Speaker, a year or so ago, when this bill was first introduced into the House at the last session, the situation was somewhat different. In the municipality of Metropolitan Toronto particularly, the police commission has passed a bylaw which was not available to the public under the provisions of this Municipal Act. It had assumed to have, as part of its power, the right to censor the various signs, or to decree the types of signs that could be carried by people in parades.

But time alters the situation. In the municipality of Metropolitan Toronto at the present time, this power is not exercised by the Metropolitan Toronto police commissioner. There has been no incident since the matter came before the public, which would indicate that the Metropolitan Toronto police commission is still attempting to exercise some kind of a censorship over signs.

But Mr. Speaker, it is peculiarly relevant in terms of the processions which are taking place in the province of Ontario, in connection with legitimate strikes within the purview of legitimate demonstrations by members of trade unions, on the one hand—which has been very much in our minds over the past several months—and it is also very much in our minds because of the tractor demonstrations which have taken place, and will undoubtedly continue to take place, on the highways of the province of Ontario.

I think the very reason for bringing forward such legislation as this and transferring the power to the municipal councils would point up and would be an affirmation by this assembly, if it should pass the bill, that the municipal councils are in fact going to make certain that citizens do have the right to demonstrate and the right to parade by vehicles, or on foot, or using animals, or in any way that they choose to do. So we would not have the situation where the Attorney General—if anyone attempts to exercise the right to parade, or to take part in a procession—can immediately assume that such persons are going to engage in obstruction in some way which calls forth the need to give instructions or directions or consultations with the—

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I would like to make it clear I think the hon. gentleman should watch his language, when he says the Attorney General immediately assumes that anyone parading is obstructing. I have never taken that position.

**Mr. D. C. MacDonald** (York South): It was implicit in your answer to my question yesterday.

**Hon. Mr. Wishart:** My question yesterday referred to slow-moving vehicles on the highway, which was the subject matter of the question. I think anyone will recognize that is a form of obstruction when the highways are designed for certain speeds. But to say it is implicit in my actions that any demonstration is a form of obstruction is very far from the mark.

**Mr. Renwick:** Well, Mr. Speaker, I do not intend in the course of this debate to quarrel with the Attorney General. I think it is implicit in his very statement just now that if it happens to be a tractor, which is, of necessity, a slow-moving vehicle, any procession or parade on the highway of those vehicles amounts to obstruction. I think it is precisely the point I make. There is no obligation I know of for people to temper the speed at which they travel on the highways, provided they do not cause an obstruction, to temper the speed to the needs of others who use different modes of travel on the highway.

The basic point is simply that we have got to make certain that in the province of Ontario there is clearly recognized the right of people to associate in public, to demonstrate in public, and to put forward their views by parading peaceably and in an orderly way on the highways or in the public thoroughfares of the cities and towns and other municipalities across the province.

I stand to be corrected by any member who is from the city of London, but my understanding is that, at the borders of the city of London a few days ago, the police turned or forced the tractor demonstrators to halt.

**Mr. J. H. White** (London South): Mr. Speaker, on a point of order. This is an ingenious way, it seems to me, of introducing something that relates in no way to the bills under debate.

**Mr. Speaker:** Yes, I was just going to come to that. I think perhaps the hon. member is introducing—

Interjections by hon. members.

**Mr. Speaker:** I would ask the hon. member not to get too far astray from the bill. These recent incidents—are they relevant to this particular bill?

**Mr. MacDonald.** Read Bill 50.

**Hon. Mr. Wishart:** Where does the police commission come into that?

**Mr. Renwick:** Mr. Speaker, the point which I was making is that if tractor demonstrations are going to take place in the municipalities in this province, then it is up to each board of police commissioners—and if this legislation is passed, up to each municipal council—to pass the kind of bylaw which will affirm the right of citizens to take part in such parades and processions on the highways. It is necessary to provide by bylaw a sane, sensible and orderly way in which such demonstrations can take place, and maintain the rights of other persons to use the byways.

If a board of police commissioners by instructions to its constabulary prevents a parade from crossing a municipal boundary because, for one reason or another, they have not passed the appropriate bylaw, then I think it is a fundamental breach of the right of the persons who are taking part in that parade to continue from one municipality to another municipality subject always of course to the due and proper regulation of the parade or the procession by the police. I for one was most upset to find that on the borders of the city of London it was seen fit to exercise some kind of assumed power to turn back, or to prohibit the entry into the city of London, of what was otherwise a peaceable and orderly demonstration.

I do not think there is any need to elaborate further on the points which I have attempted to put forward in support of the

second reading of these bills. I revert simply and briefly to the initial and fundamental proposition, that in the case of events which are taking place and have taken place in Ontario, it is essential that we in this assembly be perfectly clear in our minds that there does exist the right to parade and to take part in processions in an orderly way, and in an intelligible way, with vehicles, on foot, or on horseback, for the purpose of putting our views, or the views of any group of people who consort together, before the public. That the right of freedom of assembly in the province of Ontario is not the right to go and hire a hall. That the right is in fact one which can be exercised in public, on public thoroughfares and in accordance with an orderly and democratic procedure for bringing matters which are of concern to those people who consort together before the public.

I think that one of the ways that we in this Legislature could, at this point, affirm that right is to provide for the passage of these bills which would take the exercise of that regulatory power out of the hands of police commissions which, by and large, are appointed bodies and place it clearly and distinctly with municipal councils. The hope and the assumption is that municipal councils functioning in a proper and democratic way as elected members representative of the municipality for which they sit, would meet together and would pass the kind of bylaws which would make certain that throughout Ontario at any time, if any group of people or any association of people or any spontaneous or planned demonstration were to take place, that the facility is available for the use by those people in an orderly way and in an intelligent way and in a peaceable way, of the public thoroughfares in the province of Ontario. I solicit—

**Mr. W. B. Lewis** (Humber): Mr. Speaker would the hon. member permit a question? Being of the legal fraternity he is probably better advised than I, but he talks of bylaws of municipalities. It is my understanding that in the province of Ontario, a vehicle using the King's highways or intersectional roads must be licensed. I presume he is talking about the tractors when he talks about London. Secondly, the gasoline used in the promotion of that vehicle must have a tax. I suggest to the hon. member, or I am asking the hon. member: does he think it is fair that unlicensed vehicles using non-taxable gasoline should use our highways to the detriment of people who are using them? And paying for them?

**Mr. Renwick:** Mr. Speaker, I know you will permit the slight diversion from the principle of the bill to answer the questions raised by the hon. member for Humber.

First of all, if the member for Humber is part of the government party that wishes to pass a bill which will impose a tax on the gasoline which is used by the farmer community in their tractors, I would suggest that it is up to the government to so pass that bill. But it is not a breach of any law that I know of in the province of Ontario for a tractor to be on a King's highway in the province of Ontario.

**Mr. W. B. Lewis:** Within limited —

**Mr. MacDonald:** Agricultural use.

**Mr. Renwick:** The fact that there is no provision requiring the licensing of tractors to operate on the highway does not mean that they are prohibited from operating on the highway. Now, if I may just revert to my final remarks.

I urge and ask that the House at this particular time in the province of Ontario put itself on record that we participate in and believe in and accept the proposition that the people in the province of Ontario can associate freely together in public; can demonstrate, can parade, can take part in processions in an orderly way on the thoroughfares throughout the province of Ontario; and that they are not in any way to be hindered or prevented from so doing. I ask support for these bills.

**Mr. W. B. Lewis:** One more question.

**Mr. Speaker:** Order! We are really debating the bills and I do not like the debate to get into too many questions and answers.

**Mr. E. Sopha** (Sudbury): Mr. Speaker, I think the hon. member for Humber ought to be informed that farmers who have the benefit of rebate in gasoline tax under the appropriate statute are required to deduct from their claim for exemption that portion of gasoline they use while travelling on the King's highways.

**Mr. F. R. Oliver** (Grey South): And they do.

**Mr. V. M. Singer** (Downsview): Is the hon. member saying they do not?

**Mr. Sopha:** And they do, and presumably the people who have had all the tractors on the highways when they send in their claims for deduction will make allowance

for the amount of gasoline they have expended during the recent demonstrations. Experience is that they do deduct that portion.

**Mr. W. B. Lewis:** What about licences?

**Mr. Sopha:** The law does not require a licence.

**Mr. MacDonald:** The law does not require a licence.

**Mr. W. B. Lewis:** The law does not except—

**Mr. Speaker:** Order, order!

**Mr. MacDonald:** If the laws are wrong, change them.

**Mr. Speaker:** Will the member proceed?

**Mr. Sopha:** This is too interesting, to listen to this cross-fire. My first reflection on this bill introduced by the hon. member for Riverdale, which, on behalf of this party I say we heartily support, is that Metropolitan Toronto, with its sophistication and its advancement to a stage beyond the rest of the province and particularly the farthest reaches of the boondocks, has granted a power to the board of commissioners of police in Metropolitan Toronto which the rest of the province in the governments of police forces does not have. I say that rather happily because I for one, although I may be retrogressive and may not have arrived at the advanced stage of sophistication of Metropolitan Toronto, I cheer for the fact that no power so far as my research has disclosed to me is granted to the ordinary police commission to regulate parades on the highways. This, I think, is unique to Metropolitan Toronto which has had a police commission that is a little different in composition than the rest of the province. I hope that the introduction of this bill and its attainment of this stage now does not give the Attorney General the idea to ascribe to the rest of the province the power that he has granted to the board of police commissioners of Metropolitan Toronto.

**Hon. Mr. Wishart:** Mr. Speaker, on a point of order. I do not think the Attorney General has anything to do, except as a member of this House, with the bill of Metropolitan Toronto, which includes the powers of the police commissions.

**Mr. Sopha:** No, it is not quite what I said.

**Hon. Mr. Wishart:** Well, pretty colse.

**Mr. Sopha:** I said that I hope the Attorney General does not get the idea to extend this power to the rest of the province—

**Hon. Mr. Wishart:** Which he did, I thought the hon. member said.

**Mr. Sopha:** Because as I read The Police Act under which the ordinary board of police commissioners to regulate police forces and that indeed is their essential business and what ought to occupy their time. I refer to section 15 of that Act which says:

> A board [meaning a board of police commissioners] may by bylaw make regulations under section 62 for the government of the police force for preventing neglect or abuse and for rendering it efficient in the discharge of its duties.

Well, I always assumed that that is exactly what a police commission was for. Here Toronto is in advance of the rest of the province, but I have long regretted that the Attorney General and his predecessors, and this Attorney General, have seen fit to continue magistrates, that is, full-time magistrates, on the boards of police commissions.

Of course, the abolition of the magistrate on a board of police commission, the recommendation of the abolition of that office on the police commission, was recommended by the Gregory commission in 1921. Now, that is 45 years ago according to my reckoning with that commission, under a very able chairman—a very able lawyer was Mr. Gregory—made the recommendation, and sometimes things are slow to come to their fulfilment in this province. Indeed, in respect of some things, you can only hope you will live long enough to see their fruition.

But I would think that some day we will reach the level of sophistication where magistrates will no longer sit on boards of police commissions. What is wrong with that, Mr. Speaker? Well, it is readily apparent what is wrong. The magistrate at the one time is the judge of the policeman, he judges him and his conduct and the efficiency of the discharge of his duties dealing in magistrate's court, and the magistrate is at the same time the employer of the policeman. He is motivated as employer with all those matters of loyalty to his employee that you find in any other business. Consequently he is loath to criticize the conduct of a police commission, and even more loath to criticize it in public, in the Queen's courts.

It is rather a shattering thing to appear before a board of police commissioners composed, as it usually is, of a judge, a magis-

trate and the head of the council. You can get some sympathy usually from the head of the council. But when it comes to criticizing the policemen you do not get a great deal from the judge, you get almost none at all from the magistrate, who is responsible after all for the hiring of that individual that you are now criticizing.

However, I leave that and I merely reflect that I hope we do not get into the same boat as Toronto where we would have to go to the board of police commissioners and ask their permission to hold a parade and get a premit and so on and go down prescribed routes. I merely want to reiterate for the record that a year or so ago the Attorney General himself—no less a person than the Attorney General, in what I hope was not a moment of lack of caution, but I am sure was a moment of dedication to the principles of liberty—when I said that if I went to the board of police commissioners and asked for a permit to hold a parade and they refused, I would hold the parade anyway. And indeed I would. The Attorney General said—and it is in the record—"So would I." And he is nodding today.

All right, I would not think in this age of 1966 that it would be necessary for the member for Riverdale to inform us or reinform us that we have the right to hold parades and to demonstrate in respect of things of which we approve or things of which we disapprove. It strikes me that those rights were founded some 750 years ago and they have been developing. The basis of the rights, that is to say, sir, were founded 751 years ago on the meadow at Runnymede in the month of June and they have been developing and becoming more refined all this seven and a half centuries since. As I said a week or so ago, in the House, to recognize those rights to parade and to demonstrate you do not have to wait for Mr. McRuer to bring down his report—whenever that will be, he has been working at it two years now—to tell me that I have those rights. I know I have them anyway. I will just be surprised if Chief Justice McRuer, the former Chief Justice, tells me that I have not got some of the rights or that the rights have become refined or have gone into atrophy or in the words of the jurist that I quoted, "some of my rights I have to exercise cautiously".

Well, nor would I think that any power ought to be given to the municipal council to prohibit the holding of parades. As I read this section, paragraph 7 in the bill of my hon. friend, the member for Riverdale, I do not read it that they have the right to refuse. I think it is important to note that. It says "for regulating parades or processions on highways from time to time as occasion may require", prescribing the routes of travel to be observed. And I think he drew this bill with considerable refinement in that a lawyer in urging its interpretation on the court would, I think, legitimately be able to say to the court that the municipal council has no right to prescribe or prohibit the holding of a parade or demonstration, that all it may do under this statute is to regulate the route and provide for policemen and constables to see the traffic does not get blocked and that nothing untoward happens.

The final thing that I want to say—and I do not want to elaborate the obvious nor distend the trivial in respect of this, all these things I contend are self-evident in a democracy that has reached the level of development that this one has. But I am often bothered about two things—that is the word of my friend, the member for Downsview, he uses so ably—I am bothered about two things in respect of the exercise of rights and in the exercise of the right of demonstrating and parading. The one is that I do not recall in recent years where the incumbent of the office of the Attorney General has ever exercisd himself in proclaiming the rights and privileges that we have. One never hears of him making a speech in New Brunswick or in Deseronto or Duntroon or Chesterville, where he is talking about the exercise of our rights and what he is doing to protect them, such as this right.

But one sees the Attorney General in another guise, in another part of his office. One sees him rushing to the courts with great alacrity to bring people there who offend against society. And that leads to the other thing that bothers me a good deal and that is that I sometimes feel that in the high development of our commercial structure—and it is a very refined economic structure that we have—that in order for it to work to best and maximum efficient advantage, the rest of the people must be dull, that we have got to be a dull sort and often we Canadians have been accused of being dull. We must not be upset, we must not indulge in flagrant conduct, we must not let our emotions get the best of us, we must reach a point of high development of dullness.

I am bothered about that and I often think that because of the dullness that others want to impose upon us from the top, a good many of our younger people leave this country. I think myself it is rather a Good Thing — capital "G," capital "T" —when

people get out and demonstrate about things that move them, things that concern them. I like to think that the highest point of the education of youth is when the young person becomes concerned. I do not care what he is concerned about so long as he is concerned about something.

My heart was enveloped with joy when I saw those hundreds of young people from this neighbouring university over here, which was established by the predecessor of this Legislature a long time ago, when I saw hundreds of them take the trouble to go down to University Avenue and demonstrate about what they conceive to be oppression of people in a foreign land, not even in their own land. They were very upset about the fate and the conditions of a race of people who resided outside their borders. I like to see them, I like to see it carried on peaceably but I do not like to see that peacefulness go to the point of complete restraint and as I used the word before, to go to the point of consummate dullness.

I sometimes think that the Attorney General in the exercise of his office just wants that consummate dullness, he wants everything to be absolutely in a state of stasis. And if somebody gathers together and wants to demonstrate about the state of the law, well that appears to upset the Attorney General no end and he flies into the courts in the role of a prosecutor. We are going to get into this in a day or so and people should stay around to hear what develops about this, because we will examine this thing from every vantage point and we may even stand on our heads to have a look at it upside down, in order that every facet of it be exposed.

But in the meantime, so that something of merit is done today, June 28, the House might be well advised to approve second reading of this bill.

**Mr. A. E. Reuter** (Waterloo South): Mr. Speaker, may I say first of all that the hon. member for Sudbury and the hon. member for Riverdale, both being very learned members of the legal profession, have introduced a certain type of debate today that I must say is something different from that which took place in this House last year, when these identical bills were being discussed.

**Mr. D. C. MacDonald** (York South): The principle is a very broad one, very broad in its application.

**Mr Reuter:** These bills, in their identical form, I believe, were called for second reading last year on June 15 and the debate that took place at that time, I believe, centred around mainly the principle of the bill as set forth in the bill.

Now, I was very interested to see the trend that the debate took this afternoon. I decided that I had no different views in connection with the matter, as opposed to the views I expressed last year, and I was interested in learning whether or not the hon. member for Riverdale had some different ideas to introduce.

Apparently there was no different idea at the time the actual bill was introduced this year, but since that time certain other events have taken place and the hon. member for Riverdale, of course, has chosen to bring those events into the scope of the effect that might be achieved if this bill were passed. Now I do not for one moment say that the bill should not cover such situations, perhaps it should, but other than the incidents wherein the member for Riverdale has brought in mention of strikes, pickets, picket lines, tractor demonstrations, and so on, I do not believe there is anything different at all about the bill from the introduction last year.

It seemed to me that first of all, and I believe the hon. member for Sudbury mentioned this, The Municipal Act, section 403, to which the bill refers and which section 2 of the bill would repeal, refers only to cities. This power, given under section 403 of The Municipal Act, empowers boards of police commissioners of cities to do certain things, and it goes on to recite the regulation of parades, and so on, and I think this is an important point. The whole bill, I believe, has arisen due to certain events that took place in the city of Toronto, or in Metropolitan Toronto. I think, first of all, it took place at Allan Gardens, and this of course caused the thinking to introduce the bill, to transfer this power from the boards of police commissioners, as the incident has arisen in Metro Toronto.

I cannot debate this bill on the basis of the legal terminology that has been used so far today. I speak about the bill only as a layman who has served on municipal councils of smaller municipalities than Metro Toronto. These incidents have arisen in Metro Toronto only.

If we were to transfer the powers from the boards of police commissioners of our smaller towns, of any of our other 900-odd municipalities, and give this to councils, I do not see that this would in any way change the situation that now exists. How would a council in one of these towns be better able to

judge the merit of any parade than the board of police commissioners? In the first place, section 386 of The Municipal Act, is the section for a municipality to pass bylaws and in connection with 403, applies to cities only. Section 386, with the addition of the following paragraph, as set forth in Bill 50, makes no distinction between cities or any other municipalities, and it has to do with prescribing the routes of travel to be observed by all vehicles. I will not read the entire section, but I think the idea behind the whole section was for the police to properly regulate and control traffic where it might become a hazard within the confines of municipalities.

The hon. member for Riverdale has mentioned the fact that our citizens do have a fundamental right to hold parades, to have processions, and I think no one can deny this. I certainly cannot deny it. Our citizens have that fundamental right and it should not be interfered with. I believe the hon. member went on to say that, having this jurisdiction within the police commissions' bylaws, there was tendency on the part of the public to assume that the police must approve, or license. I do not think this really exists, insofar as the municipalities of this province are concerned. The police are there not to determine whether or not a certain group or association has sufficient merit to hold a parade. The bylaw has been passed in most cases simply to regulate the traffic and regulate the time and the routes of the parade.

As I said, the hon. member mentioned that the police were there to facilitate and to regulate, and this is exactly what they are doing. I do not see how a municipal council of any small town throughout this province would want to undertake to regulate the route of a parade. This is a police matter, through their traffic departments.

Mr. Speaker, the police have to control the traffic in any event, if a group applies for permission to hold a parade on a certain date. The council certainly cannot go into the matter of whether or not the parade should be held over a certain route at a certain time or not. This is up to the police to do, and I would think there would be very, very few occasions when the board of police commissioners of any of our average towns or cities in the province of Ontario would refuse a permit to any group who proposes to hold a properly regulated parade to express their views or to celebrate whatever occasion they might have in mind.

The hon. member of Riverdale also mentioned there is a feeling that the police have a right to censor. Perhaps some of these things should be censored. It might be desirable to have a certain organization hold a parade, and it could conceivably happen that there would be something come up that would not be desirable, but I fail to see how a council would be in any better position to determine this than the board of police commissioners. In any event, the bylaws which may be enacted by the board of police commissioners, under section 403, of course, is just for cities. If this were extended to all municipalities it could include any exclusions that might be determined by the council as undesirable—certain types of parades, certain types of processions, certain types of banners or flags. This could all be contained in the bylaw. As I said, it is the police, regardless of whether the council regulates it or not, it is the police that have to go out and control the traffic and regulate the route of the parade.

There was some suggestion that there should be no political implications, political interference with the rights of our people. I think the suggestion was made that perhaps this could be done better through our councils. Well, I can only say that there are those in our province who would purport to promote a programme in municipal administration wherein there was introduced party politics. I am just wondering what would happen if we had party politics introduced into our municipal councils? Whether or not it is legal, or whether or not it is a procedure that is followed, it does exist to some degree.

If there were a programme introduced where party politics were definitely part of the municipal council's structure, their programmes or platforms, then there certainly would be political interference if the council were to regulate this.

**Mr. Singer:** Why give a council any power? Give it all to the police.

**Mr. Reuter:** I cannot agree with this at all. This is a matter of regulation of traffic, and if a council of a municipality decides that the by-laws to be passed by the police commission should exclude certain types or certain organizational groups that should not be given the power to parade—I cannot think of any—the council then through co-operation and consultation with the police commission through the mayor, who is an ex officio member of the police commission, can convey this, and I am sure that it would be enacted in the bylaw.

**Mr. Singer:** Dictatorship is always simpler.

**Mr. Reuter:** I do not believe that this in any way would constitute dictatorship. It would be simply a matter of achieving proper control, proper control as has been expressed in The Municipal Act at section 403, which again, as I mentioned, gives the power only to cities.

The whole incident has arisen, the whole matter has arisen, the bill has been introduced, due to incidents that have taken place in Metropolitan Toronto.

Perhaps there is some merit in having different controls in Metropolitan Toronto. I am not debating this. Bill 51 is complementary to Bill 50. Perhaps there should be something in a large centre such as Metro Toronto —I do not know—but I certainly do not see that section 386 of The Municipal Act should be extended as per section 1 of Bill 50 to give the council complete responsibility for regulating parades and determining the routes and the times and who will and who will not hold a parade.

There is absolutely no difference that I can see to be accomplished by having council regulating these parades, and I simply have to oppose this bill, Mr. Speaker.

**Mr. MacDonald:** Mr. Speaker, let me deal with one technical point—fools rush in where angels fear to tread—but the lawyers in the introduction of this debate were exchanging some slight differences of opinion as to whether or not there was a marked distinction between Toronto as opposed to the rest of the province.

I think the only distinction is between the cities and the rest of the province, as the law now stands. As I understand it, the law at the present time giving police commissions this responsibility is applicable not only to the city of Toronto but to all the cities in the province. The granting of these comparable powers and responsibilities in the non-urban areas falls to the municipalities and their councils.

However, that is just a small point that I wanted to touch on and I would like to deal with one or two very interesting aspects of this debate as it has developed. I think one of the real dilemmas, Mr. Speaker, for a freedom-loving person in modern society is to reconcile the strengthening of individual rights and freedom in face of an inevitable degree of restrictions on individuals as the result of the complexity of modern society.

One can go back and illustrate this point by saying that in the early days of civilization, man was a law unto himself. He came out of the cave and he was boss. If he disagreed with his wife—we have pictures of it carved on the stones where he dragged her out by the hair of her head. There was no problem involved. Law flowed from that one centre of authority and as my hon. friend with true Tory philosophy said, "Those were the days of real freedom, for those who had the right to exercise the freedom." However, modern society has become more complex and we have had to make rules that inevitably restrict the rights of the individual for the purpose of protecting the general public welfare.

I think we all agree with that—I notice that the House leader is nodding his head affirmatively; so far we agree. The real challenge—and it rather intrigues me and surprises me that the Tories are now apparently willing to forget about to some degree—is to make certain that some of these basic rights of the individual in expression of basic principles, such as freedom of speech and freedom of association, that these can become blotted out, that these can become muffled, that these can become restricted and presumably these are necessary for the good of all society.

For example, I was rather interested in the apparent note of astonishment, that even you yourself for a moment was captured by, Mr. Speaker, that this principle enunciated a year ago, having application then to a current issue which involved the right of the police commission to decide what was going to be on signs which were to be used in a parade, that this principle should have such wide application as to be validly applied to the proposition of what is going on the highways, the farmers who come to the conclusion that they have the right to demonstrate.

**Mr. White:** On a point of order, Mr. Chairman. Rule 20 says in part: the member

> must direct his speech to the question then under discussion, or to a motion or amendment he intends to move.

The Opposition speakers have clearly not been speaking to the question contained in bills 50 and 51 and their small smiles would indicate that they are aware of the political trickery of introducing this contentious current subject into this debate today.

**Mr. MacDonald:** Mr. Speaker, this is not a point of order and I am sure you would agree. Just to deal with it may I read for your benefit and for the benefit particularly of the hon. member for London South that the single amendment that is involved in bill 50 is that

section 386 of The Municipal Act is amended by adding thereto the following paragraph:

> For regulating parades or processions on highways and from time to time and as occasion may require, prescribing the routes of travelling to be observed by all vehicles, horses and persons upon the highways—

and so on.

Now, Mr. Speaker, if that is not relevant in terms of what we are talking about today—

**Mr. White:** On a point of order, Mr. Speaker.

**Mr. MacDonald:** If this point of order is no more valid than the last, then I would—

**Mr. Speaker:** I would think that perhaps for the most part the debate is satisfactory. I have a copy of the bill and I notice that perhaps certain events which have taken place recently to which the members refer from time to time are worked into the bill. But I think it can be allowed within the ambit of this bill that is before us, which is pretty broad in principle. For that reason if the members restrain themselves within limit, I will not call them out of order.

**Mr. White:** On a point of order, Mr. Speaker, and without challenging your ruling in any way, may I point out that the argument of the hon. member for York South is only valid if the tractor processions were in fact parades or processions under permit from a municipality. Such, in fact, is not the case and therefore the arguments offered here are, in my opinion, not in order. They are not in the context of the bill under debate.

**Mr. MacDonald:** Mr. Speaker, my legal counsel advises that you do not have to get a permit. You see, Mr. Speaker, here is the point. The hon. member for London South—

**Mr. Speaker:** Order, order. We have only five minutes left before the hour and I would suggest that the member come back to the bill before the House.

**Mr. MacDonald:** And I would appreciate it, Mr. Speaker, if I could use it and not have it obstructed. The point I want to make and perhaps I should address my remarks to you and ignore the member for London South, that their right to demonstrate is a basic right. You cannot have people going around and saying, "You cannot do that." You cannot muffle the voice of protest and this is, in effect, what we are getting from the other side of the House, the proposition that the police commission could say, "You cannot carry this particular sign in the parade," was an effort to muffle the voice of protest.

**Mr. Speaker:** Come back to the bill, if you please.

**Mr. MacDonald:** And by the same token, whether they be farmers or anybody else that they cannot get out and demonstrate is an effort to muffle the voice of protest.

**Hon. A. Grossman** (Minister of Reform Institutions): Nobody said they could not demonstrate. You know that perfectly well.

**Mr. Speaker:** Order, order!

**Mr. MacDonald:** Now, Mr. Speaker, the hon. gentleman says we can demonstrate, except that the Attorney General then begins to bring up a lot of legal technicalities, which are irrelevant, because under the law, if a farmer want to demonstrate on the highways there is nothing in the law that says he cannot take his tractor on the highways.

**Hon. Mr. Wishart:** No technicalities!

**Mr. MacDonald:** You then began to dream up a lot of arguments as to why if he was out there he was maybe going to run into difficulties. However, Mr. Speaker, the time is passing and I wanted to deal with one point the hon. member for Waterloo South was raising here.

He says he can see no difference between this being decided by the police commission or by the local council. Now, he may be right. It may be that a council, for example, could have little appreciation of the basic rights of an individual in a free society and decide to pass bylaws which will restrict that right. But there is this very important point, sir, that at least the local council is a responsibly elected group that will have to face the music at the next election. A police commission is not.

**Mr. Reuter:** Are the members irresponsible?

**Mr. MacDonald:** A police commission represents an arbitrary exercise of power, and when you give them the right, in effect, to go ahead as they were doing in the city of Toronto and decide what is going to be written on signs, then they are exercising political rights. They are restricting political rights so that it seems to me there is a very important point here that if you are going to have the restrictions, the restrictions shall be made by people who are elected political persons, so that they will have to face the consequences. The electorate will have an

opportunity to make them face the consequences at the appropriate time.

You cannot do that with a police commission. Indeed, we have had the classic case in the city of Toronto where the police commission is a law unto iteslf, and they in effect thumb their noses at everybody, including the mayor of the city of Toronto, who Mr. Speaker, to dictate to a group of people came in and brought protests from the whole of the council. In effect they said to the council: "We do not care what you think, we are going to go out and do it ourselves."

**Mr. Reuter:** Any place else—

**Mr. MacDonald:** All I am saying is that this is the kind of arbitrary exercise of power you can get from a group that is not responsible at the polls. All we are suggesting here is that when you place that final responsibility with the council, then they are going to have to be answerable for their actions.

Now, of course, the hon. member is correct, that if they are going to be authorizing a parade which would involve route and traffic problems, they will obviously consult the police. The council consults the experts in any particular area before they come to a decision at any time, if they are a sensible council.

No, Mr. Speaker, I think that my hon. friend has done a very great service this afternoon, perhaps a double service, of showing that sometimes basic principles have wide application. I am just a little shocked at the desire on the part of some to muffle the voice of protest because as we indicated it has wider applications.

**Mr. White:** On a point of order, Mr. Speaker, that was not the intention at all. The intention was to try to discourage the lawlessness that this group has demonstrated on the highways and the picket lines from coming into this Chamber. I suggest, sir, that they are permitted time and time again to stray from the rules. It is not in the best interest of the legislators and it is not in the best interest of the people of this province.

**Mr. MacDonald:** Mr. Speaker, you have listened to three protests and I have to be brutally frank and perhaps a bit personal. The hon. Whip is just a little bit piqued at a couple of resolutions that he thought had no interest at all and which have proven to be so pertinent this afternoon.

**Mr. Speaker:** I would rule any more points of order out of order, and we will proceed for two minutes until the hour of six. Has the hon. member finished with his remarks?

**Hon. H. L. Rowntree** (Minister of Labour): If this debate is finished, I have an item of business which I would like to deal with—if this debate is finished.

**Mr. Speaker:** It being six o'clock, the debate on these bills is now concluded.

**Mr. Sopha:** On a point of order, may I with the consent of the House have the 21st order discharged?

**Mr. Speaker:** Granted!

**Hon. Mr. Rowntree:** Mr. Speaker, earlier today a question had been directed to me privately by the hon. member for York South with respect to the plans for the remainder of this week.

There will be no sitting of the Legislature on Friday, being Dominion Day, as it used to be called. We would then adjourn on Thursday until I believe some time on Monday. The intention was for the House to sit on Thursday from 10:30 in the morning until 1 o'clock, p.m.

At noon today I understood that the legal bills committee had some work that it wanted to continue, needing a further sitting of that committee, and the committee was called for Thursday at 9:30 in the morning. I think in all circumstances it might be desirable if that committee were to sit at 9 o'clock on Thursday and get as much of the business done as is convenient and possible. In any event, there is another committee, I understand, which is scheduled for Tuesday morning of next week —I think it is the committee on municipal bills —and that committee might well be advised to sit quite early on Tuesday morning.

That is the general position as we now find ourselves and I would think that a 1 o'clock adjournment on Thursday might meet the personal convenience and needs of most of the members of the House.

**An hon. member:** What about tonight?

**Hon. Mr. Rowntree:** Tonight we will proceed with the estimates of The Department of Agriculture and Food. In order that we will use up all of the time effectively and efficiently, I will now call order No. 19 before we rise.

**Mr. Singer:** Just before the Minister calls order 19, do I understand from the House leader that there are going to be Thursday morning sittings and Tuesday morning sittings of this House after the committees—

**Hon. Mr. Rowntree:** No, I did not say that at all.

**Mr. Singer:** What was the implication, what was the suggestion that the House leader was making, that these committees—

**Hon. Mr. Rowntree:** If the member had listened quite carefully—

**Mr. Singer:** I listened very carefully and the Minister in his delightful way—

**Hon. Mr. Rowntree:** I said Thursday morning the House will sit as we usually do at the end of any week, at 10:30, and adjourn at 1 o'clock. Now is that clear? Then I suggested that since the committee on municipal bills has been called for Tuesday, it might be a good idea if it sat early on Tuesday morning, and I have nothing further to add. I put you on notice that I think that would be a good idea—

**Mr. Singer:** That is the whole point, the Minister was using—

**Hon. Mr. Rowntree:** I did not make any different explanation than I did before.

**Mr. Singer:** I understood it far better than anyone else did.

It being 6 o'clock, p.m., the House took recess.

No. 158

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

## Tuesday, June 28, 1966

**Evening Session**

**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JUNE 28, 1966

The House resumed at 8 o'clock, p.m.

The House in committee of supply.

## ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD
*(continued)*

On vote 104:

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, the dairy industry in this province is extremely important in the total agricultural picture. The dairy farmer, as a consumer, is actually worth two-and-a-half times as much as any other consumer to the general economy.

Indeed, farmers in general spend almost a billion dollars every year for goods and services used to produce crops and livestock, besides such items as food, clothing, drugs, furniture, appliances, and so on. Perhaps it would be well to put some of this on the record.

The total annual expenditures of farmers for tractors, trucks, cars and repairs, $99 million; $157 million for feed; $18.5 million for electric power; $51 million in taxes; $19 million for interest on debt; and for hired labour, $92 million.

No other single type of business requires as many goods and services in such variety as the farm family business. Since the dairy industry is so important, it follows that the machinery designed to handle the milk in this province must achieve the confidence of the trade and the farmers, by acting in the best interests of producers and the industry, as well as bringing stability in the Ontario dairy industry.

The chairman of the Ontario milk marketing board, Mr. McLaughlin, claims that this can be achieved by working towards the creation of a two-pool system in Ontario. Group one would be the present fluid milk producers, and group two would be made up of the manufactured, or industrial shippers. Conditions of entry, according to Mr. McLaughlin, should be established to allow qualified producers in one pool to transfer to the other, as market conditions permit, with the ultimate objective to include all qualified producers of grade A milk in the group one pool, and I think this is a rather worthy objective.

Actually, the areas of concern to the milk marketing board, as set out, are in the areas of pricing, quotas, transportation, quality and promotion, to mention just a few. I think that in all of these areas there are many problems that will have to be worked out and will require constant attention, particularly in this time of flux, when things are changing so rapidly and we are trying to build the machinery under which this particular marketing board and commission will operate.

But I want to go back to something we talked about yesterday, dealing with transportation, one of the items I just mentioned. This deals with the 25-cent subsidy the farmers are asking for at the present time. Frankly, this is the reason why they are out on the highways, one of the reasons. This is one of the articulated reasons. There are many underlying causes, but at least this is one of the reasons that seems to come to the fore more than perhaps anything else.

Let me say the Minister makes a valid point when he says that Quebec should have a minimum price for industrial milk, which they have not got. That is a valid point. I concede it. I do not think there is any question about it. But perhaps this is one of the areas where the interprovincial dairy committee could play a role. I believe that it is still active, as far as I know. I think it was set up in 1963, and I believe it is still functioning.

At the same time, my friend makes the point that he cannot get involved in provincial subsidization programmes, because this will interfere with the federal programme and bring chaos to the market. This would have been the case under the deficiency payment type of support, because any assistance given by the province would have been deducted by the federal government, which would have meant, in effect, that the on-the-farm price would not have added anything to the net return at the farm, either with or without provincial participation.

But under the present programme, a direct payment of 75 cents per hundredweight is being paid and any provincial participation is in addition to this amount. Anything the province adds will, therefore, mean a greater return at the farm. And since the issue in point actually concerns itself with transportation, in that many of the truckers saw fit to raise their rates after the new dairy policy was announced, and since this is clearly a responsibility of the milk marketing board, there is no reason why, as an interim measure, the hon. Minister should not be able to pick up the tab for the 25-cent transportation cost to make the price on the farm $4 per hundred.

The federal government has a responsibility to the dairy industry on the whole, but there is nothing to stop the provinces taking the humps and hollows out of the programme, if they so desire.

After all, we have to recognize, I think, that these farmers are living in the province of Ontario. Surely to goodness, that being so, the provincial government and the provincial Department of Agriculture and Food, has some responsibility toward them. If my friend's thinking were projected to its ultimate, then I say to him that what we would be getting into in this province and what we would be saying in effect, is that we have no real need for a Department of Agriculture here in this province at all. We could let Ottawa look after the whole thing and this department would simply be a sub-station of The Department of Agriculture in Ottawa. That is really what the thinking of my friend would actually mean, if it were projected to its ultimate conclusion.

Well, I leave that for a moment. The second thing I want to deal with is the quality programme.

The province has its regulations which are very strict, and rightly so, particularly as they apply to the fluid milk shipping. The benefit of this has been passed on to the consumer in the high quality, highly nutritious food, milk. I am suggesting that since the province maintains this high quality standard, and as I said, rightly so, I think it is very important that we do this, very definitely, because we have to build confidence in the produce that comes off the farm. This is one way in which we can do that, and I do not underestimate that for a minute. I think it is vital that we do that, and that we continue to do it.

But I say that in so doing, we should be prepared—at least the province in my mind should be prepared, in view of the fact that the ultimate benefit has been passed on to the consumer—the province should be prepared in some way to help the farmers out in the way of a capital grant, or perhaps a production grant, and I am thinking in terms of a grant to build milk houses, of a grant to instal milk coolers. This benefit ultimately passes on to the consumer and I think that the province should be entertaining thoughts of doing something in this field.

I suggested in my lead-off speech that the province pay a $500 grant on building milk houses and a $400 grant on the purchase of milk coolers. I say again that we have to maintain the highest standards, but in so doing, I think the province should, in view of the fact that they enforce these regulations, be willing to pick up some of the cost in the form of a capital grant.

So I invite the hon. Minister's comments in this regard because I do feel that it is a rather important area.

**Mr. J. P. Spence** (Kent East): Mr. Chairman, may I add a few words before the hon. Minister replies?

I might say the Minister is a farmer and I have never been in the dairy industry, but I have heard over many years now the conditions of those who sell manufactured milk. I might say that one of the things that concerns me when I visit the city is when I go in to where there is an automatic vending machine. In order to get a certain soft drink I have to put in 15 cents. In order to get a glass of milk, I have to put in 10 cents.

Now the Minister of Agriculture and Food is a farmer. I am going to tell you this, he knows well enough that those in the manufactured milk industry certainly cannot get along with any less than $4 a hundred. I do shudder sometimes when the Minister says that this is a problem for the federal government.

I would say to the Minister that certainly he knows that those farmers out today protesting the low price of manufactured milk—he knows in his own heart they are sincere. They have a just cause and I think the Minister should do something to assist those who sell their milk for $4 a hundred. Then transportation is taken out of that, which maybe would leave $3.75. Actually I know in his own heart that he believes farmers should receive no less than $4 a hundred in order to exist, in order to carry on with the high costs, taxes, land, and labour. I would like to see the Minister change his views in saying that this is just a problem for the federal government.

I think if we are interested in agriculture, the Minister of Agriculture should do something to assist those who are in the manufactured milk industry.

**Mr. J. Root** (Wellington-Dufferin): Mr. Chairman, I have listened with great interest to the suggestions from the hon. members opposite that the government should pay the trucking charge on milk. That is the suggestion. Is this the policy of the Opposition party—that the government should pay the trucking charges on farm products?

**Mr. Spence:** Mr. Chairman, I would like to answer the hon. member. I do not like to see farmers starving to death.

**Mr. Root:** Mr. Chairman, the hon. member did not let me ask my question. Is this the policy of the Opposition party that the government should pay the trucking charges on products—

**Mr. V. M. Singer** (Downsview): What is your policy?

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Mr. Root:** I asked a fair question. What is the answer? When, for example, we might say hogs drop below a certain level, then should the provincial government start to pay the trucking charge? If cattle dropped below a certain level should the government pay the trucking charge? We know that the federal government at times subsidizes freight rates on certain products. But is this Opposition policy—that the provincial government should now start to subsidize the transportation costs of the various farm products that have dropped below a certain level?

**Mr. Spence:** Mr. Chairman, I would like to answer the hon. member. I want to tell him this. When those in the agricultural industry are not receiving a fair share of the economy, then this government should assist them.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, there are three issues that I would like to raise in connection with this vote. One of them happens to be the one that is now being debated, so if we can keep our focus on it, perhaps it would be wise.

If the hon. member is asking a question over there, as far as we are concerned, the answer is yes, and for a sound economic reason that I invite him to go out into the country and argue against.

The basic problem of agriculture is that it has not had enough bargaining power in the market place. The result is that agriculture today, representing some ten per cent of our population, is getting something less than a five per cent share of the national income. And over the years, even though we have succeeded in bolstering their strength in the market place through our marketing plans, it is obvious that they are not able to redress that balance. And therefore, Mr. Chairman, my reply to the question that was put to the opposition parties is that it is the responsibility of government to use whatever technique is deemed to be wisest at any particular time, to make certain that agriculture gets a fair share.

Now, let us go back to specifics. The Minister himself has said that he agrees that $4 milk is a desirable objective; that this is a fair proposition. Indeed, if I may repeat the figures that have been attributed to Mr. McLaughlin in the newspapers, he said that in 1962 the average cost for producing 100 pounds of milk was $3.74 and that it has gone up some 28 per cent since then, so that the average cost now, taking your top quality milk as well as some of your lesser quality milk, is up in the range of $4.70-odd. So, for the proposition of an average price for your industrial milk shippers, of $4, we agree it is desirable. The hon. Minister agrees.

The proposition, Mr. Chairman, it seems to me is simply this: If we all agree, including the Minister, that these people are entitled to get $4 per hundreweight at the farm, are we going to use the excuse that it is Ottawa's responsibility? Are we going to use the excuse that Quebec has complicted the problem by not having a floor price or are we going to say, "Fine, we'll see that the farmers get it" even though our action for the moment is a temporary move, an interim policy?

As I pointed out when I was speaking on the introduction to this debate, Mr. Chairman, the interesting thing is there is no doubt as to where the farmers union stands on this. I want to suggest there is no doubt as to where the great majority of the rank and file of federation members stand. For some reason or other, the federation as a whole equivocates on the issue. But as I pointed out, in the current issue of the *Rural Co-operator*, which, I hasten to add, is not an official publication of the federation of labour, but is a fairly accurate reflection of the rank and file views in the federation.

**Mr. W. D. McKeough** (Kent West): Nonsense!

**Mr. MacDonald:** Oh?

**Mr. Chairman:** I would ask the member to speak to the chair, if he will, please.

**Mr. McKeough:** Well, Mr. Chairman, I ask the leader of the new party to cast back his mind to the bean vote. The *Rural Co-operator* would have had you believe that the bean growers in this province were 100 per cent behind the vote, and I ask you to look at the results of that vote. To say it reflects the true opinion of the province is nonsense.

**Mr. MacDonald:** For the moment, Mr. Chairman, what the member for Kent West has introduced is irrelevant, we will get to it. But I would just say in comment on the irrelevancy, Mr. Chairman, that the hon. member and the government argued last year that the bean vote was a vote of no confidence in the bean board, and I know that there were two factors that perhaps resulted in that particular vote. One was a division of opinion regarding a compulsory levy they wanted for the extension of their facilities.

**Mr. Chairman:** We will get into that on vote 108.

**Mr. MacDonald:** Well, will you just give me about 30 seconds, Mr. Chairman, and I can complete it. The fact now is that there has been a final vote and every one of the former members of the bean board who ran was re-elected, seven of the eleven are the old members of the board. So I suggest to you the *Rural Co-operator* perhaps was not too far out in terms of their assessment as to what the rank and file thought about the members of the bean board.

**Mr. Singer:** And also what they thought about the Minister.

**Mr. MacDonald:** I am rather interested, Mr. Chairman, to hear a man coming from a constituency that is predominantly a rural constituency in effect saying that the leading farm paper in this province does not represent the views of farmers because it happens to disagree on some occasion with this government. It is in keeping with the debate we had before 6 o'clock, that any voice of protest, if it protests against this government, is to be muzzled, or it is attacked, or to be suggested that they are not representative of the rank and file.

**Mr. Chairman:** Can we get back to vote 104?

**Mr. MacDonald:** Back to 104, thank you, Mr. Chairman. With your guidance, I knew I would get back to it.

In the current issue, this proposal is made and it sounds so reasonable that I do not know how any reasonable person can withstand it. They point out—and I would think that this government of all governments would respond to their point—that we should be most unhappy about the prospect that the unity that is emerging in the dairy industry is now going to be complicated by the proposal for still another organization because of the protests of this current hour. The whole import of their argument to begin with is to quit knocking the milk board.

For heaven's sake, let us not go out and start to build another milk organization at a time when we have been able to get unity in the dairy industry through the milk commission and the milk marketing board. But their concluding point—and I read it into the record once again:

> Nonetheless, this doesn't solve the present situation. Thousands of dairy farmers are suffering genuine hardship. Temporary government assistance is required. Agriculture Minister William Stewart will win the gratitude of all industrial milk shippers if his department picked up the tab for trucking milk from the farm gate to the processing plants. This type of assistance should be of short duration and will be dropped with the introduction of milk pooling.

So my question, in keeping with the questions that have been put by the hon. member for Huron-Bruce and for Kent East, to the hon. Minister of Agriculture and Food is, if you have a situation which has become the focus of such protests that there is a danger of fouling up your effort to build united organization in the dairy industry; if you have a situation that can be met temporarily by a transportation subsidy; and if the economics of agriculture justifies this government in paying an economic subsidy because it is only getting $4 milk that the Minister himself says is a fair price to the producers, why is the government so bullheaded and so adamant in refusing it? Why must they stand up and say: "Ottawa must do it, Quebec is doing wrong."

Why can this government not do something? This is the plea the milk producers are making today, and it is the plea that we present in the united front in the Opposition. I would be curious to hear the Minister give some quiet reason why it should not be done.

**Mr. Gaunt:** Mr. Chairman, I just want to make a comment on what my friend, the member for Wellington-Dufferin said.

I suggest to you, Mr. Chairman, that my friend was trying to drag a red herring across this issue because he was applying the whole general principle that we should be subsidizing transportation. I simply say, as the hon. member for York South has just said, we have ten per cent of the population getting five per cent of the income, and what we have been complaining about on this side of the House is that they should have more. If we give them a transportation subsidy to give them more, fine. I am looking for a vehicle to give them more money, and this is one of the vehicles by which we can do it.

I simply say to my friend that, as far as this party is concerned, we have spent a lot of time talking about this and, of course, we are in favour of this. As far as applying it to all of the transportation items that he listed, hogs, and so on, this is irrelevant. We are not talking about that, we are talking about milk. This is one area where the province can move in and do something concrete.

**Mr. G. Ben** (Bracondale): Mr. Chairman, first of all, I am very surprised that the hon. Minister of Reform Institutions has not risen yet to give us his viewpoint. After all, I believe he is the largest producer of milk in the province.

**Hon. A. Grossman** (Minister of Reform Institutions): I am waiting for the hog situation.

**Mr. Ben:** He is waiting for the hog situation. I thought that we farmers from the city ought to have a word or two to say about this matter.

Mr. Chairman, a lot has been said. There has been a lot of criticism offered as to our agricultural programme, but very few specific suggestions for improving the situation. We speak of paying transportation costs. That may be a temporary solution, but whether you pay transportation costs or you pay more to the farmers, it is the end price that counts. If you are going to pay a farmer an extra 25 cents for transporting a hundredweight of milk, it amounts to the same thing as paying him $4.25 per hundredweight for milk rather than $4. I think the problem here is to get a greater consumption in our province.

I was surprised to find out how this matter of quotas works. I was going through statistics which the Minister supplied us some time ago – and I want to congratulate him on having these statistics before his estimates came up before the House. It is a change from the procedure that has been followed by most other hon. Ministers.

In going through these statistics I was a little confused because I do not come from a rural area and I could not understand why everybody here was screaming for $4 a hundredweight milk when, according to the Minister's statistics, they were receiving $4.71 a hundredweight on the average. I had to ask many questions of the rural hon. members to find out if there was a different price paid for milk which is used for direct consumption of fluid milk than was paid for milk that went into manufacturing.

I could not understand why there is this difference. After all, as far as I can understand—because I do not have the experience that farmers have—it has always been my impression that the milk came out of the same faucet.

**Hon. Mr. Grossman:** It comes out of bottles.

**Mr. Ben:** Maybe it goes into different bottles, I do not know, but when I was down at your big establishment the milk from all the faucets seemed to be going into the same bottles. It was a little confusing to me, and then I started asking questions. I found out that there are many farmers who cannot get a quota in order to sell milk that is called "fluid" milk, and as a result this average price which is shown in the statistics is not an accurate figure, because many dairy farmers never see this average figure of $4.71. Too frequently the price they receive is in the range of $2.75 to $3 a hundredweight. So surely this government should be capable, after the high salaries it pays out under vote 101, of devising some scheme that would be more equitable so that every dairy farmer would share in the bonanza that comes from selling fluid milk.

Perhaps the hon. Minister should get together with the Minister of Health and with the Minister of Education and the Minister of Public Welfare. For instance, we were discussing the plight of Indians in this House in the past week and there is no doubt that many Indians do not see a pint of milk from month to month and maybe from year to year. Some of them never see milk.

**Hon. J. R. Simonett** (Minister of Energy and resources): How can they keep milk in their wigwams?

**Mr. Ben:** Would it not perhaps be in the long-range interest of The Department of

Public Welfare, which looks after the Indians and the agricultural industry, if the government purchased surplus milk to be used as fluid milk, and supplied it not only to the Indians but supplied it to other welfare recipients and to undernourished children in our school systems. For instance, in the school systems the milk only would be given to them during the day, so I do not think – well, they certainly could not give it to them after hours unless it was delivered to their homes – so that I do not think that it would adversely affect the sale of milk.

In other words, this would be extra consumption of milk which would mean that more fluid milk could be sold for the fluid milk price. The milk that would be purchased and given to Indians would not decrease the normal consumption because these people do not, under normal circumstances, buy milk, so this would be extra consumption of milk. Perhaps, Mr. Chairman, a scheme could be worked out whereby the government could buy this surplus milk and not necessarily pay the fluid prices for it, but perhaps the average price that is paid for milk. Instead of $5.71 – I cannot remember the exact figure – that is paid for fluid milk, they could come down to $4.71, which is the average price; or perhaps you can give them the $4 per hundredweight that they are asking for this surplus milk and give it away.

I heard – and I do not know how much truth there is to this, Mr. Chairman – that some dairy farmers have been informed that because of the surplus of milk, the dairies will be taking their milk, skimming it and dumping it. They are going to be dumping the skim milk. So surely, it is a shame that in a province such as this where everyone is supposed to have his needs looked after, we find children deprived of milk while it is being dumped. Now, as I understand it, you drink milk because it is supposed to give you strong teeth and strong bones. Well, perhaps the Minister should drink a little more milk and get his teeth into this problem!

**Hon. Mr. Grossman:** Oh, no.

**Mr. Ben:** I learned them from you; I learned them from you!

**Mr. Chairman:** Order, please!

**Mr. Ben:** Yesterday, Mr. Chairman, I was complaining about the lack of cream in ice cream and some people thought that it was a frivolous point. I do not agree. The statistics of the Minister show that while the production of so-called ice cream "mix" is increasing year by year, the butterfat content is going down. I do not recall an advertiser –or I should say a manufacturer–of ice cream advertising that the butterfat content of his ice cream has been decreased. I suggest, Mr. Chairman, and I ask the Attorney General to take note of this, that slowly but surely the consuming public is being defrauded by the manufacturers of ice cream because they still believe that they are getting cream in their ice cream whereas, in fact, they are getting some substitute made from soya beans.

Now soya beans have protein in them; I do not deny that, but I suggest that if the purchasers of ice cream want protein they will go out and buy proteins. If they want soya beans, they will buy soya beans; but if they go out to buy ice cream, they are entitled to get ice cream. I suggest that there should be a law which should specifically state how much cream there should be in ice cream and each carton should have the quantity stated on it.

You have rules as to the butterfat content in cream, why not in ice cream?

And buttermilk – there is another point. You want to sell farm products? Well then, sell buttermilk; do not sell a substitute.

**An hon. member:** What is missing from buttermilk?

**Mr. Ben:** What is missing from buttermilk? Well, at one time all buttermilk came into being as a result of the manufacture of butter out of cream, but science seems to have found some way of manufacturing buttermilk without having the milk come in contact with the butter. How they do it, I do not know, but at least it is rather difficult these days to get a quart of buttermilk.

Interjections by hon. members.

**Mr. Ben:** I am very much impressed by the concern of the leader of the ND Party when I am trying to assist. At least I am trying to give some constructive assistance to the Minister and to this House as to how the consumption of dairy products can be increased. Many people seem to consider this to be a jest. I do not. I seriously believe that we ought to consume most of our farm products.

The milk we produce is first quality milk; the vegetables we produce are first quality vegetables. All of our farm products are of the highest order and are in demand all

over the world and so why should we not consume more of it? Why should we be compelled without our knowledge to accept substitutes?

**Mr. N. Whitney** (Prince Edward-Lennox): Drink Canada Dry.

**Mr. Ben:** Let me tell you something—I know affluent families who give their children soda pop instead of milk. To me, this is a shame, because I have never known soda pop to be responsible for strong teeth. Maybe it is responsible for the steel in the teeth or for whatever amalgam they put in there now, but certainly not for the bones.

**An hon. member:** What is missing from the soda pop?

**Mr. Ben:** What is missing from the soda pop? The burp is missing from the soda pop; we only get half the burps we used to get five years ago.

**Mr. Chairman:** In order to expedite the work of the House, I would ask the member—

**Mr. Ben:** I would suggest, Mr. Chairman, that laws be enacted to provide for the minimum quantities of butterfat in creamery products and if a substitute is used, it should state so on the carton. If, in fact, you are not selling buttermilk—and there are two categories here that are a direct result of the manufacture of butter—then they should so state. If you want fresh milk, you should be entitled to fresh milk, not powdered milk. You should be entitled to ice cream, not a compound containing soy bean or some other similar substance. Now, we ought to encourage the use and consumption of natural dairy products.

The milk industry is carrying on one of the biggest campaigns I have seen in a long time, "Drink milk." Then you find you do not get milk; what is in the bottle is not actually milk. So I am seriously suggesting that the hon. Minister give consideration to these suggestions.

**Hon. G. E. Gomme** (Minister without Portfolio). Mr. Chairman, much has been said here tonight about this government not accepting the responsibility of subsidy for the transportation of milk. I have a little article here that was in the Arnprior *Chronicle* of last week, and it says: "Joe Greene reports from Parliament Hill." I think most people here know who he is. In this article it points out very definitely that the federal government has accepted the responsibility of subsidization for milk. I would like to read part of it.

Interjection by an hon. member.

**Hon. Mr. Gomme:** They do not say anything about that. Just listen to this for a moment.

**Mr. MacDonald:** He also said the farmers are protesting against—

**Mr. Chairman:** Order, please!

**Hon. Mr. Gomme:** Did you read this article?

**Mr. MacDonald:** No.

**Hon. Mr. Gomme:** Well, it might pay you to listen to it for a minute instead of talking.

**Mr. MacDonald:** I will tell you something else he said.

**Mr. Chairman:** Order, please. The Minister without Portfolio has the floor.

**Hon. Mr. Gomme:** Thank you, Mr. Chairman. This is Joe Greene's article:

> I want to devote this report primarily to the shippers of milk and cream but also to eaters of cheese, butter and drinkers of milk. The new federal dairy programme that came into effect last April 1 is a good policy, a policy designed to raise producer incomes, stabilize the dairy industry and protect consumers from runaway prices. But it is also very complicated and I would like to explain in this column exactly how it operates. The purpose is to provide the dairy farmers with an average return of $4 per hundredweight for their milk and to pay the cream shippers for their cream on the same basis. The policy is intended to accomplish this through two main approaches. First the government, through the agricultural stabilization board, buys butter directly from the creamery at 59 cents a pound, an increase of two cents a pound over the price for the last dairy year. The board is also prepared to buy and provide export assistance for such products as skim milk powder and cheese. Through the combination of these activities of the board the government believes the processors should be in a position to pay an average of $3.25 per hundredweight for milk. Our new dairy policy is in fact based on this belief.
>
> I might point out here that in Ontario the price is in fact fixed at a minimum of $3.25 per hundred by the provincial milk board.

Then he goes on to say that, in addition to the $3.25, the government of Canada pays a

direct payment to the farmers of 75 cents per hundredweight on manufacturing milk.

> The total federal payment is actually 85 cents per hundred, but we are holding back ten cents per pound in a fund to assist exports of any surplus products which might develop. The combination of the $3.25 per hundred plus the net federal payment direct to farmers of 75 cents brings the total to $4. I should emphasize here that this is a national average figure and does not necessarily mean that every farmer in the country will receive exactly that amount. Some will receive a little less and others a little more. The direct federal payments are being paid to milk shippers on a monthly basis and, on account of administrative complications, to cream shippers on a quarterly basis.

In the same paper, there was an article "Greene introduces dairy committee bill."

> Thursday last in the House of Commons, Hon. J. J. Greene, Minister of Agriculture, introduced a motion to consider legislation for a proposed dairy commission for the stabilization of milk and cream prices in Canada. The bill is described officially as as follows: To establish a dairy commission for Canada, to administer funds made available to it for the purpose of stabilizing the price of milk and cream so as to provide efficient producers of milk and cream with the opportunity of obtaining a fair return for their labour and investment, and to provide consumers of dairy products with a continuous and adequate supply of dairy products of high quality.

In these two articles it definitely shows that the federal government has accepted the principle of subsidy though the degree may be a little different, so why are they not asked for the 25 cents more? They are in this business and they are the ones that should continue it.

Interjections by hon. members.

**Mr. E. W. Sopha** (Sudbury): I was in the House of Commons when he made that statement.

**Mr. Chairman:** Order.

**Mr. Spence:** Mr. Chairman, under this vote we are going to subsidize the commuter service here in the city of Toronto. We from this side did not ever say anything to object to subsidizing the transportation of people into the city of Toronto. When we ask this government to do something for the dairy industry of the province of Ontario, they say it is a federal problem. I am ashamed of the whole situation.

**Mr. Gaunt:** Mr. Chairman, my friend from Lanark read the article by Mr. Greene and what he says is quite right. Of course the national policy is a federal responsibility; they have accepted this. They have announced their policy. But the fact of the matter is that this happens to be a provincial problem. The truckers and the processors are involved to the extent that the truckers raised their prices when the new policy was announced. The processors were involved as well and the fact is that the farmers are not, in some cases, getting as much now as they were before the new policy was announced, and it is confined to the province of Ontario. This is why—

**Hon. W. A. Stewart** (Minister of Agriculture and Food): That is not right—

**Mr. Gaunt:** This was my understanding of it.

**Hon. Mr. Stewart:** You know better than that.

**Mr. G. Bukator** (Niagara Falls): Put the record straight, Mr. Minister—

**Mr. Gaunt:** I do not know better than that. This is what I have been led to believe. The province of Ontario has been involved in this. The truckers put their prices up and the fact is that the farmers, I am told, in some cases, are not getting as much on the farm as they were before the new policy was announced. So I claim and we claim on this side of the House that this is a provincial matter.

**Mr. Whitney:** Mr. Chairman, I would like to say that in times past I have milked cows by hand to the extent of some 15 or 20 cows, along with the parents and other help at home, but I have never seen the bull ridden as hard as it has been here lately.

I would suggest that when the farmers union does come to Queen's Park they should have three or four bulls, and there are some pretty likely candidates who should be mounted on those particular bulls.

However, I would say that the federal Minister of Agriculture has made it abundantly plain—and gone to great lengths to do it—that the federal government did accept this responsibility. He explained how, unless the thing was uniform between provinces in regard to exports, anything that Ontario could do could be undersold by virtue of people paying lower prices and sending milk products into this province such as cheese and butter. That is evident. Here we have

worked for years. I have been around quite a while, and I know many others have gone to banquets of the milk producers co-ordinating board. We have had the cheese producers, the concentrated milk producers and the whole milk producers and so on to get a milk board overall which this government has accomplished. The Ontario milk marketing board, under the chairmanship of George McLaughlin, is supported by members representing every phase of milk production to work things out together. It was established only four months ago. I happened to hear George McLaughlin down at Napanee a week or so ago and I was greatly impressed by the statements he made of how they were striving to achieve a pooling of milk so as to reduce transportation costs, and how they were trying to arrive at a system where milk of equal quality would be paid for at an equal price.

Then, after four months, these people do not want him to have a chance to succeed; that is what they do not want. Let us give him a chance. Let us give the federal government a chance on this thing.

Our Minister stated the other day that he did not set out with the idea of $4.25 a hundred; he thought the proper price was $4.50 a hundred. The $4.50 a hundred plus the 75 cents a hundred for 3.5 milk from the federal government would definitely realize in the neighbourhood of $4 a hundred for 3.5 milk. However, the federal government said no, we will only go to $3.25 a hundred.

In the meantime, because Quebec has not met that minimum and because the manufacturers of milk in Ontario have met that minimum, we are at a disadvantage. So now, when we are bargaining, let us give our milk board a chance. Let us give our government a chance and let us be honest for a change.

The fact that the socialist leader yesterday stated that of the people out on the highway with the tractors a great many were not even milk producers gives the suggestion and the knowledge or the knowhow that somewhere behind this there is a ferment, a push, a deal to try to discredit the government, to try and stop this thing from becoming a success; not to give the milk marketing board a chance; crucify them before they succeed, turn things into a turmoil that could fit certain political desires. But it does not fit the people in the province of Ontario, and it is not going to succeed and that is that.

**Hon. Mr. Stewart:** Mr. Chairman, I wondered if I was going to get a chance to say anything on this complicated issue. I appreciate the remarks that have been made because I think they reveal the thinking of a great many people, diverse though the viewpoints may be.

I do appreciate the suggestions that have been made by the Minister without Portfolio, as well as the member for Prince Edward-Lennox, because I think they express the opinions of people who have a very great stake in the dairy industry in that they represent areas where a great deal of manufactured milk is produced.

Now, with regard to the statements that have been made by our friends in the Opposition, I would just like to deal with those which have been made by the hon. member for Bracondale, I found many of his proposals quite interesting, but I was a little dismayed to know that he referred to the suggestions of his hon. colleagues as being without any basis for improving the situation.

I would, however, take very strong exception to his suggestion, indeed to his statement, that was made that soy bean oil was being used in the manufacture of ice cream. The Edible Oil Products Marketing Act prohibits the mixing of anything but a dairy product in ice cream. There is a minimum limit of ten per cent butterfat content in all ice cream that is manufactured other than, as I explained last night, ice milk.

Now, there may be more than ten per cent butterfat in some manufacturers' formulae, but there must be a minimum of ten per cent butterfat or it cannot be called ice cream. I want to make it abundantly clear because, if it were allowed to go unchallenged, that statement could upset the whole dairy industry and would put in questionable light the very respectable manufacturers of ice cream products in the province of Ontario who have maintained, I believe, a very acceptable standard of products.

With regard to the hon. member for Huron-Bruce referring to the idea of our province assuming the transportation costs and suggesting to the House, as he did a moment or so ago, that the farmers were not getting as much as they were last year for milk, surely this cannot be accepted. The price is set this year at $3.25 a hundred, plus the 75 cents from the federal government which is a $4 price for 3.5 milk at the plant. Last year, the federal government's intent was to pay $3.50 but in fact in many cases, the actual figure received was about $3.32. Now, there is quite a difference between that figure and $4. The hon. member surely is not saying that because the federal subsidy has not arrived, that it is not going to arrive. I know that he knows better. We all have faith in the federal government's statement made

last week that the cheques were in the mail. They will be received, I assume, this week.

So here again is 75 cents per hundredweight of 3.5 milk that was delivered to the plants in the month of April, and we are told by the federal Department of Agriculture that this will be a continuing process on a monthly basis. I would hope that the statement of the hon. member is not an indication of his knowledge because I would think it would cast doubt on all the other statements that he has made. I am sure nobody wants to have that doubt.

**Mr. Gaunt:** Mr. Chairman, if I might just clarify that point. Perhaps I got this impression from the farmer with whom I talked. I gathered from what he said this was the result of the extra deduction from the transportation. Perhaps I was wrong in that, I do not know, but this is what I assumed, you see. If that is not so, well, that is fine, it is my mistake.

**Hon. Mr. Stewart:** Well, I hear that some cheques have already been received by the producers and I am pleased to know that. So it is likely well on the way.

With reference to the leader of the socialist party, referring to the fact that the *Rural Co-operator* is not the official voice of the federation of labour. I never knew that it was supposed to be the official voice of the federation of labour, as my hon. friend suggested. This is news to me. This is what the hon. member said tonight.

**Mr. MacDonald:** Did I say labour? Well, that was an error and the Minister knows it.

**Hon. Mr. Stewart:** If it was an error, fine, and I accept that as an error, but this is what was said. I read the editorial with a great deal of interest—

Interjections by hon. members.

**Mr. Chairman:** Order, please! The Minister was very fair and patient and listened to the other members. Out of courtesy, let us listen to the Minister, please.

**Hon. Mr. Stewart:** We accept the statement that was made in the editorial as very well-intentioned and certainly this whole matter is under active consideration. I was talking this very day to the Minister of Agriculture in Quebec and, as I said yesterday, I have never abandoned the idea that we would arrive at a price of $4.25 at the plant, with the federal subsidy. But I want to correct this dairy situation, as the hon. member for Prince Edward-Lennox has said, and the hon. Minister from Lanark has said, in an orderly way so that we have a basis laid down here on which we can build a solid, sound national dairy industry. This is the thing we are after. If we can arrive at that basis, a uniform price in Ontario and Quebec—and you know I am not talking politics because there is a different brand of politics in Ottawa and a different brand of politics in Quebec and a different brand here, but I think we have a basic purpose in mind—I want to achieve that with a solid foundation. I do not want to upset the national dairy policy which has been laid down by the new Minister of Agriculture in Ottawa and which was enunciated by the hon. Minister without Portfolio and by others. In fact, the hon. member for Sudbury said that he was in the House when he heard him make the statement. I pay tribute to him for making that statement because I believe that it means a very great deal. In a news release that reached my office today, I notice that the federal Minister says:

> I believe the federal contribution to the stability of the dairy industry and for its easing the problems of our dairy farmers this year is a worthy and responsible one.
>
> Federal payments under the dairy programme in the current year are expected to be in the neighbourhood of $90 million. This is $40 million more than in the previous dairy year.

Now, that is the kind of money that the federal government is pouring into this dairy policy, and I suggest to the hon. members of this House—regardless of how much I want to see the farmers of the province get more for their products, and there is nobody in this House wants this more than I; I want to see this—that whatever is done is not done to upset that national dairy policy. It is the first time in the history of Canada we have had a national dairy policy laid down upon which we can build a sound dairy industry in this great nation and one that will be the pride and envy of the entire world.

**Some hon. members:** Hear, hear!

**Hon. Mr. Stewart:** I feel, gentlemen, that it is very easy to give in to the pressures; no one knows the pressures more than I. It is very easy to do that, but I suggest to you, is it in the best interests of Canada—is it in the best long-term interests of our farmers to do this? Has the time not come to build the structure for our dairy industry equivalent to all other aspects of our industry, and based on a sound foundation so that the

costs are paid, by the people who use the product? Surely, this is the proper basis upon which we should attack this problem.

There were suggestions made here tonight – and I would again refer to the federal policy, and I call to the attention of the hon. members an article which appeared in this morning's *Globe and Mail*. This refers to something that I did not even know that the federal government was considering. I notice that Dr. Brian Perkins of the University of Guelph Ontario agricultural college, has been named to carry out a research project on behalf of The Canada Department of Agriculture. A grant will be paid to him in the amount of $3,000 and it will be used to study the possible effects of various pricing policies on dairy farmers of the province.

The agricultural research institute of Ontario has contracted with the University of Guelph to cover research in agricultural economics at the level of $160,000, but this project is designated by the government of Canada to determine this matter of the pricing of manufacturing milk, and I welcomed that article. To me that article that appeared in the *Globe and Mail* this morning simply enforces the argument that Mr. Greene has been using, that this is a federal responsibility and he wants to know how best to build on this foundation that he has laid. We go along with him on this all the way through the piece.

Now, something has been said concerning this business of a 25-cent subsidy. I wonder if this is really what the farmers union actually wants, 25 cents a hundred. Because you see, when I have talked to them – and I have spent many hours talking to the Ontario farmers union and I feel that the meetings that I have held with this organization have been useful; certainly for me, and I regret that they feel they were not useful to them. But they have been useful to me because I have gained an impression from them of the things that they are concerned with, not only affecting the dairy industry, but the entire agricultural community. This communication is good, but the real matter is, as I see it, as far as the milk industry is concerned, that 25 cents is what is wanted today, but tomorrow $5 for manufacturing milk at the farm and $7 for fluid milk at the farm is the objective, and we –

**Mr. MacDonald:** So you do not give it to them.

**Hon. Mr. Stewart:** Let me say this to you, my friend. As soon as that is done we will be asked to do another thing. Now then, is this really the answer to the dairy industry in this province? Is it really the answer, or are some of us in this House because of the opportunity that has presented itself to play politics? I wonder a bit about that.

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Hon. Mr. Stewart:** My hon. friend does a lot of talking about politics and says that the New Democratic Party – the socialist party – will be in there righting the wrongs of everybody and they would not think of taking advantage of any situation. No, sir! Heaven forbid! Perish the thought that we would be in there doing anything! Just listen to this, Mr. Chairman. At one of the farm union meetings in the province, the New Democratic Party presents this at the door to everybody coming in:

> Peterborough riding New Democratic Party association welcomes members of the Ontario farmers union from eight counties in the Lift-lock City.
>
> It is not our intention to take advantage of the unfortunate position into which the farmer has been forced by large food-processing companies and retail chains, coupled with an indifferent provincial government.

Never let it be said that the New Democratic Party would take advantage of a political situation. Oh, no! Stay away from that!

Mr. Chairman, as I have said here before, we believe and we work toward, and will continue to work toward, a sounder base upon which the dairy industry of this country can be built – not only the fluid milk industry but the manufacturing industry and all aspects of it. That is what we want to achieve and I give the people of this House and of this province my word that we are working toward that end, but I am not going to, for political advantage, destroy what we have already accomplished by an act that, to me, is not sound today.

**Some hon. members:** Hear, hear.

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** Mr. Chairman I want to make one or two comments. I will not say that they are final comments because the Minister has a certain volatility about him and conceivably he will be back into it. But they are final for me for the moment,

because I want to move on to one or two other issues.

Mr. Chairman, the Minister does not need to get up and unctuously say that we are playing politics.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, if there is a situation in this province that needs to be righted, we will begin there and certainly we will be playing politics with it. What do you think is wrong with playing politics? What I object to is the Minister getting up and playing the role of the hypocrite, saying every time he gets into difficulties, that we are playing politics, and that he is only trying to be statesmanlike to solve the situation. This is the kind of situation we have had for years from this Minister and indeed from his party and his government.

**Mr. Chairman:** Order, please.

**Mr. MacDonald:** Mr. Chairman, the point I want to make is this: The Minister says we now have the prospect of a national dairy policy. Fine, good. We have waited for years for it. There is no reason why the Minister cannot, as the rural co-operative suggested, provide a transportation subsidy now as an interim measure to make certain that they get $4 milk now. That is not going to wreck the establishment of a national dairy policy. You do not have to wait until you can persuade your political soulmates in Quebec—because they are your political soulmates —to do the necessary thing there. You can do it now if you really believe that the industrial milk shippers are entitled to $4 at the farm. Do not use this excuse, that excuse or the next excuse—do it! If you want to hedge your bets and say that we do not want to do it beyond —as they say in the rural co-operative—the establishment of a pool arrangement, fine, hedge your bets. But do not make excuses for doing nothing now. All the echoes from the back benches are, in effect, just to support that kind of thing.

I just want to make one final comment with regard to the intervention of the hon. Minister from Lanark. He can get up if he wants and quote from J. J. Greene, but I quoted yesterday from J. J. Greene—

**Hon. G. C. Wardrope** (Minister of Mines): If he gets a chance to get up, he is lucky.

**Mr. Chairman:** Order, please.

**Mr. MacDonald:** —from June 23, in which he said: I think the federal government's policy has been well conceived and has been discussed in all detail in the House. I believe the distress of the farmers is being displayed against the provincial government, not the federal government.

**Mr. L. Letherby** (Simcoe East): That is his opinion.

**Mr. McKeough:** That does not—

**Mr. MacDonald:** All it says is—the implication of all the comments on that side of the House is that he accepts responsibility for everything that is unhappy in the province of Ontario at the moment. He does not, and as we have been suggesting from the Opposition side, the transportation subsidy to guarantee the $4 at the farm can be given now on an interim basis, but the hon. Minister is determined not to give it.

Now, Mr. Chairman, I wanted to raise two other issues. The first one, if I can capture the attention of the Minister, is that I would like the Minister to explain to me exactly what is the relationship of the milk commission, and indeed, if I may put them together, the Ontario farm products marketing board, to the government.

Now in terms of the original setup of these bodies, they are quasi-judicial bodies and any body that is at least a quasi-judicial body should have a high degree of independence in the government, otherwise it cannot function. You have got to have both the appearance as well as the reality of impartiality when you are making your decisions.

The Minister intervened yesterday when I quoted from the Woodstock *Sentinel Review* to the effect that one member of the milk commission had indicated that the Minister and Mr. McCague, the chairman of the milk commission, had opposed the proposition of this increase in the fluid milk; and said he did not do it at all.

My question to the Minister now is: what is the relationship of the milk commission to the government? Is it an independent body? Is it a quasi-judicial body, or is it an agency and an organ of this government, in specific terms in this issue, for example? Is the Minister trying to suggest to us that he did not know anything about this increase at all? That he did not discuss it at all with any member of the milk board? Is he denying that he even queried the wisdom of it? Is there absolutely nothing in this? Is the comment of the member of the milk commission, reported reliably by a reporter whose reliability is established in the Woodstock area com-

pletely, questioned by the Minister? I would appreciate his comments on this.

**Hon. Mr. Stewart:** Mr. Chairman, I would be pleased to make those comments. First of all, in relationship to the milk commission of Ontario, as spelled out in The Milk Act, 1965, the milk commission of Ontario "shall exercise such powers and perform such duties as are concerned or imposed upon it by and under the Act." It carries on the relationship and actually is the administrative arm of The Department of Agriculture and Food, as far as the administration of The Milk Act is concerned. Now those are the powers of the milk commission.

**Mr. MacDonald:** Well, is it not an independent body?

**Hon. Mr. Stewart:** Yes, it is an independent body, but, of course, it is responsible to the Minister as you people have always wanted there should be a body responsible to the Minister, and you and I have disagreed on this thing. You and I have disagreed on it before.

Interjection by an hon. member.

**Hon. Mr. Stewart:** Well, I should have excluded you. But the farm commodity groups in the province of Ontario have said, and said it very emphatically, that they do not wish an independent body set up and established apart from any ministerial department to which they would have to report and to which they would be responsible.

This is the difference that you and I have always had. We have debated this issue every year since I became Minister, and I believe it was debated long before I became Minister with you and other Ministers in the House. But this is really the function of the milk commission. They deal with issues that come before them in the matter of appeals from those who may be aggrieved by decisions of the milk marketing board, having to do with distribution areas, quality control, and what have you—these various problems.

In connection with the statement that was read yesterday by the hon. member—and I must confess I had not seen that article, I did not know it was even in existence until he read it, and I must confess that I was completely shocked because I have never at any time even suggested to anybody that the price was too high at $5.75.

**Mr. MacDonald:** Did you discuss it with the commission?

**Hon. Mr. Stewart:** I have discussed things with the commission and it may have been a point of discussion. I do not recall it, but certainly there was no pressure used whatever at my level, nor at the commission's level to have that price changed. I want to read this into the record, because to me it was an inference that was levelled at Mr. McCague, who is chairman of the commission, and levelled at those members of the commission who are honourable, independent men, who would not think of being told by anybody what they should do. It was certainly a reflection upon me. I took the trouble today to go and get a copy of that article. I was astounded to know in it that I had even threatened George McLaughlin with the loss of his job.

**Mr. MacDonald:** I read it to you yesterday.

**Hon. Mr. Stewart:** What can be so preposterous as a thing like that?

**Mr. MacDonald:** You threatened lots of people with loss—

**Hon. Mr. Stewart:** I have done no such thing and you know that. It is just plain nonsense. And I will tell you this—

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Hon. Mr. Stewart:** Mr. Chairman, if this is any indication of the validity of what we can expect from the hon. member for York South, the leader of the socialist party, then there is not a shred of truth in anything he does say.

**Mr. MacDonald:** What does that mean? Now deal with these—

**Hon. Mr. Stewart:** I will deal with that.

**Mr. MacDonald:** Just deal with it—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Hon. Mr. Stewart:** This is a memorandum addressed to myself. It is dated June 27, and I believe Mr. McCague, who was sitting in the gallery yesterday, was just as astounded to hear that newspaper article as I was.

**Mr. MacDonald:** Well, it was in circulation for—

**Hon. Mr. Stewart:** Well, that may be, but I do not subscribe to every paper in the province and I cannot afford a clipping service

for every paper in the province. We are trying to be a little bit conservative in the spending of money.

**Mr. MacDonald:** Poor little Lord Fauntleroy.

**Hon. Mr. Stewart:** Oh, sure. You would pour it on one way and then take it off in another place.

Interjections by hon. members.

**Hon. Mr. Stewart:** June 27, 1966. I will read the memo:

> On June 2, 1966, the milk commission of Ontario heard an appeal by the Ontario milk distributors association from a notice of intent of the Ontario milk marketing board to publish a regulation to increase the price paid producers for milk used as dairy requirements in southern Ontario, including the district of Muskoka and Parry Sound to $5.75 per hundredweight as of July 1, 1966. Representatives of the Ontario milk marketing board were in attendance at the hearing. The commission considered representations made by the Ontario milk distributors association and representatives of the Ontario milk marketing board. The commission deferred its decision, asking each organization to review its position in light of the presentations made at that time. The commission further asked to meet with the Ontario milk marketing board on the morning of June 6, 1966, and with the Ontario milk distributors association the afternoon of the same day. Attached is a copy of the letter to the Ontario milk distributors association, dated June 7, 1966, setting out the decision of the Ontario milk commission on the appeal.

And I also read this into the record, Mr. Chairman, dated June 7, 1966, addressed to the Ontario milk distributors association, 2 Thorncliffe Park drive, unit 2, Toronto 17, Ontario: Attention Mr. W. J. Flynn, executive secretary:

> Dear Sir,
>
> Re: an appeal by the Ontario milk distributors association from a notice of intent of the Ontario milk marketing board to publish a regulation to increase the price paid producers for milk used as dairy requirements in southern Ontario including the districts of Muskoka and Parry Sound to $5.75 per hundredweight as of July 1, 1966. The milk commission of Ontario has instructed me to advise you that the commission, after consideration of the representations made at the hearing, has dismissed the appeal. In the opinion of the commission the Ontario milk marketing board has not acted beyond its authority, and on the basis of information presented to the commission at the hearing its decision is as stated above.
>
> Yours very truly,
>
> J. F. Dewson, secretary,
> the milk commission of Ontario.

Then I would like to read a note setting out the effect of the memo I have just read:

> The effect of the regulation by the milk marketing board will establish a price of $5.75 per hundredweight for grade A milk in southern Ontario, including the districts of Muskoka and Parry Sound. Since a differential of 57 cents is in effect for northern Ontario, the price will be $6.32 per hundredweight in the north, effective July 1, 1966. The markets of Fort Francis, Sioux Lookout, Kenora and Dryden will remain at $5.86 per hundred as established by the milk marketing board, June 1, 1966 for these four markets.

Mr. Chairman, surely there could be nothing clearer to dispute the allegation that was contained in the newspaper report. I find it somewhat difficult as well to understand this statement, attributed to Mr. Langdon, dated June 22, 1966, and reported as Mr. Langdon's statement at a meeting made in St. Mary. This, if I recall correctly, was the date upon which the farmers union met us in the morning. This meeting, as I understand it, was held that same night and we asked Mr. Langdon and Mr. Miller if they could give us a specific instance of political interference in any way with either the milk commission or the marketing board. There was not the slightest suggestion of political interference that either one of them could make regarding either the milk commission or the marketing board.

I have only their word for it in that meeting but before them sat Mr. McCague, Mr. Biggs, our Deputy Minister, and two other Ministers of the Crown who were there with me. They can attest to this. I was interested to know if there was political interference because I have tried as I think any Minister of the Crown would try to keep himself as far removed as he possibly can from having to make decisions for commisions. If this is the case, then we might as well wipe out the board, wipe out the commission and let the Ministers do everything. But this is not the intent. This is a producers' milk marketing

board, and this is an independent milk commission dealing with their responsibilities as outlined in the Act. It is irresponsible that such a statement as this was made because it is completely without fact and foundation. I find it strange that this was not referred to us when they had the opportunity right there; not only under my question, but under the questioning of Mr. McCague as well, who said that in the reported statements that he had read of farm union meetings that reference had been made to political interference of the commission with a decision of the board. He wanted to know the instance and the example and not one illustration was given in any way. And yet that very night, according to this press statement, Mr. Langdon has made these charges.

Surely the two do not add up. I leave these things for the consideration of the House and I believe that they speak for themselves.

**Mr. MacDonald:** Mr. Chairman, the Minister may be a little shocked at hearing this sort of a statement but if he travels in his cloak of something other than the Minister across the province, he will hear statements like this made in almost every farm meeting with regard to the political interference of this government. However, Mr. Chairman, I would like to ask the Minister to get right down to the specifics of this.

When the milk commision makes a decision such as the decision in this instance, does it solicit the views of the government and the Minister prior to making the decision?

**Mr. Letherby:** What are you talking about?

**Hon. Mr. Stewart:** Yes, what are you talking about?

**Mr. MacDonald:** Let me repeat it if the Minister did not get it. When the milk commission makes a decision such as in this instance that they were going to increase the fluid milk price, does the commission solicit the views of the Minister or the government prior to making the decision?

**Hon. Mr. Stewart:** I would say this: The milk commission is independent and make their own minds up as to what they want to do.

**Mr. MacDonald:** My question, Mr. Chairman, is: Did the milk commission solicit the views of the Minister before they made the decision?

**Hon. Mr. Stewart:** I do not recall that they did.

**Mr. MacDonald:** You started out by evading the issue and now you say you do not recall. Mr. Chairman, I go back through you to the Minister. Did you discuss this issue with the milk commission collectively or individually prior to or after they originally made their decision?

**Hon. Mr. Stewart:** After they made their decision. Certainly I discussed it after they had made their decision. The price was $5.75 and that was it. They had agreed with the milk marketing board. As I read to you from this statement made by Mr. McCague, the price has already been set by the milk marketing board; and the commission, as was pointed out in the statement, said the milk marketing board had not exceeded their authority; go ahead and establish it. Is there anything wrong with that?

**Mr. MacDonald:** What was the tenor of your remarks after they had made it? That you favoured it or you did not favour it?

**Hon. Mr. Stewart:** Certainly I favoured it and I have never, at any time, suggested I was not in favour of it. If you were in the House the day that the hon. member for Bruce and I got into the tangle over this price of $5.75, you would realize that because I have defended this price of $5.75 right through the piece all the way. Good heavens! Does anybody suggest that $5.75 is too much for fluid milk to be sold by the farmers of this province? Who is he? Let him stand and be counted.

**Mr. MacDonald:** You are not playing politics now, are you?

**Hon. Mr. Stewart:** Are you suggesting this?

**Mr. MacDonald:** No, I am not. Of course not.

**Hon. Mr. Stewart:** Well, neither am I, and I resent the fact that you are suggesting that I am. Because I have never done it; let that go in the record.

**Mr. MacDonald:** Fine. Now, Mr. Chairman, the Minister started out by saying that he could not recall whether he had talked about it.

**Hon. Mr. Stewart:** Nor could I answer the question prior to the decisions.

**Mr. MacDonald:** First he did not answer the question at all; then he said he could not recall whether he discussed it.

**Mr. Letherby:** Just you pipe down. You are getting—

**Mr. Chairman:** Order, please.

**Mr. MacDonald:** Look, Pierre Berton is over in Europe; he will be back in a moment. You had better watch out.

**An hon. member:** And Templeton is still here.

**Mr. MacDonald:** And Templeton is still here, that is right. So you had better be quiet.

**Mr. Chairman:** I should remind all the members of the House that there have been a series of interjections and I would ask them if they will please listen to the member for York South.

**Mr. MacDonald:** As the Minister says, he has presented the facts to the House and the House can draw its conclusions. I have asked a number of questions and we have got a number of answers.

The House can draw its conclusions and, even more important, the public and the farmers can draw their conclusions.

Mr. Chairman, I wanted to ask the Minister a question with regard to a rather unhappy episode down in Glengarry county last fall. Concentrated milk plants went bankrupt and they claimed considerable headlines. The specific details of this I think I can most briefly put to the House in a report that was carried in a paper in eastern Ontario. Do you think I might be able to find out which paper it is? —the *Eastern Ontario Review* of Vankleek Hill in which it had these comments from the hon. member for Glengarry. I think it is a good summary of exactly what happened. Then there is a question I would like to put to the Minister because this is a closed issue, but there is one aspect of it that puzzles me.

> Dooley, who happens to be the American who came over and set up this plant and then walked out not having paid his bills, was a troublemaker and a poor operator for the dairy industry ever since he came in here, Osie Villeneuve, MPP for Glengarry declared. Why? Simply because he did not obey the law of the province in which he was doing business. Among other things, the law requires the posting of a bond for $100,000. This bond was never posted because you shippers signed a petition that it should not be required after a meeting at Maxwell. How did Mr. Dooley do this? Frankly, I do not know. I do not think any Canadian businessman could have got you shippers to sign a paper that amounted to putting a rope around your own neck—but he did. Now we are in trouble and I am very much concerned.

Mr. Chairman, there is no doubt about it. One of the rather puzzling aspects of this situation was that the shippers themselves indicated that they did not want to pressure Mr. Dooley to place a bond for their own future protection. Obviously, in retrospect I suspect they would go about this somewhat differently.

But the question I want to put to the Minister is this: How can any plant be operating without fulfilling the law which requires a bond, whether or not the shippers express a view? Why do you leave a situation in which an operator like Dooley comes in and can use his influence with a group of people who are desperately looking for a market and perhaps pressure them into expressing their view that they did not object to him being able to operate without a bond? If the law requires that he must have a bond —and I think I am correct in this—why does not the government or any agency of the government responsible for implementing this law, see that a factory operating does have the bond? That is my question and I would like the Minister's comment on it.

**Hon. Mr. Stewart:** First of all, bonding of industrial milk plants is not mandatory. The bonding of fluid milk distributing plants is mandatory, but not industrial plants.

As far as the operation of this company in the Ottawa valley is concerned in Glengarry county, it is a most deplorable thing that happened. We know this; we agree there is no defence whatever. But when the milk industry board of Ontario, the board which preceded the present milk commission, advised the concentrated milk producers marketing board that this company was not in the best financial condition, a petition was sent in. It was dated June 4, 1962. There were 245 names on that petition. It reads:

> We, the undersigned, have decided that the petition requesting the milk industry board of Ontario to require either the filing of surety bonds or the deposit of securities by the above company, should be withdrawn. We hereby request the board to reconsider its decision of May 10, 1962, and to issue licences to the above companies without the filing of surety bonds or the deposit of securities.

Well now, when it is in the Act that—there is

nothing in the Act that makes it mandatory—

**Mr. MacDonald:** Well, was the bond voluntary?

**Hon. Mr. Stewart:** It always has been voluntary and is still voluntary for industrial plants.

**Mr. MacDonald:** I am sorry, if the Minister would not mind my interrupting, is he suggesting there that the company had entered into a bond on a voluntary basis and because of its financial precarious position that the shippers had agreed that they should be relieved of the expenditure of this bond? Is this in effect what he is saying?

**Hon. Mr. Stewart:** I am not sure I follow the member. It is difficult to listen to two people at once.

**Mr. MacDonald:** Yes, I realize the Minister was talking to his Deputy. Let me repeat it. Is the Minister saying that the company voluntarily entered into a bond and that because of its precarious financial position presumably it had pleaded with the shippers to the effect that they could not carry this burden and they had signed the petition and agreed that it should be relieved of the burden, which under the law it could be relieved of, because it was voluntary. Was that the situation?

**Hon. Mr. Stewart:** As I understand it, they never did have a bond in this case; never did have a bond. Under the old milk industry board it was not mandatory and there never was a bond. But I think the milk industry board, discovering that the situation was less than desirable, advised the concentrated board there could be real trouble develop, and suggested that the company operator should file security or a bond. Now then, he could not get a bond, apparently, and the milk industry board was ready to move in and close him up and that was when the petition was received from the board. The board had no authority to act in the face of that petition really, so I think that pretty well explains it.

I have just been handed a memo here that, as a matter of fact, I have not read myself.

> The financial responsibility of dairy plant operators—the requirement for licence: All distributors who purchase milk directly from producers are required to file security with the commission before a distributor licence can be issued. No individual distributor is required to deposit more than $100,000 as proof of financial responsibility. All other plant operators must file financial statements along with an application for the plant licence each year. If the financial statement covering the previous year's operation is satisfactory to the commission, a security bond is not required and the licence is issued. An unsatisfactory financial statement will mean that the plant operator concerned must deposit security with the commission before his licence can be issued.

**Mr. MacDonald:** When was that instituted? Because that is mandatory.

**Hon. Mr. Stewart:** This is under the new Milk Act of 1965. This other thing happened under the old Milk Industry Act.

> Certain financial statements are referred to an independent firm of chartered accountants for appraisal before the commission makes a decision as to whether deposit of security is necessary.
>
> A newly established business is required to deposit security. Any co-operative purchasing milk only from its members is not required to deposit security. Similarly, an association of producers that operates a business is also exempt from security requirements.
>
> However, in the case of a co-operative or a producer association whose financial statements indicate unsatisfactory financial conditions, the commission must have assurance that the officers of these operations have notified their producers to the effect that they are assuming full responsibility for payments to producers and there is no security on deposit with the commission for their protection. A signed statement to this effect must be filed with the commission before a licence may be issued. As an alternative, such operators may deposit security in accordance with the regulations.

**Mr. MacDonald:** I would assume then, Mr. Chairman, from what the Minister has said, that the lesson of this rather deplorable episode has been learned, that under the milk commission they have to file a statement of their financial position and if this is deemed by the milk commission to be a precarious position, then they must file a bond.

**Hon. Mr. Stewart:** This is right.

**Mr. MacDonald:** So that the only loophole now is if the commission should perchance be misled by the financial statement that is submitted and they are caught in the course of that year, then presumably the shippers still might face the same kind of losses. But we

have narrowed it down to that one loophole. Quite frankly, I just do not know why, since you do it for distributors, it should not be done across the board for industrial manufacturing plants, too. It seems to me that this is the best way to protect all concerned and to eliminate the possibility of a Dooley getting into the picture and clearing off to Cuba or wherever he went.

**Mr. F. R. Oliver** (Grey South): I wanted to speak for a few minutes, Mr. Chairman, on the $4 milk issue, to get away from what has been discussed for the last few moments.

After the sound and fury of yesterday, I hoped we might get back to a reasonable basis of discussion to see if we could not persuade the government that they were on the wrong track on this particular issue and that they should descend from their high and lofty place that they have sought to occupy for some time past, and get down to a place where they could appreciate the real need for action on the part of the government to help a particular segment of the dairy industry.

Now, there are two or three matters that were discussed yesterday and perhaps today —I was late getting in after the dinner hour— but there were two or three matters that I think we should go over again just for the sake of emphasis and to set the record straight from my point of view.

The Minister yesterday, and previously as well, quoted from a speech of the Minister of Agriculture at Ottawa, the effect of which was to say that in the ordinary matters of milk marketing, the province was in control. But when it came to milk marketing that had interprovincial overtones, then the federal government became involved. Now, around that word "involved" I want to discuss with the Minister what his interpretation was and what mine is. My hon. friend took the word "involved" to mean total involvement on the part of the federal government, leaving no place at all for participation on the part of the provincial administration. My interpretation of Mr. Greene's word "involved" means that in this type of marketing, having interprovincial overtones, the federal government has an interest because of the interprovincial character and because it was national in scope. But I fail to believe, Mr. Chairman, that Mr. Greene meant or could possibly mean that he ruled out any subsequent action on the part of the provincial government.

**Mr. Singer:** Hear! Hear!

**Mr. Oliver:** And it seems to me further, Mr. Chairman, that this has an element of comonsense because of the fact that what Mr. Greene was announcing was a national policy for all of Canada, that dealt with ten provinces from one end of this country to the other, from the Atlantic to the Pacific, ten provinces with varying conditions, ten provinces with varying ability to pay, ten provinces whose producers were in varying conditions of prosperity, so to speak. And I do not want anyone to tell me that Mr. Greene meant that no province, feeling their producers were being unjustly dealt with, that they, the provincial governments, could not step in and correct that uneven balance. There is nothing in the world to hold back my hon. friend. He knows it quite well and yet he argues for days in this House that because Mr. Greene said he was involved, he was totally involved. And because Mr. Greene was involved in the federal government that carried with it a prohibition so far as the provincial government's doing anything about it. And then my hon. friend comes to the question of subsidies and he frowns on them with that learned and that benign look that he can get on him sometimes when—

**Hon. Mr. Stewart:** Well, I cannot help my looks.

**Mr. Oliver:** You would really think he was a statesman instead of a politician, but he says he just cannot stand subsidies. Subsidies are not new in this province, Mr. Chairman, and my hon. friend knows that.

I think if a government of a province that has the good and the just treatment of its farmers or any other segment of the population at heart, sees that the payment of a subsidy—be it temporary in character or of long duration—is going to remedy an injustice, it is bound to give that subsidy in order that justice might be done and that an element of equality shall enter into the price structure picture. For years, in this province— and my hon. friend knows—for years in this province we had subsidies on agricultural products. It is not a new thing. It is not something that my hon. friend should abhor, should shy away from if he feels they are justified.

Now, sir, that is the thing. We had subsidies for years on sugar beets, hogs, cheese and wool and maybe some other products I cannot think of at the moment, but they were kept on for years by the Liberal administration prior to 1943 and one of the first acts—

**Hon. Mr. Simonett:** What happened then?

**Mr. Oliver:** Now, if the Minister wants to make a speech, he can just get up and make it.

One of the first acts of the Tory government when they came in after 1943 was to eliminate these subsidies; holus-bolus, they struck them off the list. Now, just because it is Tory philosophy that subsidies should not be paid in a crisis of this character, that should not deter my hon. friend, who is a statesman rather than a politician, from rising to the occasion and meeting the challenge that is presently before him. I say to you, Mr. Chairman, that the need is there.

Now my hon. friend says "national dairy policy in Canada, God bless the federal government, they have taken another load off my shoulders. They have done it repeatedly. I do not know why they should be so generous to one who does so little for himself and for the people." They have taken that load off his shoulders. Then he says, "What about Quebec? If we should raise the price of milk in Ontario, all the heavens would break loose and I don't know what would happen." Let me say to my hon. friend—and I am sure he knows this—he is working, and I believe genuinely trying to effect an accord with the province of Quebec. That will come in the course of time, just as the provisions of The National Dairy Act at Ottawa will come into effect and be felt. I say to you tonight that in the interval—and the way this government acts, heaven knows how long that interval will be—until you get an accord with the province of Quebec, you have not a leg to stand on when you say that this province should not pay a transportation subsidy to the producers of manufactured milk. Not a leg to stand on.

Now, my hon. friend says about the protests of the farmers; I want to say a word about that. I say on behalf of my friend, the hon. member for York South, and on behalf of myself, it is not the NDP who are organizing the farmers; it is not the Liberals. You know who it is—it is the farmers of this province, no matter what their politics might be. It is farmers who have become so disgusted, so full of despair, so lacking in confidence that this Minister of Agriculture and Food is going to do anything for them, that whether they are Grits, Tories or NDP, they are riding their tractors and I presume they will keep on riding them.

Now then, let me say this to you, Mr. Chairman, and this goes for the Attorney General too, it is all right to say "It is not very nice for you to be driving tractors on the highways." Now, I am not so sure that I like the idea particularly, but I want to say this to you who are so steeped in toryism on the other side of the House—it is pretty hard for farmers to effectively protest. It is not nearly as easy as it is for a labour union to picket a plant; not nearly as easy.

What are they going to do? Dump their milk in the streets or on the sideroads, let their hogs grow too fat? How do farmers protest? I think there is a point here—that even though there is some validity in the argument that streams of tractors along the roads somehow impede traffic, I think the people of this province are prepared to recognize that in this method of protest the farmers have built up what in my judgment is about the only way they have of effectively protesting. Do not let me hear pious words from across this House, blaming the farmers for protesting the way they do.

And then yesterday there was some suggestion made that all farmers were not in favour of this. I do not suppose they are all in favour, but the point I want to leave with the Minister, just in case he has missed the point, is this—that most farmers are in favour. There are some farmers who are not in favour of the methods being employed; there are damn few farmers who are not in favour of the cause that is being espoused.

The division that exists is not as to the cause but rather to the method employed to demonstrate and to make sure that the people know what they are after.

I was interested, quite interested, in respect to this tractor demonstration to read the *Daily Mercury*—and it is not a paper that usually says anything against the government; if it does, it is a mistake or else from deep convictions—and the last paragraph of their editorial on Saturday, June 25 was this, and I just read the last paragraph:

> If this rather drastic for farmers—

I mean farmers are not usually drastic, and so the editorial says:

> If this rather drastic for farmers action is a little unorthodox and disturbing to some people, in the light of the buck-passing do-nothing attitude displayed by the Minister of Agriculture, it is easily justified.

That is from a Tory paper. I just say this as I sit down—

**Mr. McKeough:** What did the Toronto *Star* say?

**Mr. Oliver:** How about the Chatham *Daily News*?

**Mr. Singer:** Yes, that is a good point, too.

**Mr. Oliver:** I would just say to my friend, the Minister of Agriculture and Food—and of course he would not accuse me of being political—that that is the picture as I see it from a non-political point of view.

What I would say to you, my friend, is this, and I mean it in all seriousness, that I have lived through a number of agricultural revolutions. I remember the one back in 1920. I would say to my friend tonight, unless he gets down off his high horse and meets, in a measure at least, the requirements, the needs, the just demands of the farmers of this province, he will have brought down around himself and around his government the greatest farm disturbance since 1919. I want you to remember that.

**Mr. MacDonald:** Just a little bit of action to—

**Hon. Mr. Stewart:** Well, Mr. Chairman, I always like, as I have said before, to listen to my hon. friend from Grey South speaking.

**Mr. MacDonald:** What about the issue?

**Hon. Mr. Stewart:** We will come to the issue. I would like to say just a word about this, because to me there are principles involved. You may say that I am talking statesmanship instead of politics.

**Mr. K. Bryden** (Woodbine): You are talking—you are talking nonsense.

**Hon. Mr. Stewart:** Well, that is for one thing sure, you never talk anything else but nonsense! Let me say that for the record.

My friend from Woodbine makes those kind of cracks—it is pretty well illustrative of the time that is lost in this House by listening to him.

Let me say this regarding the $4 milk price. When does one really decide when there is a firm price for milk established? I want to know because, you see, we through the very best and sincerest of efforts of the federal Department of Agriculture officials, The Quebec Department of Agriculture and ourselves, with the support of the dairy farmers of Canada and with the support of the farm organizations of the province of Ontario, arrived at the $4 milk price. That was to be the price.

As I said yesterday, that was the utopia. Never before had it been achieved. This was to be it. That price was established. It is being paid this year in the province of Ontario But after it looked as though it was to become a reality, one farm organization jumped into the picture and said they wanted $4 at the farm, not $4 at the plant. When are we to decide when the firm price is set by the national government?

My hon. friend talks about the national dairy commission that was introduced by Mr. Greene, and he certainly has not overemphasized it at all. I believe that Mr. Greene is doing the same thing for the dairy industry that was done by Prime Minister Bennett for the wheat business of this country when, in 1935, he brought in The Wheat Act and established the national wheat board.

You do not see one province buying against the other, paying premiums on the production of wheat, not even in the great province of Saskatchewan that for 20 years existed under a government that was of a socialist nature, who are supposed to want to pay subsidies to people and who, according to the leader of the socialist party here, would be paying subsidies. Why did they not pay subsidies to the wheat farmers of western Canada under The Wheat Act, which is essentially the same thing as is proposed here?

**Mr. MacDonald:** That is a specious—

**Mr. Bryden:** Wheat is an international commodity.

**Hon. Mr. Stewart:** Have you not heard, my friend, that milk is an international commodity? Or did you not ever hear that it was marketed beyond the borders of Canada? Have you never heard that before? Is it just coming to your knowledge tonight?

Interjections by hon. members.

**Mr. Chairman:** Order.

**Hon. Mr. Stewart:** I would ask, Mr. Chairman, what really is an injustice? My friend from Grey South talked with great eloquence about injustice. What is the injustice? Is it 25 cents a hundred? Is it $5 a hundred? How much is it? Let me know.

**Mr. MacDonald:** The arrogance of this government is the—

**Hon. Mr. Stewart:** There is no arrogance to this government whatever. I have told the farm union and I have told every farmer in this province through every media that I know of to get to him, that I am working towards this on a national basis of $4.25 for milk at the plant. I have never moved away from that position; I intend to go on doing it.

We arrived at a $4 price, but in the middle of the stream, you see, my friends decided that we should change the policy that was laid down specifically by the federal Minister of

Agriculture when he said: "I do not want anything to happen that will jeopardize the position of the surplus stocks that we can develop in this country. And it can happen, believe me. It happened before and it can happen again and I think we have to be cognizant of this.

**Mr. MacDonald:** Excuses, excuses.

**Hon. Mr. Stewart:** My friend the leader of the socialist party says excuses, excuses. This is it. He would have us jump right in and throw money in all directions without first of all trying to resolve the issue on a sound basis. That is his idea of leadership.

**Mr. MacDonald:** Nonsense.

**Mr. Oliver:** I wanted to ask my friend if he considers that the possibility of a surplus in milk products is sufficient justification for keeping the price of manufactured milk at a ruinously low level?

**Hon. Mr. Stewart:** No, I do not.

**Mr. Oliver:** Well, then –

**Hon. Mr. Stewart:** For this simple reason, I maintain today, as I did yesterday and every day that I have spoken on this issue, that if all the people of Canada are to benefit from cheap manufactured milk products, then all the people of Canada have the right to pay for that and not the people of Ontario. That is what I believe. I would say to my hon. friend, as well, that no one in the House recognizes his tremendous persuasive abilities any better than do I. I wonder if he would care to use those persuasive abilities on his cohorts at Ottawa to suggest to them –

Interjections by hon. members.

**Hon. Mr. Stewart:** Now just a minute. Do not get yourself in a –

**Mr. Oliver:** I have taken you three-quarters of the way, surely you can go a quarter yourself?

**Hon. Mr. Stewart:** Just let me say this: Would my friend suggest to the people at Ottawa that if this matter of a national price is not satisfactory, would they not consider setting the price at a national level that would be satisfactory, and what would that national figure be? Would it be $4.25 or should it be much higher than that?

I would like to say that if he is suggesting to us tonight that we establish a subsidy war with other provinces, then to me this is not indicative of the kind of leadership that he has provided in this House before. This is exactly what you are suggesting. This is it.

**Mr. Spence:** Mr. Chairman, may I ask the Minister a question?

Actually, the farmers are going to get $3.75 a hundred, the manufactured milk producers of this province. The Minister of Agriculture of this province is an exceptionally outstanding farmer. He has got around him the top officials in this province, and economists. Can he tell me if a manufactured milk producer can exist on $3.75 with the price of land, the taxes, the increased taxation, the cost of machinery, the cost of living, and live like the average individual of this province of Ontario?

**Mr. J. F. Edwards** (Perth): Where did you get that figure?

**Hon. Mr. Stewart:** This is a matter of comparison. There are men, who as I read out of those figures, are here – and I can read them into the record again tonight – from The Department of Agriculture and Food farm records. That would indicate that there are dairy farmers that last year showed a remarkably fine labour income. But on the same basis as sale of the milk products, manufacturing milk, there were other farmers who lost money, even in the same community selling to the same market. What does this indicate to him? Does this not indicate management has a very large factor in this thing? I think we have to recognize, as well, that there are not only differences in management ability, in types of farms and types of soil, in the labour that a man may have around him. I do not know how one actually determines what it costs to produce 100 pounds of milk. I think you could take 100 farmers and you could have a variance to a very great degree in the cost of producing milk among those 100 farmers, and I am sure that the hon. member realizes this, so I wonder sometimes about this $4 price that we talk about at the plant. This is what the milk marketing board wants – the right to have control of the transportation of milk. They are opposed to this business of milk being sold on the farm basis; they want to control it through the plants, because they want to have direction when they get to this stage. But remember that this milk marketing board has only been in operation for four months. They were only appointed last September and I would think the progress that they have made is simply fabulous in the

time that they have been in operation. They are working toward these goals.

I am not suggesting for a moment that I am shirking the responsibility of trying to get $4.25 for milk; I am still working on this and I hope to have more favourable information. I am not as pessimistic as the hon. member for Grey South.

**Mr. Oliver:** The farmers will starve before you do.

**Hon. Mr. Stewart:** I am not as pessimistic in that as the hon. member is. I would hope that we would be able to arrive at a more satisfactory resolution of the subject, but I am impressed as well by my hon. friend's persuasiveness that the provincial government should get into this matter of subsidization of manufacturing milk. I am afraid that he does not realize what this could do to the national overall picture of milk marketing in this province. I am concerned about that, and I think he can understand my concern about this. I feel that it should be a national-interprovincial affair, but as I say, we are working toward this and very actively, too, I can tell you.

**Mr. Ben:** Mr. Chairman, I should like to ask the Minister a few questions.

Is any derivative from sea weed used in the manufacture of ice cream?

**Hon. Mr. Stewart:** I did not catch the question, Mr. Chairman.

**Mr. Ben:** Is any derivative from sea weed used in the manufacture of ice cream?

**Hon. Mr. Stewart:** Not in a regular ice cream product. It could be used in the substitute product, and there are plenty of those substitute products on the market. But I am talking about ice cream itself as it is manufactured under the regulations of the dairy branch.

**Mr. Ben:** I am referring to what is advertised as ice cream to the city dwellers. Is there any substance derived from sea weed used in the manufacture of the product called "ice cream"?

**Hon. Mr. Stewart:** It is not a substitute for butterfat, but it could be used—

**Mr. Ben:** Is there any substance derived from sea weed used in the manufacture—

**Hon. Mr. Stewart:** It could be; I do not know.

**Mr. Ben:** Is any cornstarch used in the manufacture of ice cream?

**Hon. Mr. Stewart:** I really do not know. I can ask my officials, "Is there?" or "Is there not?" I never got into the field of manufacturing ice cream; I just enjoy eating it and I have never had any ill effects from it, believe me.

**Mr. Ben:** Did, or did not, the Minister make a statement in this House saying that he felt compelled to rebut the impression that I had created that vegetable products are used in the manufacture of ice cream? Did the Minister go out of his way to point out that vegetable products are not mixed with dairy products?

**Hon. Mr. Stewart:** I said that soy bean oil was referred to by the hon. member as a fat substitute in the manufacture of ice cream some time ago, and I said that soy bean oil was not allowed to be used in the manufacture of ice cream as a fat substitute. I did not say that there were not other things in the manufacture of ice cream.

**Mr. Ben:** With all due respect, I used the words "soy bean oil." The Minister made a statement that vegetable substances could not be mixed with dairy substances, and I thought that I must correct this—lest a false impression be left by the Minister of Agriculture.

Now, I have one other question for the Minister: why does a 2.5 gallon tub of ice cream which four or five years ago weighed 14 pounds, weigh only 10 to 10.5 pounds now?

**Hon. Mr. Stewart:** Mr. Chairman, I will have to take that question under advisement. I really do not have the answer to that.

**Mr. Ben:** I will tell you why; it is full of the same air you are filling this chamber with.

**Mr. R. Smith** (Nipissing): Mr. Chairman, earlier the Minister stated that a fluid milk plant for a milk distributor must file a surety bond at the time he obtains his licence. Are there any fluid milk plants presently operating in the northern part of the province which have not filed a surety bond?

**Hon. Mr. Stewart:** The fluid milk distributors without a surety bond—is this the case? I understand that there are some, and they are under investigation at the moment.

**Mr. Smith:** I understand that they were licensed on April 1, is this correct?

**Hon. Mr. Stewart:** They were licensed on June 1, I understand.

**Mr. Smith:** In other words, if this is the case right now, the farmers in that area who are supplying milk to this distributor are not protected for payment unless the bond has been purchased and filed. I find that there are some milk producers in my area who are under this disadvantage at the present time, and I wonder if the Minister could comment on this.

**Hon. Mr. Stewart:** Mr. Chairman, I am afraid that I misinformed the hon. member. I am advised that the date of issuance of licences is June 1, but the actual licence has not been issued to these plants and the producers have been so advised.

**Mr. Smith:** What do the producers in this situation do? Do they ship to this distributor at their own risk?

**Hon. Mr. Stewart:** Yes, they do.

**Mr. Smith:** What steps are taken in the meantime to revoke the licence of a distributor who puts the producer in this position?

**Hon. Mr. Stewart:** He has not got a licence to carry on.

**Mr. Smith:** If he is still carrying on, then what steps does the government take?

**Hon. Mr. Stewart:** Do you suggest that they should be closed down?

**Mr. Smith:** I am just asking you what steps you intend to take?

**Hon. Mr. Stewart:** And I am asking you. Do you think—

Interjections by hon. members.

**Hon. Mr. Stewart:** —they should be closed up right now.

**Mr. Smith:** I am not the Minister of Agriculture. No, I do not suggest that.

**Hon. Mr. Stewart:** You do not suggest that? You say leave them open and let the producers continue to ship to them and let them continue to distribute milk?

**Mr. Smith:** What steps are you taking to protect the farmer in this case?

**Hon. Mr. Stewart:** There is no protection other than the fact that he has no other market to ship his milk to in that particular circumstance.

**Mr. Smith:** I know he has not, and this is the problem.

**Hon. Mr. Stewart:** Exactly. Do you suggest that those plants should be closed? I told you that they are under investigation, and that we are trying to get them bonded and properly licensed to carry on. In the meantime are you suggesting that those four plants should be closed and those distributors denied the right to distribute milk to their customers and the producers denied the right to sell to those dairies? Is this what you want?

**Mr. Smith:** I would suggest to the hon. Minister that as far as the consumers are concerned, there are plenty of other avenues from which they could obtain the product. But as far as the farmer is concerned, he is the one in whom I am interested, and I think he should be given some protection by the government.

**Mr. S. Farquhar** (Algoma-Manitoulin): Mr. Chairman, there are two or three more questions that I would like to get into.

I do not accept the proposition, of course, that the government does not have some responsibility to upgrade price. I am sure that they could to help out the manufacturing milk producer. I do not think that there is any real excuse not to help out the farmers in this position. But one of the points that concerns me in this matter is that one of the stated aims of the milk commission was to narrow the differential between manufacturing milk and fluid milk.

Next Friday—Friday of this week—the price of milk in northern Ontario is not $5.75 but $6.32, for fluid milk. In other words, in northern Ontario—and I would say that it is probably quite justified in some of the major cities—but the consumers in northern Ontario are asked to pay three cents more per quart of milk than they are in southern Ontario, starting next Friday. As a farmer, I should be the most delighted person in this House; but, as a farmer, I also know that when the industry is able to buy manufactured milk—milk for manufacturing purposes—for $4, the fluid distributors are forced to pay $6.32 on that particular day. There is no question about that. It may not a long-lasting thing, but at that point, certainly, there is going to be the same condition develop as we had in the north.

Certainly there will be an influx of manufactured products into the north again; and certainly, on that day, and from there on,

the farmers' quotas will drop. There is no question about that.

Now, I just want to get some comments from the Minister in connection with this particular situation that is developing once more. If the manufactured price could have moved along with it—if the gap could have even been maintained, rather than widened once again—the fluid milk distributors in northern Ontario could likely have maintained their equity in the industry. They are going to lose it once again. There is no question about that—$2.32 with the resulting difference in retail prices of manufactured products and fluid products. There is no question about where the consumer is going to buy his product. And there is no question, by that token, that the farmer loses. He gains 46 cents more a hundred for less hundred pounds of milk. And that will be the situation beginning Friday, July 1.

I would like to know if the Minister really feels justified that this is the proper thing to do. First of all, does he think that the original differential between southern and northern Ontario has any real merit any more in this day and age?

**Hon. Mr. Stewart:** The hon. member is asking questions that are the prerogative of the milk marketing board. You suggested that this is a matter for the commission. This is not the prerogative of the commission; this is a milk marketing board responsibility. If the hon. member is not satisified with the price that the milk board has set for manufactured milk or for fluid milk in northern Ontario, then I think it is up to him to ask the milk marketing board, and suggest that to them. They have regular meetings; they can be easily reached. You can say those things to them. It is not my responsibility to tell them what to set the price at, as was abundantly illustrated in this House tonight.

**Mr. Farquhar:** Mr. Chairman, I do not quite agree that the Minister cannot take some responsibility. This is a matter of policy.

**Hon. Mr. Stewart:** No, it is not my policy. Mr. Chairman, I take strong exception to that. I am sure my hon. friend does not leave the impression that it is the policy of the Minister of Agriculture and Food to set the price with the milk marketing board and the commission. I have vehemently denied tonight that I have any relationship with the establishment of their prices or policy. I maintain that independence and I shall continue to do so.

**Mr. Farquhar:** What is the real difference in the policy of raising the price to one segment of the industry and refusing to raise it in the other? That is part of the same policy, is it not?

**Hon. Mr. Stewart:** But it is the same board that sets it.

**Mr. D. A. Paterson** (Essex South): Mr. Chairman, on this vote I have two brief questions of the Minister.

First, I wonder in the short life of this milk commission if the Minister can comment on the position of Essex-Kent and possibly Lambton counties as the pilot projects or pilot pool for the province? Secondly, could the Minister outline the safeguards or insurances that processing milk purchased in one part of the province is not transported by the large companies into the fluid milk markets and re-sold at that price without full payment to the farmers who have produced that milk of top quality?

**Hon. Mr. Stewart:** This again is a milk marketing board prerogative. It is their decision as to when they decide to pool the milk in any given area of the province. As I understand it, they have already appeared before the milk marketing board to make their presentation.

**Mr. Paterson:** To answer my second question about what safeguards the department takes that processing milk is not sold in the fluid markets without the farmer receiving the fluid price: I have heard rumours in my area that milk is coming into Essex county from outside and it is possibly being purchased at the lower price and then being sold as fluid milk in the bottling trade.

**Hon. Mr. Stewart:** Now, this is a responsibility of the dairy branch audit section. They check the accounts of all the dairies, sir, to take care of the very situation that you relate.

**Mr. Chairman:** On vote 104?

**Mr. Gaunt:** Mr. Chairman, unfortunately the member for Brant cannot be here tonight. He left me some figures concerning the Brant county farm management, similar to the programme carried on by the Bruce county farm management people. The member for Brant asked me to relate them to the House and I will do so at this time.

**Mr. Chairman:** Is this under the dairy branch?

**Mr. Gaunt:** Yes, of course. They had 30 people involved in the dairy specialty end and those people had a net return for labour of $3,200. They had 15 people in the general dairy branch, or the manufacturing end, and they had a net labour return of $600. I just want to relate for a moment those figures to a statement that was made by Mr. McLaughlin, the chairman of the milk marketing board, at a recent meeting when he said that it will be, in his opinion, roughly two years before we will have pooling in the province. He was thinking in terms of the machinery required to make pooling effective and efficient. In that light he said that he thought it would be approximately two years.

I am wondering, in view of that, and in view of the fact that presumably at that time we will have a better return to the dairy farmer—not only to the fluid shipper, but also to the manufactured shipper—if our point still is not valid that in the interim the provincial government should give further consideration to the 25 cents that we have been talking so much about tonight. Well, so much for that.

**Hon. Mr. Stewart:** Mr. Chairman, could I ask the hon. member how much would be the average production of those $600 income farmers? Have you any idea? Do you happen to have it?

**Mr. Gaunt:** No, I do not. I have the net income for the general dairy farmers.

**Hon. Mr. Stewart:** It does not relate it to pounds?

**Mr. Gaunt:** No, it does not.

**Hon. Mr. Stewart:** Do you happen to have the average number of pounds?

**Mr. Gaunt:** I do not have those figures. I have the average net income, which was $2,255 for the 50 farmers involved, and then a figure of 5 per cent on the average investment was deducted from that to get the net labour income. That comes to $600. I am sorry I do not have the other figures available.

However, I just want to turn for a moment to another question related to the dairy industry and that is the milk testing system, or the basis upon which we test milk in this province. There have been discussions and arguments, pro and con, as to whether milk should be tested on solids not fat, or on the butterfat basis, as we are now doing. Considerable progress has been made in the direction of testing on the basis of solids not fat. A machine has been installed at the University of Guelph. With the introduction of this machine — I believe it is called "Irma," some feminine name like that — comes a real step forward in putting on a speedy basis the testing of milk for solids not fat. I believe after the introduction of this machine there was considerable discussion and talk and this policy was discussed at all levels, I believe, as to whether consideration would be given to milk testing laboratories centrally located. I want to ask the Minister if anything further has been done on this subject.

One other matter that I want to mention is the cream quality improvement programme. I believe last year that this was extended to cover producers who ship to roughly 90 of the province's 150 creameries. The programme has obviously been successful and I am just wondering if this programme is going to be extended right across the province in view of its obvious success.

**Hon. Mr. Stewart:** The programme on cream quality is being extended right across the province. There has been wonderful co-operation with the cream producers' association and the cream producers' marketing board. This programme has been well accepted and is moving across the province.

Now, with reference to milk testing — the "Irma" machines, as my friend referred to them. They have reached the stage where I believe they are almost acceptable to the dairy experts as far as perfection is concerned. I would hope that as soon as that can be absolutely established, we in the dairy industry would — and of course this is a prerogative of the milk marketing boards as to when they want to establish central testing laboratories—but this looks like the closest thing we have ever come up with to getting an acceptable way of doing this. That machine will measure — other than butterfat — solids not fat, lactose, proteins and whatever. Perhaps we are arriving at the place after years of study and investigation; the milk composition study that has been underway for a number of months at the University of Guelph is nearing completion. So I would feel we are on the verge of a major breakthrough in this particular area. I would hope some day, quite frankly, that we would arrive at central testing. I think it would be to everybody's advantage.

Vote 104 agreed to.

On vote 105:

**Mr. Paterson:** Mr. Chairman, there is one item I would like to bring up under salaries. In the extension branch — I assume that is where the agricultural representatives would fit into the picture — with the more complex nature of agriculture as existing today in the fact you have to have men versed in tiling and greenhouse work and farm construction, labour housing standards, is the department trying to attract more engineering staff into these agricultural representative offices? I know in Essex county we have one engineer on the staff and it has been expressed to me that we could stand the services of another engineer in that area.

**Hon. Mr. Stewart:** Well, the hon. member has raised a very valid point, one that we would like to see relieved. We are two short, I believe, in our extension engineers. That is, extension engineer specialists. I believe the extension branch has hired some two-year students or undergraduate students to help out in the summer months doing some of the leg work under the specialist that we have working to relieve the situation.

Agricultural engineers are exceedingly scarce. I would hope that members of the House would take it upon themselves to try to interest some of the young men of our rural communities who have an aptitude for this kind of thing to get into agricultural engineering. There is tremendous demand for them.

**Mr. Gaunt:** Mr. Chairman, I am just wondering if this is the vote under which we would discuss the crop loss programme?

**Hon. Mr. Stewart:** Yes.

**Mr. Gaunt:** Well, in a question to the Minister on March 31, I asked him how many coupons were issued in the drought and crop loss assistance programme and his answer was 399,906; I asked him how many had been used to date and his reply was approximately $4 million worth. I did some arithmetic and figured out roughly that two-thirds of the coupons that were issued were used. In other words, there was a third of the coupons yet to be sent in at that point. I am just wondering about the rest — have all the coupons come in or is there still quite a large number of them out in the field?

**Hon. Mr. Stewart:** There has been surrendered to date 356,278 coupons with a value of $9,693,009.62. Now then, we issued 398,687 coupons, so it would be roughly 35,000 coupons not yet surrendered.

**Mr. Gaunt:** Further to that, I suppose in the normal course of events it would follow that all of the coupons will eventually be surrendered? If they are not, there is obviously something wrong because this is a programme under which financial assistance is given and it would seem to follow that all of them would be turned in. When is the date upon which the effectiveness of this programme runs out?

**Hon. Mr. Stewart:** The coupons cannot be used after May 31 and we have asked that all of the accounts be submitted by the middle of June, which is now past. There have been some coupons returned and not used, just sent back in. As a matter of fact, there have been some cheques returned not cashed by farmers. I think it is a pretty conscientious type of farmer who would do that, but this has happened. Not necessarily all the coupons may be returned; there may have been some destroyed or not used or what-have-you. I do not know whether we will get them all back or not, but we have asked for them back. In any event, I have given the actual number returned and the actual amount of money spent.

**Mr. Gaunt:** The programme has ended then, for all practical purposes?

**Hon. Mr. Stewart:** Well, there is just the odd one coming in. I do not think we want to cut them right off promptly but we have asked that they have them submitted by the middle of June. They have not been cut right off yet.

**Mr. MacDonald:** Mr. Chairman, during the course of the year I received correspondence from Union de Cultivateur Franco-Ontarien with regard to representations made to the government in connection with the Alexandria office, pointing out that three-fifths of the farmers in the area are French-speaking—some of them do not speak English at all—and requesting that an assistant agronomist or bilingual agronomist be appointed to that office. This strikes me as being a fair enough request, particularly from a government which has espoused the cause of bilingualism in this province. I was wondering if the Minister can tell me whether or not this request has been met.

**Hon. Mr. Stewart:** We have seven on staff now, agricultural representatives who are bilingual, along with Romeo LaRue, who is the assistant director at the branch in northern Ontario. There are two under training

now—that is, bilingual people, who are under training now.

Here again there is a very great shortage of qualified bilingual agricultural representatives. We just have not been able to find enough of them. We are attempting to do the very best we can and have hired these people and are training them to bring them up to the standards required for agricultural representative service.

**Mr. MacDonald:** In other words, the Minister intends to heed this request when he has the personnel?

**Hon. Mr. Stewart:** Oh, yes, absolutely. The people have been so advised.

**Mr. Gaunt:** Mr. Chairman, I just want to say a word on this vote in connection with our extension people. All of the extension people that I have known over the years have been hard-working conscientious individuals. As a matter of fact, I often wonder how they bear up physically under the demands that are placed upon them. I can think of a number of agricultural representatives with whom I have come in contact over the years and it seems to me that almost every night, even in some cases on weekends, they have meetings to go to. They are secretaries of this organization and that organization and it just gets to the point where I sometimes wonder how the physical being can actually stand the punishment.

Now I am not suggesting for a moment that the agricultural representatives should stop acting as secretaries of breed organizations and stop going to rural and urban meetings, because I think they perform a real public relations function. They can be, and are, in a position to put the farming case and the lot of the farmer into the proper context. I wonder if, in fact, the Minister is giving consideration to adding to the complement of staff that makes up the extension branch people throughout the province in order to alleviate, in part, some of the pressure that they have to withstand. I am thinking of a lot of secretarial work—perhaps some secretary with a good working knowledge of an organization could fulfil much the same function and it would relieve, to a certain extent, the ag. rep. and perhaps his assistant in this area.

**Hon. Mr. Stewart:** I could not agree more, Mr. Chairman, with what the hon. member has said, because I think if there is one overworked person in rural Ontario today, it is the agricultural representative and I would go one step further than has he. I have taken the liberty of suggesting to them at their conference that they should abandon the secretaryships of many of the breed organizations and local jobs that they have to do. It seems to be foisted on them because they have the ability and a typewriter and a secretary in the office to do the work that, piled end on end, amounts to a very great deal of time-consuming effort.

I hope that many of them have done just this, but we do ask them to be secretary of the local crop improvement association and the local beef improvement association. I think that these are two very important functions that they can perform that have a very wide coverage within the counties and districts in which they serve.

We have made provisions in the estimates for hiring six additional secretaries and three diploma graduate field men in an attempt to try to relieve some of the work load on our agricultural representatives.

From a standpoint of being able to accomplish work, I think that many of these undergraduate people who have been employed will relieve the pressure on agricultural representatives. The point the hon. member presented is exceedingly well taken and we are proceeding along those lines.

Vote 105 agreed to.

On vote 106:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, I notice under vote 106 that co-operatives are an item which are covered under that particular vote. I would like to deal briefly and succinctly, I hope, with the affairs of Farmers' Allied Meat Enterprises Co-Operative Limited and the report of Mr. Justice Campbell Grant on the inquiry into the affairs of that co-operative.

Mr. Chairman, you recall that on March 9 last, during the immediately preceding session of this House, Mr. Justice Campbell Grant was appointed a commissioner to inquire into various matters dealing with FAME and that he reported on August 19, 1965. The matters which are covered in his report are not matters which have as yet been debated in this assembly.

My friend, the hon. member for Grey North, has on occasion raised matters related to FAME and I am sure that if he were here, he would take part in this discussion. The aspect of it which concerns me, and I do not think that we need to dwell on the past history of the FAME operation, is the third term of reference which was given by the government to Mr. Justice Campbell Grant, in which he was directed to investigate,

inquire into and report upon the relation of Farmers' Allied Meat Enterprises Co-Operative Limited to the farming community and farm organizations. I think it is pertinent to the remarks, Mr. Chairman, that I wish to make, to refer to two or three brief passages from the report of the commissioner.

The first of them is contained on page 104 of the report and refers to an article written by Ralph G. Staples, president of the co-operative union of Canada, writing under his pen name of "Ernest Page" on January 14, 1965. The commissioner stated that it appeared to express the feeling of many co-operative leaders in the following words:

THOUGHTS ON FAME

> There is a great deal we do not know about this subject. Perhaps it is too soon to write about it. There may still be hope that some of the money invested in it can be salvaged from the wreck but regardless of the final result, some comments are possible and pertinent.

If I may just digress, Mr. Chairman, we all know that at the moment there is little, if any, likelihood of any money being recovered or salvaged from the FAME operation and that FAME at present is in bankruptcy. I do not think that that detracts from the balance of the comments in the article to which the commissioner refers.

> FAME was a movement of protest rather than a co-operative approach to an economic need. The enlisting of members over much of southern Ontario could be explained in no other way. The apparent intent was to combat the monopolistic tendencies seen in the meat packing industry. FAME leadership exhibited a strong sense of social injustice rather than business sagacity of the type required for an endeavour of high complexity. FAME was quite unorthodox as a co-operative in its relationship with members; it could not serve its members as a co-operative should, for two reasons. Hogs had to be purchased through the Ontario hog producers marketing board rather than marketed directly for the member and moreover, there was no real hope of promptly placing plants within reach of all members even if the board had not existed.
>
> FAME was unacceptable to large elements of the co-operative movement in Ontario and toward the end it became an outcast. Financially responsible and substantial elements decided to make no serious attempt to save it from disaster. Why? Because they had no confidence either in its leadership or in its programme and had apparently concluded that a wreck was inevitable.

Mr. Chairman, there then appears, in parentheses, a question raised by the writer of this article which goes on to say:

> One could ask what was the proper role of government in the FAME disaster. With so many Ontario farmers faced with such a loss, would it have been too much to expect the government to place the plant under trusteeship and provide the necessary backing until the organization has found its feet?

He leaves that question unanswered. I will revert later to some comments directed to what perhaps the government has done and can now do in the situation of FAME.

It goes on to say:

> Surely it is apparent that the co-operative movement cannot afford this sort of debacle. No wonder there is lack of confidence in the co-operative idea. The movement must simply learn how to draw itself together to the point where it can consider proposed co-operative programmes in a comprehensive manner and indicate clearly those which have approval. This would stop most ill-considered schemes but groups which might insist on proceeding with unapproved programmes of co-operative development would do so more cautiously, prospective supporters of such programmes would be more careful and, most significant, the co-operative movement would have acted in a thoroughly responsible manner.
>
> The autonomy and independence of the various units in the co-operative movement are a source of great strength and we would not see it otherwise but it is necessary to ensure that independence does not mean irresponsibility. There are ways of achieving self-discipline which are not incompatible with freedom.

That is the end of the quote which the commissioner felt succinctly and adequately expressed the views of a great many people in the co-operative movement about the FAME operation.

Mr. Chairman, without dwelling on the details of the FAME disaster, the fact was that a down payment of $1,500,000 was made by FAME for the shares of the Fearman company and a note for $1 million was given for the balance which was to fall due in a short period of time. The note fell due; the shares had been hypothecated to Mr. Gunnar, the vendor of the shares, as a pledge to

secure the payment of the $1 million additional balance of the purchase price. When FAME defaulted on that note, Mr. Gunnar ended up with $1.5 million, plus the shares of Fearman. Therefore, he had made on the transaction, through FAME failing to meet its contract, a $1.5 million capital surplus, or capital profit. I would like to point out, Mr. Chairman, that the commissioner goes on to say that Mr. Gunnar has no right whatsoever to keep those shares.

What the commissioner says is that retaining the shares and taking control of the company, that is the Fearman company, does not make Mr. Gunnar the absolute owner of the shares in question. The agreement of hypothecation provides that in default, he is authorized to sell such shares and to apply the net proceeds thereof on payment of such note, that is the $1 million balance owing on the contract for the purchase of those shares. He is, therefore, obliged to offer such shares for sale and I emphasize, Mr. Chairman, that sentence in the commissioner's report. He is obliged to offer such shares for sale. Any surplus that he may recover over and above what is owing to him by FAME, including any moneys properly paid out by him in the operation of such business since December 1, must be repaid to FAME in view of the amount owing under the agreement of purchase and amounts paid by Gunnar to assist FAME in carrying on.

Sufficient to say that it is unlikely that any substantial amount will be recovered from that source. In concluding his report, Mr. Chairman—and this leads me to the remarks which I want to make about the condition of FAME at the present time—the commissioner says, and this relates, I believe, directly to his third term of reference, that is the relation of Farmers' Allied Meat Enterprises Co-Operative Limited to the farming community and farm organizations:

> It is now realized that in the processing of meat there is no room for competition among co-operatives and that such a venture should be under the management and control of one organization. Such a plan would reduce the cost of management. It would also establish a greater unified force in providing competition and price maintenance in the area of purchasing livestock from the farmer. It would further enhance the continuity of steady markets for its finished product. It is also now appreciated that such a business does not prosper simply because it is a co-operative and has many members who will direct their livestock to its production. Business experience and ability in its management are essential to success in this highly competitive field of industry.
>
> It is recognized that in recent years there has been a steady growth in the co-operative marketing of other farm products in Ontario, particularly in poultry and dairy. In the area of processing livestock and marketing it to the ultimate consumer there appears to be a need of more capital, and the risk of making a profit is vastly increased. There are many members of FAME who realize that its failure is not an indication that the processing and marketing of such products by a co-operative group of producers is impracticable. They do not propose to allow the mistakes that were made to deter them. There is a determination that, despite the experience of FAME, attempts should be made to extend the processing of livestock so that it will be a decided force in maintaining the price of livestock at a steady and proper level in this province. There is justification for their ambition if the efforts to do so are guided by sound and businesslike leadership, and with the knowledge that a co-operative must not attempt to process all the product. Private enterprise is also essential to provide adequate markets for the farmers' products. It would be a great mistake to allow co-operatives a monopolistic grip on such industry. The latter will serve their members better by controlling such a proportion thereof as to provide adequate competition in the field.

Mr. Chairman, it would appear to me that the commissioner has seen fit to say to the government, in giving his report, that there was a very legitimate objective which FAME set out to achieve, that under proper and sound business management it is possible for a co-operative to engage in the business which FAME had attempted to enter, and that subject to certain qualifications about not adopting a monopoly position in the province of Ontario, it would provide, or a co-operative venture in this area of meat processing would provide, a very necessary corrective and protection for the farm community and for the farm organizations in maintaining the price of livestock in the province of Ontario at a proper level.

Now, Mr. Chairman, if the Minister would revert to the remarks as to just what the government of the province of Ontario could have done, or what I believe it now could do, if it were interested in doing so, I would simply say that the Minister, and, it appears, the government, has simply taken the position

on the FAME inquiry that now the report is in and FAME is in bankruptcy, that is the end of the matter.

Unless my present information is not up to date, I would suggest that there is merit in what Mr. Justice Campbell Grant said at the conclusion of his report, as to the place which a co-operative in the meat processing industry in the province of Ontario could play and a very necessary and valued place that it could take in that industry, from the viewpoint of the farm organizations and the farming community. One of the things which could now be done is for the government to inquire—and it may well be that the Ontario development corporation is the particular vehicle which should be used to make the inquiry—on a sound businesslike basis whether or not the shares of the Fearman plant can be acquired by the government and the Fearman plant leased on a sound, economic basis to the co-operative movement, or to some vehicle within the co-operative movement within the province of Ontario, so that the desired aim which the commissioner has stated in such clear and simple terms can be achieved. It would seem to me, Mr. Chairman, that if Mr. Gunnar, as the commissioner has stated, must of necessity sell the shares of the Fearman plant and if he now holds them, then I would believe in the light of the information which is set out in the report and the whole analysis of the Fearman plant that it would be possible for the Ontario development corporation, either alone or jointly with other interested parties, to participate in the purchase of the shares of the Fearman plant at a very substantially reduced price. In one way or another, it would have the benefit for the co-operative movement of the Fearman plant for the purposes for which Mr. Justice Grant concluded his report in replying to the last item of the inquiry.

I would suggest that it is incumbent on the Minister, now that this particular matter comes up under his estimates at this time, to comment as to what, if anything, the government is interested in doing about FAME. When it finally made the statement when the commission report was issued, it was all over; it was a poorly managed job and it was unfortunate, but it was now in bankruptcy and the government of the province of Ontario could not see itself in any way putting up any money of any kind to support such an operation. I think, Mr. Chairman, it is incumbent, now that the air is cleared, that the commissioner has reported on the place which the co-operative movement could play in the meat processing industry in the province of Ontario, has so neatly stated what that position is, and has categorically stated that Mr. Gunnar cannot keep the shares of FAME, that it is now up to the government to decide whether or not it can intervene. I would suggest that the government should give serious consideration to acquiring, at a very substantially reduced price from Mr. Gunnar, the shares of the Fearman plant. Mr. Gunnar will not get hurt in the operation. We must remember he has already got not only the shares of the Fearman plant, which he started out with, but $1.5 million in addition to that, plus certain additional amounts owing, if they were ever collected. So he is not going to get hurt in the transaction, but on some real substantial discount in price, it would be possible for the government to purchase the Fearman plant, and on some co-operative sound businesslike basis, lease that plant to the co-operative movement for the purpose of achieving the aims which Mr. Justice Campbell Grant considered to be worthwhile.

**Hon. Mr. Stewart:** Go ahead and speak. Do you wish to speak?

**Mr. MacDonald:** No, I want to hear what the Minister has to say.

**Hon. Mr. Stewart:** Mr. Chairman, as far as Mr. Justice Campbell Grant's report is concerned relative to co-operative meat packing plants, I believe the Ontario government has abundantly illustrated in the past six months its interest in maintaining the co-operative meat packing plant that is soundly managed and under good operation in the province of Ontario. I do not think that we need to go any further in displaying our interest in that than saying what I have said. As far as the opinions are expressed by Mr. Justice Grant in regard to the shares of the co-operative having to be turned back or offered to be turned back, I think this is a matter presently before the courts as I read the reports of the bankruptcy, trying to determine just what disposal must be made of those shares and what validity they have or what value they have in the bankruptcy that is now before the courts under process.

**Mr. MacDonald:** Mr. Chairman, I am not going to speak at length on this. I think my colleague has put the case in terms of the report of the commissioner and I fail to see why the government has not some moral responsibility. However, now is not the time to thrash through this rather sad story, but

perhaps it is the time to make a few comments in memoriam, so to speak.

No doubt in the final analysis, the calamity that befell FAME arose from the lack of business know-how involving those who were giving leadership to FAME. I would have no hesitancy in saying that, quite frankly, I do not think any of those involved would have any hesitancy in saying that. But having said that, Mr. Chairman, there are two rather sad lessons that emerge from this and I would hope that something can be learned from them.

The first one is that this government played a very questionable role from the very outset of FAME. Nobody raised more roadblocks in the progress of FAME than this government itself or through some of its agencies. You can go back to that episode on which we had pretty heated debates in this House, the belated intervention of the securities commission after they had, in effect, given their approval to the financial proposals or financial programme of FAME, with the result that they forced them to withdraw from their sale of bonds and go into the sale of shares after they had gathered a whole voluntary corps together. Quite literally the organization never recovered from that blow, which was a blow dealt by this government or an agency of this government, under influences that no doubt emerged from the trade by way of influential lawyers on Bay street and so on. So, this government at varying stages certainly did not assist, and indeed played a very positive role in creating the difficulties that ultimately resulted in the collapse of FAME altogether.

The other even sadder aspect of the whole thing, Mr. Chairman, is the fact that it did not get the support of farm organizations as a whole. I am not going to pause tonight to take time to assess why that did not happen. But, Mr. Chairman, I do not think that the agricultural community can sustain this kind of a blow very often without the whole of the agricultural community suffering.

I would presume to suggest to those in the agricultural community, whether it be in farm organizations or in the co-operative movement, who are willing to let FAME go down the drain so that 13,000 farmers lost all this money and the possibility of building, as the commissioner's report indicated, a valid extension—not just perpetuation of the existing co-op in Copaco—but an extension of the co-operative movement in the meat processing, this was all destroyed.

I suggest that the objective of FAME is not only valid, as the commissioner indicated but that the objective of FAME, if we are going to give the farmers some sort of a yardstick for measuring price in this field, will have to be established on a much broader basis whether it be an expansion of Copaco, whether, tragically, it could have been some sort of an amalgamation of Copaco and FAME, if that could have been worked out at some earlier stage, and so that they can work with Co-Op Federe in Quebec. They can work with the co-operative movement in the province of Nova Scotia, and you would have, throughout the whole of eastern Canada, a farmer-owned and controlled meat-processing chain which could not dominate nor establish a monopoly within the picture, but which at least would provide the farmers with some yardstick so that they could have some feeling that they were not the innocent victims of the operation of the meat packing companies.

Do not let the Minister or anybody else get up and pay tribute to the wonderful service that the meat packing industry makes, because there have been too many investigations by the combines offices in Ottawa to entertain any argument that they do not operate on a pretty ruthless basis, symbolized by the comments of the late J. S. McLean that they pay the farmer as little as they can get away with and they soak the consumer as much as the traffic will bear. That is business.

**Mr. E. A. Dunlop** (Forest Hill): Those were not his exact words, but at least it was honest.

**Mr. MacDonald:** If the member thinks I am misrepresenting it, I invite him to give the exact words.

**Mr. J. H. White** (London South): He said buy low and sell high.

**Mr. Dunlop:** I am not prepared to try and give the exact words from the basis of memory as the member is.

**Mr. Bryden:** He said he would buy low and sell high.

**Mr. Dunlop:** That, I think, is correct.

**Mr. MacDonald:** Is that any serious variation from what I suggested?

**Mr. Dunlop:** Quite considerable.

**Mr. MacDonald:** Quite considerable? We will leave the readers or anybody in the House who wants to assess them to see how serious

a variation it was on it. You pay the producers as little as possible and you soak the consumer as much as the traffic will bear. That is my version of it. That is my version of it and it is not an inaccurate version of it. I repeat, Mr. Chairman, some day the farmers in the province of Ontario have to have this kind of an objective realized. Quite frankly, I think the case the commissioner has made and that my colleague has presented in this House tonight is a fair case, and that this government has some obligation. To sit back almost gloating on the demise of FAME—not almost gloating, you could see it, you could hear it—as far as this government is concerned—

**Hon. Mr. Stewart:** Do not be so presumptuous and sanctimonious. That is absolute nonsense.

**Mr. MacDonald:** —on the part of the Minister, with the result that 13,000 farmers in the province of Ontario have lost $1.5 million. How, in light of the report of the commissioner, any man can walk off with $1.5 million in this fashion and the government supposedly is a protector and a friend of the farmers of the province of Ontario, simply defies my imagination. Yet it has happened.

**Hon. S. J. Randall** (Minister of Economics and Development): If Canada Packers had lost that kind of money for their investors—if they had bought a plant that lost $600,000 when they are not making money themselves and got into that kind of a rat race—would the member say that McLean had operated Canada Packers on a stupid basis? What the member is suggesting is that if the private investor loses his money, that is tough luck. But if the farmer goes into the private investor field and loses his, it is the fault of the government.

**Mr. MacDonald:** Exactly. You went in and bailed out Fairfield and you poured some thousands of dollars down the drain on that deal.

**Hon. Mr. Randall:** Do not be silly.

**Mr. MacDonald:** This was a group of farmers who are seeking to build a co-operative. They were entitled to some assistance instead of the roadblocks this government provided all along the line. Indeed, for years the argument we used was that this is a wrong venture; we already have a surplus of meat processing facilities in the province of Ontario. It is different down in Nova Scotia. They did not have it. I listened to those arguments and I read for years, this argument being repeated by Don O'Hearn in all his outlets in the province of Ontario. After this government, through its positive and its negative action and others conspired to see that FAME was destroyed, we see a multi-million dollar extension of meat packing being established in southwestern Ontario. So your argument has no validity at all.

**Mr. McKeough:** The member said that everybody conspired to make it fail.

**Mr. MacDonald:** I did not say that.

**Mr. McKeough:** The member just got through saying so.

**Mr. MacDonald:** I said that?

**Mr. McKeough:** That the government conspired.

**Mr. MacDonald:** Right. I have not said anything about the commissioner for the past five minutes, and I invite you to read the record. Let me say this as a final word. If the Minister wants to know why you have a feeling of unrest and ferment and revolt in the province of Ontario, it is not all concentrated in milk. It is concentrated in many things, and I would suggest, Mr. Chairman—

**An hon. member:** It is concentrated in the member's mind.

**Mr. MacDonald:** Mr. Chairman, it is not concentrated in my mind. There is the kind of arrogant, insensitive comment from a Tory over here. The whole attitude of the government toward the issue is arrogant. One of the reasons is there is a whole accumulation of protests.

**Hon. Mr. Randall:** Why should we agree with the member?

**Mr. MacDonald:** We have finally got that farmer from Don Mills aroused.

**Hon. Mr. Randall:** The member is not right all the time. He could be wrong once in a while.

Interjections by hon. members.

**Mr. Chairman:** Order!

Interjections by hon. members.

**Hon. Mr. Randall:** All you have to do is read Douglas of Saskatchewan and you will know what happened to your government in Saskatchewan—failure after failure.

**Mr. Chairman:** Order, please. Order! Order! Order! Just a moment, please.

**Mr. MacDonald:** Thank you, Mr. Chairman. It is so kind that you have assistance from the Ministers of the Crown who will deign to let the Opposition speak. The voice of protest must be muted in the face of this Tory arrogance.

Interjections by hon. members.

**Mr. MacDonald:** We have had many examples of it, Mr. Chairman. The simple point I was trying to conclude was that the Minister is mystified as to why you got rural Ontario in revolt and why the Guelph *Mercury* and the St. Mary's *Journal Argus* and lots of papers are saying that their revolt is justified. I submit that in quiet sometime, analyze the record of this government for the past number of years. One of the things that has created a sense of deep and burning injustice in not all of the 13,000 FAME shareholders, because some of them are more Tory than they were supporters of FAME; they fell along the wayside, but among those 13,000 there is an overwhelming majority who have a burning sense of injustice that this government played a very positive role in destroying what should have been built as a proud achievement of the farmers. They were entitled to get assistance from the government in building it. They did not get it and that, along with many other things, is creating a sense of protest. If the government is going to continue to be arrogant, if it is, and does not defuse the time bomb, as I described it, then they will have to reap the consequences some day.

**Hon. J. Yaremko** (Provincial Secretary): Some day your role in the loss of those millions will come out, too.

Interjections by hon. members.

**Mr. MacDonald:** I wonder, Mr. Chairman, if I might invite the Provincial Secretary to explain that oblique comment?

**Hon. Mr. Yaremko:** A very guilty conscience was speaking in the past few minutes.

Interjections by hon. members.

**Mr. MacDonald:** The Provincial Secretary has said either too little or too much, Mr. Chairman. I think that is a rather interesting accusation—

**Mr. Chairman:** Order.

Interjections by hon. members.

**Mr. Chairman:** The Attorney General has the floor.

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, there are some remarks from the hon. member for York South which certainly need attention and correction in order to put the record straight. He refers to the role of the Ontario securities commission with respect to the offering of securities by FAME; and he said that the securities commission as a government agency played a part in making it impossible for FAME to go forward with its second venture. Perhaps saying it that way, it is so.

It was the duty of the Ontario securities commission to examine the prospectus which FAME, as well as any other company offering securities to the public, presents to the public. That was its plain duty to see that FAME did not present to the public for a second time, securities which were not—

**Mr. MacDonald:** Which time is the Attorney General referring to?

**Hon. Mr. Wishart:** The offering which FAME attempted to make after the commissioner's report.

**Mr. MacDonald:** I am sorry; I am not going to get into an argument with the Attorney General. He is three years later than the time I am talking about. I am talking about 1960-61-62, the original financial statement that was presented to the securities commission. In it, it indicated that they were going to sell bonds and securities, and after they had gathered their voluntary force together, and they had schooled it to sell them to the back concessions of the province, the week after they got started, the securities commission moved in and forbade them to sell bonds. It was that time that I was referring to.

**Hon. Mr. Wishart:** I am glad to have the matter corrected, because the hon. member attached no date to his remarks. It might well have applied to what happened very recently.

**Mr. MacDonald:** I am not talking about—

**Hon. Mr. Wishart:** Well, I am going to talk about it, because FAME went out again after its failure and attempted to offer again, to the public of this province, securities. The securities commission did its plain duty and said that they did not comply, that they had not met the conditions and they should not again offer securities to any of the public of this province. Now that, I think, should be said because the way the record read it looked as if the securities commission—as I heard the hon. member—had defeated FAME in its attempt to rehabilitate itself.

**Mr. MacDonald:** I submit humbly that the Minister of Agriculture is the only person in the House who thought I was talking about that aspect.

**Hon. Mr. Wishart:** In any event, Mr. Chairman, whatever happened three years ago that the hon. member was talking about, that was not what defeated FAME. It was the improvident arrangement that its own board of directors made, as the commissioner clearly pointed out—

**Mr. MacDonald:** I will not argue that that was not improvident, but the original played a very important part too.

**Hon. Mr. Wishart:** —the lack of attention of its own directors to its own affairs and their following the leadership of one who claimed to know it all led them into a very improvident and foolish deal. That is what defeated FAME.

**Hon. Mr. Yaremko:** Perhaps the hon. member for Riverdale can tell us what security lay behind those bonds?

**Mr. Renwick:** We are not discussing that particular topic; you are late coming into the House. You should pay attention before you come into the House.

**Hon. Mr. Yaremko:** The speech of the hon. member for York South—

**Mr. Renwick:** Mr. Chairman, Mr. Chairman—

**Hon. Mr. Yaremko:** —cost the farmers of Ontario $1 million.

**Mr. Chairman:** Order, order. Wait a minute—you will have your opportunity to speak.

**Mr. Renwick:** Mr. Chairman, the Minister of—

**Mr. Sopha:** Mr. Chairman, may I rise on a point of order? Do I understand—and I am listening to this very carefully—that the Provincial Secretary is making an allegation against the hon. member for York South of improper conduct?

**Hon. Mr. Yaremko:** Not at all—not at all.

**Mr. Sopha:** That was the plain inference.

**Mr. Chairman:** The chair has not recognized the member for—

**Mr. Sopha:** The plain inference was that he was accusing him of improper conduct—

**Mr. MacDonald:** Mr. Chairman, let us not be confused about it; he made it earlier and I challenged him to document it and he sat in his seat and made lots of noise, but gave us no facts.

**Mr. Chairman:** The member for Riverdale now has the floor.

**Mr. Renwick:** Mr. Chairman, the Minister of Economics and Development interjected in the course of this FAME matter to ask that if Canada Packers had made an improvident investment of some kind or other, would we expect that the government of the province of Ontario would come to their assistance and bail out the shareholders of that company.

First of all, the Minister missed the point. The proposal which I put forward was not designed and would not in any way, shape or form, bail out 13,000 investors in the FAME enterprise. It would not do that at all. It would get at a knockdown price a plant which would enable the government in some way to assist the farmers who were protesting. Surely this is what we have been talking about throughout these estimates, that the farmers in the province of Ontario are protesting that FAME was an element in that protest.

The commissioner who conducted the investigation on the government's determination of the order of the items and the terms of reference asked him to report on the relationship of FAME to the farm community and to farm organizations.

The commissioner so reported, clearly and succinctly. He said that this has a part to play in the co-operative movement in the province of Ontario and in the farming community in the province of Ontario. I do not think that I need to reiterate that. I think the Minister of Economics and Development

got it, but let us go back to last summer and the analogy which the Minister of Economics and Development wants to draw. Because of the failure of a department of this government in the administration of The Trust and Loan Corporations Act and for no other reason, the government of the province of Ontario had to arrange a standby credit of a very substantial amount of money to bail out the British Mortgage and Trust Company, and, incidentally, the persons who benefited from that standby credit were not just the depositors of British Mortgage and Trust, but the shareholders of British Mortgage and Trust who, under the shotgun amalgamation arranged by this government with the Victoria and Grey Trust Company are now in a position where their investment has been at least saved for them. In the due course of time they may very well recover the investment which they made and which they never would have lost in the first place if the administration of the department of the registrar of loan and trust corporations had had the manpower and ability to carry out the objectives which they are obliged to carry out under The Loan and Trust Corporations Act.

So I do not think that we need to get into a position of talking about who would bail out so and so and who would protect this vaunted shareholder in the free enterprise market. The government stepped in and protected the shareholders of the British Mortgage and Trust Company and that is the reason why their investment is protected today.

**Mr. MacDonald:** They bail out the businessmen but not the farmers.

**Mr. Renwick:** And if we then look a little—

**Hon. Mr. Wishart:** Mr. Chairman, on a point of order. The remark of the hon. member that the government stepped in and bailed out the shareholders is completely without foundation in fact and he knows it.

**Mr. Bryden:** That is not a point of order—

**Mr. Renwick:** Mr. Chairman, Mr. Chairman—

Interjections by hon. members.

**Mr. Chairman:** Order, order, order.

**Mr. Bryden:** There is no point of order there—

**Mr. Chairman:** Order. I am calling you to order.

**Mr. Bryden:** Call the Attorney General to order.

**Mr. Chairman:** Sit down.

**Mr. Bryden:** He has not got a point of order—

**Mr. Chairman:** Sit down. Order. Now, gentlemen, it is getting late and tempers are running high. We are on vote 106, dealing with co-operatives, and so on. Now, just a moment, please. I think that if we will stay on this co-operative vote it would be fine for everybody.

**Mr. Renwick:** This is the point, Mr. Chairman, that I want to stick to, because the question has been raised as to whether or not the government has any responsibility in FAME, and obviously it appointed the inquiry in order to shed the problem entirely. Once the report was in, there was not one single solitary word of regret or concern expressed by this government.

**Hon. Mr. Wishart:** Mr. Chairman, I stood up on a point of order.

**Mr. Bryden:** Well, you had no valid point of order.

Interjections by hon. members.

**Mr. Chairman:** Let us hear the point of order, please.

**Hon. Mr. Wishart:** I will take the chairman's ruling and not the ruling of the hon. member.

The point of order was that the hon. member for Riverdale made a statement that had no basis in fact.

**Mr. Bryden:** That is your interpretation. It has nothing to do with the point of order.

**Hon. Mr. Wishart:** When he said that the government of this province bailed out the shareholders of British Mortgage.

**Hon. Mr. Stewart:** They never did anything of the kind. Nothing of the sort.

**Hon. Mr. Wishart:** They did nothing of the sort, and I wanted to make that clear on the point of order.

Interjections by hon. members.

**Mr. Bryden:** That is no point of order. The Attorney General does not know a point of order from a hole in the ground.

**Mr. Renwick:** Well, Mr. Chairman, to the extent that there was any point of order involved in what the Attorney General had to say, I would simply say that the president of British Mortgage and Trust Company, in public, in the city of Toronto, said that one morning to his chagrin, he woke up to find that the shares of British Mortgage and Trust Company were valueless and the stock market at that point was still riding between $20 and $30.

**Mr. Chairman:** Order! Order, please! Now let us stay on vote 106.

**Mr. MacDonald:** —we have got to deal with—

**Mr. Renwick:** Mr. Chairman, I just want to come back to the point at which I started. It is not up to this government to suggest that in some way or other the farmers who invested funds in the Farmers Allied Meat Enterprises Co-operative Limited are not going to recover any part of their equity by any suggestion which I made tonight. They are at least deserving of the intervention of this government to find out and to report to this House what the situation is about the shares of the Fearman plant. It is not sufficient for the Minister of Agriculture, Mr. Chairman, to stand up and simply say: "Well, the people in the province of Ontario know where we stand in connection with meat processing on a co-operative basis." The people in the province of Ontario do not know where the government stands on that matter. He says that so far as he could tell from the bankruptcy reports, the question of the shares is up and down in the courts. I am saying to the Minister, get out and find out. He can find out. Mr. Justice Campbell Grant did not have any trouble in saying that Mr. Fearman could not keep those shares.

What is the Minister of Economics and Development going to do with this peripheral operation that he has got, the Ontario development corporation? Why does he not step in and investigate this question and do what Mr. Justice Campbell Grant said? If a co-operative enterprise in the meat processing business could be formed and financed with sufficient capital necessary in that kind of an area, with sound management—and my understanding from the Minister of Economics and Development's estimates is that furnishing of sound business advice is one of the things that he prides his department on—I would suggest that he call together the 13,000 ex-shareholders of the FAME operation. He should see whether or not a sound and basic business proposition can be worked out for the acquisition of the Fearman plant and for the lease of that plant from the government to a new entity to be composed of the same people that were in the Farmers Allied Meat Enterprises, or with Copaco, or whoever is involved, to fill this void.

Now, it just is not sufficient for the Minister to do exactly as the government has done from the time the report has been presented to this House and to simply say, "Well, Mr. Justice Campbell Grant has given us his report. Thank you, we will file it away and let it garner dust." That is not the end of the matter and I would suggest that the Minister at least owes it to this House to make some more defensible statement about the position of this government on FAME.

**Hon. Mr. Randall:** Mr. Chairman, may I just say a word to the hon. member for Riverdale, in view of the situation that has developed in Barrie? I have been in some of the finest meat packing plants in Ontario in the last month or two looking at the kind of equipment they have. I can tell you from my experience it would not only require the money to buy these shares; you require the money to completely rebuild some of those plants in order to compete in the market. It is a very difficut market for even the top people to compete in and make any money.

I was in one of the most efficient plants in Ontario not more than three weeks ago and the man made one cent a pound on everything he handled in that plant in 12 months. If meat prices had gone one way or the other, he could have had a one cent a pound loss and he could not stand that kind of a loss.

We have looked at the economics of the meat business. We looked at the economics of helping the co-ops, but there is more than just buying the shares of a company and putting them back into business. I think I already pointed out to this House some time ago that FAME came in to see the Ontario development agency. We asked them for the advice and information they had on their company. They never came back, and in the meantime, bought a company that had lost $600,000, and lost money ever since. You are asking the taxpayer, through our department and the Ontario development corporation, to move into a situation where I do not think they can survive economically unless they have a brand new plant and can meet people like Canada Packers on the same footing. We have not been sitting back letting the thing take its natural course of events; we have had a

look at the facts, and these are the facts. If my friend wants to visit these meat packing plants, I will be glad to take a day off when the House closes and take him around.

**Mr. Renwick:** Mr. Chairman, I was not asking the Minister to take me on a visitation of the meat packing plants in the province of Ontario. I was asking him to look at the Fearman plant and decide what price Ontario development corporation is prepared to provide in order to purchase that plant. It was a new plant; 90 per cent of the equipment was new. Has the Minister been there?

Vote 106 agreed to.

On vote 107:

Hon. Mr. Rowntree moves that the committee rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Tomorrow, Mr. Speaker, we will deal with bills on the order paper and estimates.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.15 o'clock, p.m.

No. 159

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Wednesday, June 29, 1966

Afternoon Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JUNE 29, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today, in the west gallery, students from James Robinson public school, Markham.

Petitions.

Presenting reports by committees.

Mr. A. Carruthers (Durham) from the select committee on aging presented the committee's second interim report for 1965-66, which was read as follows and adopted:

When we were reappointed by the House on June 22, 1965, on a motion by the hon. Prime Minister, we had only one change in membership. I am certain that the hon. member for Armourdale has been as invaluable a member of the select committee on The Corporations Act as the hon. member for Prince Edward-Lennox has been to our select committee. A word of appreciation is definitely due on my part to all my colleagues who serve with me on this committee, and especially the charming representative of the distaff side of the House—the hon. member for Hamilton Centre who acted in effect as vice-chairman of the committee.

I should also like to pay tribute to the help and advice rendered by many other persons. Miss C. McElroy acted as assistant secretary and accompanied the committee on our extensive trip across the northland. Her minutes of all meetings were extremely helpful. Dr. W. W. Priddle, Dr. Charles Harris and Mr. Earl Ludlow also rendered invaluable service to the committee. With respect to the appointment of our special consultant and secretary as director of the new office on aging, which appointment was announced at our committee hearings by the Minister of Public Welfare in December 1965, I can only say that the committee gave full endorsation. Not only do we wish Mr. Lawrence Crawford well, but we certainly plan to retain him as senior consultant and staff director for the ongoing work of the select committee.

The field of aging continues to receive a growing amount of attention; in the many ways it is a youthful field of interest. Where a decade ago such interest was scattered or in its infancy, so to speak, today the scope of interest is more mature and better developed. We saw many signs of this during our visit with the United States authorities in Washington, D.C., last year. We have seen it in the related work of our own Senate committee to which, by the way, I would pay my respects for its excellent work and far-reaching report. The chairman, Senator Croll, was kind enough to refer to his association with us and I would reciprocate by acknowledging our indebtedness to much of their published material. We saw signs of increased awareness in the various activities of groups such as the Ontario geriatrics research society, the Ontario welfare council with its section on aging, the Ontario federation of labour, the Ontario medical association, and so on.

At the time of the Canadian conference on aging held in the Royal York hotel January 1966, the Ontario provincial committee and all delegates from this province met one night as a group. I know that the hon. member for Ottawa East was present and will bear me out when I say that that provincial delegation enthusiastically endorsed developments in the field of aging in their own province of Ontario.

Mr. Speaker, there are many points I could highlight, but perhaps one of the most significant brought to our attention as a result of public hearings and extensive travels was the continuing lack of information on the part of many persons both in authority, and in the lay public, of what exists and what could exist in the field of services and programming for the aged. Co-ordination of services, programme development on a sound and well-planned basis and the ongoing dissemination of information are key factors. This is a weakness that we learned exists in other jurisdictions. A key recommendation in the Senate committee report was for more advisory councils and social science-medical science research bodies to assume leadership. Where I personally might differ with the Senate committee recommendation is that these should be national bodies. A national or central fact-gathering agency might be useful, but in terms of The British North

America Act and the known responsibilities that exist today, and the potentials for leadership that exist in our own departments of government and in our own Ontario universities and other centres of research and higher learning, I think it is clear that the major responsibility still rests, and must continue to rest, with the provinces rather than the federal authority.

It would be my view that perhaps five regional offices on aging across Canada would best serve—one in the Maritimes, one in Quebec, one in Ontario, which we already have, one for the Prairies, and another for British Columbia and the Territories. These would be provincially directed and operated, with perhaps unconditional grants in aid from Ottawa to assist in their ongoing activities.

In this connection, Mr. Speaker, serious consideration will have to be given to the establishment of a permanent centre for aging studies in Ontario. In our committee's first interim report, members endorsed the idea of an institute of gerontology and geriatrics. We still do, for that need is more imperative today, I believe, Mr. Speaker, than ever before. Members of the committee have visited the present geriatric study centre housed below Lambert Lodge on Christie street, and the excellent acute geriatric treatment ward and research floor at the Toronto Western hospital. A new centre for aging studies with a continued working relationship with a hospital such as the Western and with various universities deserves our support. Not only faculties of medicine need to be involved, but the school of social work and the departments of sociology and psychology among others. It was Dr. G. E. Hall, president of the University of Western Ontario, London, and Dr. Charles Hendry of the University of Toronto, who on March 26, 1965, gave real stimulus to my own thinking along these lines. Further talks with Dr. Harris, Mr. Crawford, and others have added to my conviction.

During the next year of the select committee's activities, the need to establish a permanent provincial centre for aging studies will receive high priority; it could be a centre of achievement of which Canadians might justly be proud for its role in research, training, programme development and a wider public appreciation of the potentialities of aging. I shall certainly ask the Minister of Public Welfare to allow his advisory committees on geriatric studies, aging, and so forth to work with us on this vital task in 1966-67.

Mr. Speaker, our report touches only briefly on the needs and wishes of our native Indian population. We quote one letter from Chief Tom Fiddler of Sandy Lake, Ontario, which is well north of Kenora. I would also mention that Chief William Meawasige met with us in Sault Ste. Marie and the chief, on behalf of his own reserve near Cutler, Ontario, indicated a need for the provincial authorities to consider specialized homes for the aged or rest homes for older Indians who are unable to care for themselves and who are in areas where home care services simply cannot be provided. The fact that our second interim report touches only briefly on this important aspect does not in any way mean that we are not concerned. I am sure that the hon. member for Algoma-Manitoulin for example, will be well aware of the ongoing consideration that is being given by the departments concerned.

In connection with ethnic groups, I would simply recall that at the conference on university education related to the field of gerontology which we co-sponsored on March 26, 1965, Professor Emerson of the University of Toronto related something of the contribution that might be made by anthropologists to the field of aging. It would be my hope that through the office on aging not only the medical or geriatric and the sociological but also the anthropological aspects of old age and its attendant problems might be considered.

Mr. Speaker, I shall read into the record very briefly a résumé of our major recommendations, 29 in number, which complement the ten suggestions we put before the House in our first interim report. Some of these recommendations have been anticipated by the government departments concerned, and the Ministers of Health, Labour, Public Welfare, and University Affairs, certainly deserve every recognition. However, I feel that the work of our select committee has had some considerable bearing on these progressive developments. The very fact that a legislative committee such as this is asking questions and evaluating services has created a climate of awareness on aging in many communities, and especially in government agencies. On three of these—numbers 6, 12 and 18—four hon. members made alternate or modified recommendations.

In the main, however, our recommendations are as follows:

On care facilities: After prolonged discussions on the subject of nursing home care, and related matters in the province of Ontario, and only after considering all available evidence as well as the more than 60 differ-

ent facilities visited by this select committee on aging, we therefore recommend:

1. That the establishment of care facilities which cover the various levels required by ill and infirm persons is based on the position postulated by the Ontario hospital services commission and the provincial Department of Public Welfare, respectively, and this concept of care be incorporated in planning for all such facilities;

2. That specialist surveys of requirements in each region of Ontario for general, chronic, and convalescent beds be continued or initiated;

3. That standard setting, licensing, inspection and other procedures related to proprietary nursing homes be incorporated under one specific Act of the Legislature, and the provincial Department of Health be designated as the responsible authority;

4. That in the event certain supervisory procedures directly or indirectly related to proprietary nursing homes are for valid administrative reasons delegated to any local authorities whomsoever, such delegated duties be kept within bounds, and ensuring that continuous review, appeal and other controlling features be maintained at the provincial level and by the responsible authority;

5. That pending the enactment of specific legislation related to proprietary nursing homes, it is suggested private companies interested in this field exercise due caution with respect to capital investments;

6. That due to the serious financial problem we have found of elderly persons who need post-hospital extended care, and who are not at that stage covered under the hospital insurance plan, the province should:

i) Extend coverage to assist aged persons to receive care for a further period of up to 30 days in approved facilities, and

ii) Urge the federal government to amend The Hospital Insurance and Diagnostic Services Act (Canada) to permit extended coverage;

7. That all care facilities in which health services are of predominant importance be under the supervision of the provincial Department of Health;

8. That since there is insufficient data available, surveys be continued or initiated of requirements in each region of Ontario for domiciliary, sheltered and foster home care;

9. That the publicly-operated rest homes proposed by the Minister of Public Welfare be given every consideration and support by the Legislature and the community at large;

10. That the provision of foster home care under The Homes for the Aged Act be encouraged both as to the introduction of such foster homes and increased financial support from the province;

11. That all facilities which provide domiciliary, sheltered, rest and foster home care and related services be under the supervision of the provincial Department of Public Welfare.

Notwithstanding the federal-provincial proposals under the Canada assistance plan, the select committee has found indications of growing need on the part of many older persons due to increases in the overall cost of living and we therefore recommend:

12. That the province again urge the federal government to increase old age security to $100 a month at age 65, and that a cost of living escalator clause be applied;

13. That all income maintenance programmes be based on a needs test rather than a means test, and be on a budgetary basis.

On home care services we therefore recommend:

14. That municipalities be encouraged to avail themselves of government support to develop a complex of services including hospital-based home care programmes, visiting nurses services and visiting homemakers services;

15. That the province take immediate steps to increase its share of the costs to municipalities for such services, and make allowances for periodic increases in the costs;

16. That payment for these services be based on a sliding scale of income and assets because the select committee is concerned at the number of persons with borderline incomes who should receive partial aid;

17. The provincial - municipal - voluntary agency co-operation be extended in this field and in the trial and evaluation of demonstration projects such as meals-on-wheels, laundry service, friendly visting, and telephone chains;

18. That, while praising the work now being done in certain areas by senior citizens' clubs, churches and other organizations, the province gives leadership through the office on aging to encourage this work on a wider basis throughout Ontario.

Social and recreational needs of aged persons of significance in the light of changes in the work-life pattern and more leisure time that is now afforded us. We therefore recommend:

19. That the province, through the office on aging, gives leadership to local groups to develop sound, social and recreational programmes for its senior citizens;

20. That financial aid under The Elderly Persons Social and Recreational Centres Act, 1961-1962, be increased, especially in connection with day-to-day operating and maintenance costs;

21. That management, labour and other groups recognize the need for expert advice in planning and preparation for retirement, establish a variety of counselling and educational programmes in this respect, and avail themselves of the services of the office on aging.

Notwithstanding changes in the work-life pattern, which include a growing acceptance of retirement, employment, needs of aging persons should be recognized. Many older men and women can and do continue to be actively employed and render valuable service and, at the same time, maintain their independence. Many more middle-aged persons wish to remain in the labour force as long as possible and to enjoy occupational mobility without fear of age restrictions. We therefore recommend:

22. That discrimination against aging job applicants or employees be discouraged through educational programmes aimed at employers and trade unions and through amendments to The Ontario Human Rights Code, 1961-1962.

On the Ontario office on aging: we therefore recommend:

23. That all provincial departments, commissions and institutes and other agencies co-operate to the fullest extent possible with the new office on aging;

24. That the office on aging maintain the closest possible ties with all professional and voluntary groups, and assist in the development of information, counselling and educational services—the House will note in our report the fine contribution made by the hon. member for Russell in this connection;

25. That the province recognize the need for suitably trained personnel to serve the varied interests of the aged, and through the office on aging

i) co-ordinate manpower surveys on present and future requirements; and

ii) accelerate training programmes at various levels for such personnel;

26. That the office on aging be provided with sufficient funds and staff to carry out its responsibilities effectively;

27. That the work of the office on aging be geared to eventual integration and consolidation with the proposed Ontario centre for aging studies;

That the province request the federal government to include with the mailing of old-age security cheques information regarding available services for the aged in Ontario.

In order that all of our citizens might be reminded of the potentialities of old age and maturity, as well as of the year-round efforts of government and private agencies, and of senior citizens themselves, we therefore recommend:

That the province permit and encourage municipalities officially to proclaim and recognize a senior citizens week each year commencing June, 1966—a little later on that.

Mr. Speaker, while the range of subject matter covered in these recommendations indicates something of the vastness and complexity of the subject we are considering, there are still several areas unexplored—housing, economic maintenance, the long-range implications for the aged of today and those of us who will be old tomorrow, not to mention increased community awareness which we still see as the major and critical area for the improvement of services. We are asking to be reappointed in order to complete some hearings, but more importantly, in order that we might undertake, in co-operation with the new office on aging, investigations in community organization in the field of aging across Ontario. I know that we will be able to count on extensive support from The Departments of Public Welfare, University Affairs, Health, Labour, and others in this endeavour. I am also aware of the important role that will have to be played by private organizations, such as the section on aging of the Ontario welfare council. I might perhaps read comments made by our consultant, Mr. Crawford, when he spoke to the board of directors and the aging section advisory committee for the Ontario welfare council. He noted:

> The fact that there is a government body actually increases the importance of your section. There are far too many individual private agencies for us to hope to reach; we need liaison with a comparable body in the private field. It will add to your stature and give you a larger burden. I see us as moving together, but neither body committed not to take any moves without the other. If we are planning conferences we

would ill serve the aged in Ontario if we did not invite your section to help plan and participate in the various programmes.

Mr. Speaker, I concur in these remarks and would only hope that the select committee on aging would likewise be able to participate in the work of the office on aging, the work of the section on aging, of the Ontario welfare council and of bodies such as the Ontario geriatrics research society.

When I referred to the final recommendation of our committee at this stage of its work, Mr. Speaker, I referred to senior citizens week. At this time I want to pay tribute to the many clubs and organizations affiliated with, or at least similar in nature to, the united senior citizens of Ontario incorporated—a body of men and women who bring their time and talent in the retirement years to bear on their own problems and to create new opportunities for themselves. I have certainly enjoyed my association with this group as have other members of the committee, and I would at this time recognize them as well as their efforts.

The proposal for a project on "Memories of trail blazers" has not been forgotten either, Mr. Speaker. It may well be that local clubs with stimulation under the new Elderly Persons Centres Act can undertake more of this type of constructive work in the coming year. It would be further fitting recognition of our senior citizens.

In the light of all our contemplated activities we are requesting, Mr. Speaker, that we be allowed to continued our work in 1966-67. This second interim report is, therefore, respectfully submitted to the House with the request that we be reappointed with the same powers as heretofore, but with our duties expanded to permit our committee to make, or cause to be made, through the office on aging, studies of community activities on a regional basis in the entire field of aging.

Mr. S. Apps (Kingston) from the select committee on youth presented the committee's second interim report.

**Mr. A. E. Thompson** (Leader of the Opposition): Sureley, after the report, if there is a member of the committee who might have a different view to the statements made by the Chairman—

**Mr. Speaker:** The chair was only informed that the chairman of each committee would present their reports today, and I have no further list of speakers.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, I would say this: I propose to move that another report be listed on the order paper for debate and I would be quite pleased to put both these reports on the order paper and then they could be called for debate as an item of business of the House. Any members of the committee who wish to speak to the report would then be free to do so.

**Mr. Thompson:** I think, Mr. Speaker, that the member for Parkdale, who was part of the committee, would just like to put on the record a couple of points.

**Hon. Mr. Robarts:** Well, we will give him an opportunity, and also any other member.

**Mr. Apps:** Mr. Speaker, it was the intention of the members of the select committee on youth to present a final and complete report to the assembly of the Legislature during the present session.

**Mr. K. Bryden** (Woodbine): On a point of order, Mr. Speaker, I understand these items are to be put on the order paper for debate. I would suggest that the chairmen have no special privilege. They could discuss their reports at the same time as the opportunity is afforded to other members. When a report is merely tabled, as far as I know, there is no provision for debate on it by the chairman or anyone else.

**Mr. Speaker:** Order. It has been the custom of the House, as long as I can remember, that under the order for presenting reports by committees, if the chairman presenting the report wished to speak briefly to it, he was always given the opportunity to do so. I think it is quite in order for the chairmen to make some remarks as they present their report today.

**Mr. F. R. Oliver** (Grey South): I submit, Mr. Speaker, if you will allow me a moment, that your interpretation would have been correct if the Prime Minister had not said that he was going to place them on the order paper for debate. Now, surely, you are not going to have a long speech by the chairman today and then open it up again for debate. Surely, today the procedure should be to present the report. The Prime Minister has been good enough to say that they can be put on the order paper for debate and then the whole debate can take place at that time. I cannot understand why we are going on with this procedure.

**Mr. Speaker:** I would assume that when the order of business is called and the reports are to be debated, the chairmen, already having spoken on presenting their report, would not speak again. I would assume that would be the practice.

**Mr. Apps:** Mr. Speaker, I would respectively suggest that my speech is going to take only about five or ten minutes. I have listened with a great deal of patience over the last three or four weeks to many of the hon. members over on the other side speaking on various things, and I would hope that they would not deny me the privilege of just making a few comments at this time on the minutes of our select committee on youth.

**Mr. V. M. Singer:** (Downsview): It is strictly out of order. That is the point.

**Mr. Speaker:** Order!

**Mr. Apps:** I beg leave to present the second interim report of the select committee on youth.

It was the intention of the members of the select committee on youth to present a final and complete report to the assembly of the Legislature during the present session. Unfortunately, this has not been possible. The essential requirement of locating and soliciting the assistance of hundreds of organizations throughout the province and arranging opportunities for them to consider the terms of reference applicable to them, and the subsequent submitting of their deliberations, have taken considerable time.

It will be recalled that this committee submitted a progress report in April, 1965. In that report a summary of the early work of the committee was outlined, beginning with its work in June, 1964, with organizational meetings, visits in Ontario and the United States, as well as the hearing of briefs from many organizations throughout the province. Some of the emerging problems that involved the youth of our province were discussed and the broad outline of this study indicated.

During the year 1965, the select committee has worked hard and diligently at the formidable task of visiting many areas in this province to hear briefs from many organizations, individuals and representative youth groups in order to gather important data respecting our terms of reference.

The committee also made a number of visits to areas of special competence in certain states in the United States as well as in our own province. Most of our field work, visits and receptions of briefs, were completed by January, 1966, although it is apparent that further investigation in certain areas would be advisable.

In spite of the urgency respecting the need to complete this report in final form for the Legislature it has not been possible for the members to devote the considerable time required from their legislative and other duties to study adequately the vast amount of material presently in rough draft form that will be necessary before all its final recommendations can be made to the Legislature.

It is expected that the final report will be completed for submission to the Legislature in the opening days of the centennial year session in 1967. The report will contain the detailed findings, deliberations and recommendations of the committee on the subject matter of youth as defined in the terms of reference of this study. These are in the areas of health, welfare, recreation, sports, cultural arts, employment opportunities and education. In addition, the special areas of delinquency, professional counselling needs, and physical fitness will be dealt with in depth.

However, there are certain very important recommendations which the committee feels should not be delayed until the final report is completed. These recommendations are as follows:

1. The select committee unanimously recommends formation of a separate provincial department of youth with its own Cabinet Minister at the earliest convenience of the Legislature.

2. A department of youth should have the power to establish committees, select staff, and submit a budget in the accepted manner of any other department of government.

3. A department of youth should be responsible for the identification of gaps in youth services that are not being met by existing government departments or private youth agencies, and following up on such needs by seeking practical solutions for them. Such gaps presently include the need for halfway group homes, preventive delinquency programmes, widespread need for residential and treatment facilities for emotionally disturbed children, sheltered workshops for the variously handicapped, and resources for deprived youth.

4. An advisory committee of Ontario youth, under age 25, should be selected on a regional basis by a department of youth which would be of assistance to the department in dealing with certain areas of youth needs and concern.

5. A department of youth should provide

much-needed co-ordination and co-operation of youth services in other departments of government, as well as between private and voluntary youth-serving agencies and government, effectively to work out programmes for emotionally disturbed youth, for delinquent and "hard-to-reach" young people, "dropouts" and those who have been "dropped" by our existing services, both government and private.

6. A department of youth should act on a consultant basis to departments of government and youth agencies throughout the province when requested, in the areas of research and programming for youth needs.

7. A department of youth should undertake a physical fitness policy and programme for youth throughout the province, with the exception of the formal physical education programmes within The Department of Education.

8. A department of youth would be responsible for the following areas:

(a) Administration of grants pertaining to youth under:

(i) Physical fitness agreements with the federal government;

(ii) Department of Agriculture grants for swimming pools, arenas, and community centres (Community Centres Act);

(iii) Athletics commission (Department of Labour) grants for sports equipment to athletic organizations in the province.

(b) Provide assistance for the establishment of local youth agency councils for all community areas requesting such a facility.

(c) The department of youth should establish close advisory and liaison connections with such community councils, and assist them financially when youth needs have been definitely established.

(d) A department of youth should assist in promoting youth participation in community and provincial service projects under guidance of local youth agency councils.

(e) The collecting and dissemination of youth and youth service information to social agencies and the public on a provincewide basis.

(f) Promoting and financially assisting research in the many areas pertaining to youth, at both local and provincial levels.

(g) The promotion of amateur sports through financial assistance and advisory service throughout Ontario.

(h) Recreation for people of any age through a more positive use of neighbourhood resources, notably public and secondary school buildings and facilities supervised and organized by recreational personnel in collaboration with school authorities.

(i) Responsibility for the following youth services, presently being administered by other government departments should come under the authority of a provincial department of youth:

(1) Athletics commission.

(2) Youth branch of The Department of Education.

(3) Community programmes branch, and

(4) Ontario council for the arts.

(j) Research into the many areas of youth is an essential responsibility of the department of youth. Many of these areas cross several departmental lines of responsibility and require a co-ordinated and "total-youth-directed" inquiry into several areas, i.e., delinquency, multi-handicapped children, rehabilitation of children with a variety of social and health problems, the dropout; and the so-called unreached or alienated youth.

(k) A department of youth should stimulate the cultural arts in the province by providing imaginative and practical programmes relating to art and music appreciation, and encourage creative artists in all art forms by annual awards for literature—i.e., best works in all literary forms, poetry, short stories, plays, etc.; music: i.e., best orchestral, solo instrumental, and choral works; sculpture, visual art and other art forms.

(l) The promotion of Canadian cultural arts through a broader programme by the Ontario council for the arts both financially and culturally is required, and should be supported by a department of youth.

In conclusion, I am glad to report the continued enthusiasm and excellent co-operation of the members of this committee, and their untiring efforts to achieve a worthy study of the needs of youth on behalf of this House.

Also, it is with satisfaction and deep appreciation that I thank the many agencies, departments of government and individual persons who have extended to this committee their excellent co-operation and assistance. Without their help this report would not have been possible. Our thanks must go as well to our secretary, Judge William T. Little, and the research staff of Mr. George Repar, research officer, and Mrs. Anne Dempster, office supervisor and secretary to Judge Little.

Our committee was deeply shocked on learning of the passing of one of its members

on June 26, 1965: Mr. Leo Troy, who represented the riding of Nipissing, and who had been making such a fine contribution to the work of the committee. Mr. Troy's wealth of experience in youth work, his patience and understanding and his keen interest in the work of this committee was a great inspiration to us all.

Mr. Speaker, in order to allow the committee to complete its work and submit its final report, I respectfully request that the select committee on youth be reappointed.

**Mr. Speaker:** Motions.

Hon. Mr. Robarts moves that this House will meet tomorrow at 10.30 o'clock a.m. and will adjourn at 1.00 o'clock, p.m. until Monday next.

Motion agreed to.

Hon. Mr. Robarts moves that orders be placed on the order paper for consideration of the reports of the select committees on aging, youth and on consumer credit.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, before the orders of the day, I wish to draw to your attention a matter which, I suggest to you sir, affects the privileges of the House. That matter refers to a publication that was distributed in the city of Peterborough on Monday, June 27—last Monday. It is said to be issued by the New Democratic Party, Peterborough riding. The part of the material, this publication, which I understand was handed out to the citizens of that community which is offensive reads as follows:

> On May 5, 1966, a private member bill to amend The Judicature Act was talked out by a series of Tory and Liberal members. This bill, put forth by James Renwick, MPP, Riverdale, New Democrat, would have abolished ex parte injunctions as we now know them.

I contend sir, that that passage is despicably false, is scandalous and imputes dishonest motives to members of this House. It is false because the bill, according to the procedure adopted by the House, was not talked out and as you know, sir, that procedure was agreed to by members of all parties of the House. And on the committee that agreed to the procedure, the leader of the New Democratic Party himself attended. The matter was not talked out in the true sense of that term, meaning that there was an attempt on the part of Liberal and Conservative members, as the item says, to avoid the issue coming to a vote.

The truth was that only three members of the House spoke on the bill when it came up for second reading and was so moved by the member for Riverdale. Those three members were the member for Riverdale himself, the member for Downsview and the member for Oshawa—these were the only three members, Mr. Speaker.

And the part that says it was talked out by a series of Tory and Liberal members is false and, I contend, scandalously so. The intent of the publication by this party was to convey to the citizens of Peterborough that members of this party, and indeed members of the governing party, were motivated dishonestly to avoid a vote in this House on the principle of this bill. That was not so.

As I read the whole publication, Mr. Speaker—and I will not bother to read it into the record—I would think it would be incumbent upon the member for Riverdale to say to the House, to assure the House, that he had himself no hand in the authorship of the publication.

**Mr. Bryden:** Our local associations are quite able to write their own stuff.

**Mr. Sopha:** Well, you can see, Mr. Speaker, you can see the proof of what I have long thought. The member for Woodbine speaks for the member for Riverdale, as he does for the other six.

**Mr. Bryden:** On a point of order, Mr. Speaker—

**Mr. Speaker:** No! The member is speaking on a point of privilege and I want him to finish.

**Mr. Sopha:** To make the record complete, I should like to read into the record at this point what the arrangement was among the three parties of the House in respect to the private members' hour. This is February 24, 1966. It is entitled: MEMORANDUM, PRIVATE MEMBERS' RESOLUTIONS AND BILLS.

> Arrangements concerning private members' business are described below as agreed to by party leaders and Whips, the meeting chaired by Mr. Speaker, February 24, 1966.
>
> 1. The order in which private members' resolutions are to be called will be determined by the Whips periodically during the session with tentative dates assigned to each item of business.
>
> 2. There will be no formal time limits,

but the Whips will encourage the mover to speak not longer than 30 minutes and other debaters to speak not more than 15 minutes.

3. The private members' hour scheduled for 5 to 6 p.m. Tuesday and Thursday will be laid over when necessary because of a major debate or by agreement for any reason whatsoever. The hour missed will be regained the following Friday or Monday with at least one day's notice being provided to the Whips.

4. The mover of the resolution or bill will always speak first. The order of the other speakers by party will be arranged by the Whips at the same time that the order of bills and resolutions is decided.

5. Resolutions and bills can be discharged and removed from the order paper by motion of the mover or his Whip.

6. A maximum of one hour will be spent on each bill or resolution.

7. If a resolution or bill has been debated for one hour prior to 6 p.m., the Speaker will say "It being 6 of the clock I do now leave the chair" and the order will drop from the order paper, the debate having been adjourned automatically.

8. If the debate takes less than one hour, at its conclusion the Speaker will say "the debate being concluded this order is discharged from the order paper" and the next private member's resolution or bill will be called for debate.

9. If a resolution or bill has had less than one hour's debate at 6 p.m. the debate will be adjourned by the member speaking at 6 p.m. and that debate will be resumed at the beginning of the next private member's hour, being continued until the item has been given one full hour in total.

Mr. Speaker, it is all very well for one political party to publish scandalous material about the House in one part of the province, however, Parliament has the right and privilege, and indeed the responsibility to itself, to see to it that false, misleading and scandalous material, intended to impugn Parliament, is not allowed to be published without the record being rendered accurate.

**Mr. Bryden:** Mr. Speaker, may I ask a question? May I ask you, sir, if we are to take it from what has just happened that any time anybody in the province writes something with which we happen to disagree, we can arise in this House and raise it as a point of privilege? Is that the way it is to be interpreted?

**Mr. Speaker:** No, I think that the member was quite right in that anything which is written about the members which imputes motives on their part as to something that took place in the House, I think it is a point of personal privilege on the point of that member if he wishes to speak for all members of the House.

**Mr. D. C. MacDonald** (York South): I would just like to make a brief comment on this.

**Hon. Mr. Yaremko:** You have already made your comment with your laughter. It is one big joke to you.

**Mr. Speaker:** Order! There is no more comment. This is a point of privilege on which the hon. member has risen and I do not think there should be any debate on it.

**Mr. Bryden:** What about the occasion, Mr. Speaker, when the member for Simcoe East was allowed to make a comment on a matter of privilege raised by another member?

**Mr. Speaker:** I cannot recall the incident!

**Mr. Bryden:** It happened, sir. It affected him and now certain wild and unsupported charges affecting the NDP are being made under the guise of a point of privilege. I think something should be said about them.

**Mr. Speaker:** I think we have had the point of privilege well taken and we will let it rest at that. I shall call the questions for the day.

**Mr. MacDonald:** Mr. Speaker, you say it is well taken, I suggest this is not well taken. If I cannot speak to it, I will not speak to it, but I think it is a phoney protest.

Interjections by hon. members.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, as the member for Sudbury mentioned my name in the course of his remarks, I wonder if I would be permitted to comment on this?

**Mr. Speaker:** I think perhaps the member could answer his question, even if it was rhetorical in nature, which I presume that it was. I would allow the member to answer the question only, if he had any part in the writing of the article. I am of the opinion the member for Riverdale should have the opportunity of either affirming or denying the question.

**Mr. Renwick:** Well, Mr. Speaker, if that is the limit to which a member is allowed to comment on a remark that is made by the member for Sudbury, then I decline to comment at all.

Interjections by hon. members.

**Mr. Renwick:** Mr. Speaker, may I ask: did you rule that I have no right to speak on a matter in which the member for Sudbury used my name in the course of his remarks before this House?

**Mr. Speaker:** I simply ruled that I thought you should confine your remarks to the particular question which he asked you.

**Mr. MacDonald:** Did the hon. member for Simcoe East confine his remarks to a simple comment?

**Mr. Speaker:** I do not recall the incident.

**Mr. MacDonald:** Do we have to get it to refresh your memory, Mr. Speaker?

**Mr. Speaker:** Well perhaps you would, because I do not recall the incident.

**Mr. R. Gisborn** (Wentworth East): Well, Mr. Speaker, may I help you, sir, to recollect your ruling?

**Mr. Speaker:** No. I am going to declare this matter closed. I wish to proceed with the questions before the orders of the day.

**Mr. R. Smith** (Nipissing): Mr. Speaker, I have a question for the hon. Minister of Energy and Resources Management—

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Renwick:** Mr. Speaker, I would simply point out to you, sir, most respectfully that if the member for Sudbury thinks that he can stand up and point questions at me which I should or should not answer, then I do not think that my privileges as a member are being respected in this House, if I am not allowed to comment.

**Mr. Speaker:** I am of the opinion that I gave the member for Riverdale the opportunity to reply to the member for Sudbury and he has said that he did not care to reply.

**Mr. Bryden:** You said that he could only answer a question.

**Mr. Speaker:** So if the member did not care to reply, I consider the matter ended.

**Mr. MacDonald:** You said he could only answer one question.

**Mr. Speaker:** Order, order; now, if the member wishes to reply, I will still give him the opportunity to do so.

**Mr. Renwick:** Mr. Speaker, if I may just comment on what the member for Sudbury has said. The member for Sudbury stood up on a matter of spurious privilege, personal privilege—

Interjections by hon. members.

**Mr. Speaker:** Order, order! I must remind the member for Riverdale that the member for Sudbury came to my office and pointed out the point of privilege that he wished to raise today in the House. Although I did not see the article or who wrote it, he gave me the background of the point of privilege that he wished to raise and after hearing him out on the matter, I decided that this was one occasion when there was a point of privilege as it affected the privileges of all the members of the House, and therefore it was granted. Having done that, I am of the opinion that he was quite in order.

Now once again, if the member—I do not want to deny him the privilege of answering the member's question, if he cares to do so, but I do not want him to continue with any debate on this particular subject matter.

**Mr. G. Ben** (Bracondale): On a point of order, Mr. Speaker, I believe that the hon. member should withdraw the word "scurrilous."

**Mr. Bryden:** He did not say "scurrilous".

**Mr. Speaker:** Proceed with the questions.

**Mr. Smith:** Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

With reference to the construction of the hydro-electric power commission's proposed conference and development centre in Mono township, could the Minister tell the House:

1. Why the centre is being built by Hydro rather than by the province itself?

2. Why the Hydro authorities selected that township for the site?

3. Why was it necessary to include in the centre an air-conditioned lounge and a swimming pool?

4. What use Hydro will make of the centre?

5. Will the centre be used on a year-round basis?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, speaking generally about the new conference, staff training and development centre of Ontario Hydro, is may be said that plans for the centre were approved in 1965 and the commission has lately called for tenders for its construction.

Training within the commission is adopted as a means for improving the efficiency of the work of the commission and providing a more economic operation. Such training has continued for 20 years, and last year more than 1,000 employees attended training courses to update and upgrade their skills at the centre which has been located at Niagara Falls.

Studies have indicated that it is more economic for the commission to run a centre of its own than to rent outside facilities.

In forming plans for this centre, it is intended that it be used as a conference centre for Hydro personnel in addition to providing training courses.

In answer to the first question, many of the training facilities which will be provided at the centre are being designed for specific kinds of work which are unique to Ontario Hydro. For example, instruction in the maintenance of meter and relays, or the operation of thermal plants, is unique to the organization. The commission already has a centre for training but the facilities are temporary in nature and are no longer economic to run.

In answer to the second question, before a decision was made concerning the location of the centre, many months of research were carried out. Properties within a 75-mile radius of Toronto were examined. Some of the advantages of this particular property are: first, it is a reasonable distance from Toronto and public transportation systems; second, the roads in existence make travelling time shorter than exist for some other properties; third, the location of the property is ideally suited to a variety of hydro units, such as the ones at Hamilton, Barrie and Toronto; fourth, the proximity of the property to head office will ensure greater use of the facilities and enable people in the Toronto office to be involved in programmes without devoting too much time to travel; fifth, the distance to the centre will ensure reasonable isolation for the training, and will contribute toward setting up the proper conditions for training; sixth, the property is of sufficient size to provide for field work training such as line construction methods and forestry. Space for this purpose has been lacking at Niagara Falls.

The answer to the third part of the question: the air conditioning was included in the building in order to increase the efficiency of the staff and trainees. Furthermore, it was judged essential that Ontario Hydro should use the products in building this centre which they are advocating that other builders use in apartments, motels, homes, and so on. And, finally, the endeavour was to build a centre which would remain up to date for a good number of years, and not be obsolete within the immediate future.

The swimming pool was included in the centre because most people who are attending will be in residence for some period of time. It is essential, therefore, to provide recreation facilities. Swimming is one of the cheapest and most effective recreation facilities for a large number of people, especially when some of the people will be working long hours and will not have the time to leave the property. The pool is also a reservoir for fire protection purposes.

Answer to the fourth part of the question: the commission already has a wide range of courses in existence which are aimed at helping senior managers and apprentices and all those between, to achieve their greatest effectiveness. These courses range from management and supervision to protection and control, to live-line maintenance training, to forestry, to electrical maintenance and so on. The new centre will carry on these courses that are already in existence. In addition, it will be possible to provide courses of instruction to the staff of the municipal electric utilities of the province.

In answer to the fifth part, the space required at the centre has been carefully calculated and conservatively estimated when deciding upon the design. It is anticipated that all facilities will be needed on a 12-month basis.

**Mr. Smith:** Mr. Speaker, may I ask the Minister if he would table later on who the property was purchased from and what the purchasing price was?

**Hon. Mr. Simonett:** Mr. Speaker, I wonder if the hon. member would put it on the order paper.

**Mr. Speaker:** Place it on the order paper.

**Mr. Thompson:** Mr. Speaker, I have a question of the Minister of Health, notice of which was given. Would the Minister say whether he feels a smear test is a simple

and effective way to detect cancer of the cervix and, if he does feel the test is effective, can he explain why the executive director of the Canadian cancer society feels this province is lagging behind British Columbia where doctors have been performing the test for ten years?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, the smear test to which the hon. member refers is a simple and effective way to detect some, but not all cancers of the uterus and cervix. I do not understand why the executive director of the Canadian cancer society should feel that this province is lagging behind British Columbia, where he states doctors have been peforming the smear test for ten years.

The record of Ontario speaks for itself. In this field it is the best in Canada and we say this with a good deal of pride. Our province has made facilities available for cytology increasingly since 1945, and this is a prerequisite of the establishment of a cytological, or any other service.

Since 1952 the programme has increased steadily in scope until today we have 78 laboratories and 150 technicians available to perform these tests. If you will refer back to my remarks in the early days of the presentation of my estimates, you will see a fairly detailed discussion of this matter, Mr. Speaker, pointing out that these technicians and pathologists have to be especially trained. The laboratories also have to have certain special setup for this type of work. In addition, some 26 pathologists have been supported in their attendance at post-graduate courses to improve their knowledge and the utilization of psychology.

A continuing programme in this direction is pursued. It should be realized that there are many factors, other than availability, influencing the use of this method in different areas. Ontario has provided, and is now providing cytology services which exclude in total and potentiality those available elsewhere in Canada.

The total number of patients examined has increased from 36,000 in 1961 to 261,000 in 1965. It is increasing at the rate of 60 per cent per annum, and as I said in this House a few weeks ago, it is the confirmed opinion of the cancer research and treatment foundation that all women at risk will be examined, at no cost to themselves, over a three-year period. Our repeat smears are less frequent and a larger proportion of women at risk are being screened annually elsewhere.

Finally, and I think this is the infallible evidence, the death rate from cancer of the uterus in Ontario is still lower, and has fallen faster than in British Columbia or indeed anywhere in Canada.

**Mr. MacDonald:** Mr. Speaker, I have two questions. My first is to the Minister of Mines. Will the Minister assure the House, as requested by Local 6500 of the United Steelworkers of America by letter on June 23, that in future unions will be informed of the date of inquest in the fatal accidents of any of their members while on the job?

Maybe I should repeat it.

**Mr. Speaker:** Does the Minister have an answer to the member for York South's question?

**Hon. G. C. Wardrope** (Minister of Mines): Mr Speaker, I regret that my safety engineer is out in the field today. I tried to contact him, but I will have a complete answer for the member for York South tomorrow. He is returning tonight.

**Mr. MacDonald:** Well, Mr. Speaker, I am a bit puzzled. All I want to know is whether or not you will inform unions when an inquest is going to be held, so that you will not have the circumstance of an inquest being held and the union knowing nothing about it.

**Hon. Mr. Wardrope:** I will give you the answer tomorrow.

**Mr. Bryden:** Do you have to have an inquest to give the answer?

**Mr. MacDonald:** Mr. Speaker, my second question is to the Attorney General. How frequently does the Attorney General order public auctions for disposal of articles seized by the police?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I would ask the hon. member to be good enough to allow me to take the question as notice. This requires some statistical investigation. I will have it tomorrow.

**Mr. MacDonald:** Well, Mr. Speaker, while the Minister is doing it, I wish he would also give some indication as to how you would explain a municipal police force never having held such a public auction?

**Hon. Mr. Wishart:** I can answer that, I think, right now. There are provisions, I am quite sure, in The Municipal Act or The Police Act—I will check this—which lay down procedures for municipal police forces to proceed and dispose of articles. We do not necessarily fall into that area of municipal

government, but I know the procedures are there and the municipal police forces and municipal councils have these procedures, and they do this.

I happen to know that relating back to the days when I was a city solicitor or town solicitor. I will check that, however. I do not think we get down to the point of directing that. Perhaps the commission should.

**Mr. MacDonald:** Mr. Speaker, I appreciate that the Attorney General has indicated that he is going to look into it, but in one instance which I will inform him of privately, his department has said that a decision regarding the time and place of the disposal of seized goods rests with the Attorney General.

**Hon. Mr. Robarts:** Mr. Speaker, before the orders of the day, the members will no doubt recall that in the Speech from the Throne, by His Honour the Lieutenant-Governor, on January 25, there was this reference—and it seems a long time ago this afternoon—there was this reference to the healing arts, and I quote:

> It is the purpose of my government to establish a committee to inquire into all matters pertaining to the preparation, education, training, licensing, control and disciplining of all those involved in the practice of the healing arts.

It is now my pleasure to announce that the personnel to comprise such a committee has been selected and I am happy to report that each has consented to serve on the committee. The chairman will be Mr. Ian B. Dowie of Toronto. Mr. Dowie is of British birth and a graduate of the University of Edinburgh. In a lifetime spent in various business enterprises in Canada, Britain, the United States and several South American countries, he has attained prominence and respect. He has been a Canadian resident since 1938 and retired one year ago as president of Canadian Breweries Limited. The other members of the committee will be Professor Horace Krever and Professor M. C. Urquhart.

Mr. Krever is a professor of law at the University of Toronto, he has enjoyed a wide and varied career in his profession. After eight years in private practice he was encouraged to enter the teaching profession and has been on the staff of the faculty of law of the University of Toronto during the past two years.

Professor Urquhart is chairman and head of the department of economics, Queen's University, Kingston. Following graduation from the University of Alberta, he undertook graduate studies at the University of Chicago and in European universities. In addition to his role in the department of economics, he is also director of the institute for economic research at Queen's University and he has acted as a special advisor to the government of Pakistan with respect to its development programme.

The terms of reference of the committee will be to inquire into and report upon all matters relating to the education and regulation relevant to the practice of the healing arts and without limiting the generality of the foregoing, specifically the following:

(a) All or any matters relating to entrance requirements, education, instruction and training for the practice of any or all the healing arts in the province of Ontario;

(b) The constitution, powers, duties and regulation of any educational, licensing or disciplinary body, corporate or unincorporate having any relation to the healing arts, the exercise of the said powers, duties and regulations and the method of raising and expending revenues attendant thereupon;

(c) The situation, legal or otherwise, of all such bodies in regard to each other, the province and the public;

(d) The establishment, creation, control and regulation of any new body required to have relation to the healing arts;

(e) Appropriate methods for the supervision, control and regulation and discipline of all those practising or professing to practise any of the healing arts;

(f) The existing or possible methods of examining, licensing or otherwise authorizing the carrying on by individuals of the practice of any methods having any relation to the healing arts, and the standards prescribed and followed or proper to be established and followed;

(g) The merit of the services and practice of all the disciplines associated with the healing arts;

(h) The present position and merit of the services, duties and responsibilities of those operating or engaged in providing services through independent biological or diagnostic laboratories;

(i) Those who offer to the public the claim of diagnosis or therapy through the use of mechanical, electrical or other types of machines and the relative value of such machines and diagnosis and treatment;

(j) The existing laws of Ontario in relation to any of the foregoing and their practical operation; and

(k) Any matter arising out of the foregoing which it is necessary to investigate with a view to the above enquiries.

The committee shall also have the right to (1), consult any person, organization or association and to receive their views and proposals regarding any of the matters specified and (2), receive deputations, briefs and representations in respect of any of these matters.

Now, Mr. Speaker, these terms of reference have been deliberately made far-reaching in their scope. The legislation governing the various healing arts associations has not been under searching scrutiny by any outside body for a long time and in some cases has never been scrutinized by an outside body. Because of the expanding numbers of these associations and very diverse interests, coupled with the greater involvement of government in health matters, it is deemed essential to establish this committee at this time to conduct a searching and objective study. It is expected that the committee will begin its activities immediately and the committee will be informed of the urgency of the situation to the end that the study may be conducted with dispatch and thoroughness.

**Mr. Thompson:** Mr. Speaker, could I ask the Prime Minister a question on this statement? Would this committee study the method by which medical schools outside Ontario are assessed by the college of physicians and surgeons in order to examine their credentials, in order that they may be evaluated concerning undergraduate requirements if they want to have the opportunity to practise in Ontario as doctors?

**Hon. Mr. Robarts:** Yes, I would—

**Mr. S. Lewis** (Scarborough West): May I ask an ancillary to that, a specific—

**Hon. Mr. Robarts:** Well, let me deal with them one at a time and then we will not become confused. I would feel quite certain, if I understand the question—if this is a matter of what is going on in a medical school outside Ontario, as that relates to the qualification of a graduate to practise in Ontario—yes, the study of what was done in other jurisdictions would be relevant because part of the terms of reference here are aimed at exactly this question.

**Mr. Thompson:** I mean the methods of assessing standards of medical schools outside Ontario.

**Hon. Mr. Robarts:** This committee must examine the present situation as to how it is done here in the province and this would automatically involve them in looking at how it is presently done.

**Mr. S. Lewis:** Mr. Speaker, in a sense my question is a retroactive interpretation of that. Would the committee hear an appeal from the decision of the college of physicians and surgeons in the case of the foreign doctors who wish to be licensed in the province of Ontario?

**Hon. Mr. Robarts:** No. Mr. Speaker, the committee is not set up with any idea of getting into the present administration, if I might put it that way. It is a body set up to examine what the facts are under these various headings I have mentioned. In the terms of reference then, as a result of its study, to make recommendations to the government. It will have nothing whatsoever to do with the present administration of any of these bodies.

**Mr. S. Lewis:** So that the doctors who claim a grievance at the moment will not have recourse to this particular committee at any rate?

**Hon. Mr. Robarts:** Well, that is not the purpose of this committee.

**Mr. Speaker:** Orders of the day.

## THIRD READINGS

The following bills were given third reading upon motions:

Bill 112, An Act to provide for crop insurance.

Bill 113, An Act to amend The Department of Agriculture Act.

Bill 114, An Act to amend The Edible Oil Products Act.

Bill 120, An Act to amend The Weed Control Act.

Bill 143, An Act to amend The Farm Products Marketing Act.

Bill 160, An Act to amend The Commuter Services Act, 1965.

Bill 166, An Act to amend The Children's Institutions Act, 1962-1963.

Bill 167, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Bill 168, An Act to revise The Homes for

Retarded Children Act, 1962-1963, and to extend its scope.

Bill 169, An Act to amend The Planning Act.

Bill 170, An Act to amend The Negligence Act.

Bill 171, An Act to amend The Farm Loans Act.

Bill 173, An Act to amend The Financial Administration Act.

Bill 175, An Act to provide for the establishment of the Moosonee development area board.

Bill 176, An Act to amend The Department of Public Welfare Act.

Bill 177, The Day Nurseries Act, 1966.

Bill 178, The Elderly Persons Centres Act, 1966.

Bill 179, An Act to provide benefits to persons and families in need.

Bill 180, An Act to amend The Child Welfare Act, 1965.

Bill 182, An Act to amend The Drainage Act, 1962-1963.

**Clerk of the House:** The twenty-seventh order: House in committee of supply. Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD
(*continued*)

On vote 107:

**Mr. D. A. Paterson** (Essex South): Mr. Chairman, I have one brief question in regard to the inspection branch. Early this year we had quite a serious problem in my riding regarding lettuce, and I have discussed this matter with your officials and other persons interested in this matter and I wonder if the inspection branch is going to establish grades for this particular farm commodity.

At the time that Essex county lettuce was being sold at distressed prices in the Toronto market, it was in competition with very good quality United States lettuce which received the preference and a good price. This was one of the reasons why the distressed price was on this lettuce and many of the growers and dealers feel that if there was a size grading and other aspects on this particular commodity that possibly this would help resolve this problem in the future.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Chairman, I am advised that there are now lettuce grades.

**Mr. Paterson:** Are there grades on sizes? I believe that this, specifically, was one of the problems. A crate of lettuce usually contains approximately 18 heads and some of the goods shipped into the Toronto market contained as many as 40 heads, and the minute size was a factor.

**Hon. Mr. Stewart:** The regulations call for a uniformity of size of the heads in the various packages that are sent in.

**Mr. Paterson:** Further, in regard to the inspection branch, do the provincial inspectors have any jurisdiction in inspecting produce in the various retail outlets in the province and do they make regular inspections in this regard?

**Hon. Mr. Stewart:** Yes, it is worked out on a joint basis with the federal inspection service. The federal inspection service does all of the inspecting in the larger centres, but in the smaller centres there is a joint arrangement worked out so as to avoid duplication. But our provincial inspection services carries it out in conjunction with the federal people in areas in which they are not operating. It is, in effect, a joint effort.

**Mr. Paterson:** The reason that I raise this is that often during the non-producing season in our area, some of the produce offered on our grocer's shelves is possibly not up to the standards which we might expect, and I realize that this is mainly a federal problem since they have allowed the produce to come into our country.

From time to time, specifically in the greenhouse business during the winter months, sir, we are producing top-quality cucumbers or tomatoes faced with the competition of say, Mexican produce, which does not have the texture and salability that possibly ours does and is an inferior product. I wonder if the department of the Minister has checked on this.

**Mr. R. F. Nixon** (Brant): Mr. Chairman, I would like to know where the vote is that pays for meat inspection in the province of Ontario.

**Hon. Mr. Stewart:** The veterinary services branch.

Vote 107 agreed to.

On vote 108:

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, on vote 108, I dealt rather fully with the bean board issue at the time of my initial address, but I want to move into a number

of areas and see if we cannot get a little clarification on some of the points that I raised at that time.

The farm products marketing board and the Ontario bean growers marketing board has drawn up an 11-point programme. Nine of the 11 points—and this is in the way of review, perhaps—had been acted upon by the bean board. The remaining two, as I understand it, were tabled at a meeting on November 25, in order for the newly elected bean board members to deal with them.

The minutes of that meeting, as I understand it, would have been in the hands of the government board no later than December 20. The Minister allowed a vote of the bean growers in the middle of February this year—February 7, 8 and 9, I believe—and that vote, if carried, would have allowed the bean growers, and more particularly the bean board, to build additional facilities with the check-off to the extent of a $400,000 cleaning and bagging plant to expand the board's processing activities. The vote was turned down—this is past history.

The government moved in and placed the board in trusteeship on February 22.

As I said, there certainly is something inconsistent about allowing the growers to vote on additional facilities one week and then turn around the next week and place the board in trusteeship because the board had failed to separate the company from the board, and in this respect this was what the government thought was a legal relationship.

This separation, as I am led to believe, was one of the 11 points in the programme. There were two points that were deferred until after the election of new board members and this happened to be one of the points that was deferred. This was indicated to the government board in the minutes of the November 25 meeting, which, as I said before, should have been in the hands of the government board no later than December 20.

In addition, the deferment appeared to be temporary. The government had these minutes two months before it acted, and in the interim it allowed a vote of the growers to build additional facilities. Most important of all, the fact that the government allowed the growers a vote confirmed in my mind implicitly that there is nothing irregular in a board owning a storage and cleaning plant. Perhaps the Minister has a different interpretation on it, no doubt he will have.

Apparently the swoop was well planned. Although one government official says the takeover was not decided until the evening of Tuesday, February 22 and the next day, nonetheless, at least one of the key figures in the drama had been well briefed, the preceding Monday. As soon as the vote was turned down by the growers, my friend immediately started making plans to place the board in trusteeship.

I want to pose a few questions at this juncture, because I think that this would serve to clear the air, at least in my mind concerning the entire issue.

First of all, why did the government act the way it did? Did the farm products marketing board members not read the minutes of that November 25 meeting of the bean board, and if they did, did they not convey their intent to the Minister? If the Minister knew about this, why did he call the vote? And did the Minister have this action in mind all along? Did he want to get the feeling of the producers about the growers marketing board, then decide to call the vote and when the vote was turned down, did the Minister feel that the growers were divided and this was the time to move in?

I pose these questions, because I do not really know, and I hope the Minister will answer and clarify the entire situation.

I want to turn now for a moment—and I will be very brief in this, Mr. Chairman—but I want to turn to the Poole report. I was interested to read in that report something to the effect that the main strike against the grower-elected board was that its wholly-owned subsidiary, the Ontario Bean Growers Limited was used as a marketing agency, but the board had not been granted agency powers.

As I pointed out before, this was the first time that I have heard this argument. The fly in the ointment was always the fact that the bean board and the company must be separated. Their operations must be separate. I take it then—the Poole report, I believe, does not actually say this, but the inference is quite clear—had the bean board been granted agency powers, then the entire operation would have, at that point, been perfectly legal.

I move on to another point, and this has been talked about before in this House, as well. In view of the government action in this case—and I underscore once again that as far as I am concerned, I think the government has handled this issue badly; I think there were mistakes on the part of the government and simply because we happened to have a law on the statute books that permits the government in the case of a dispute between the Ontario farm products marketing

board and a grower marketing board, if the dispute reaches a point where there is absolutely no compromise on either side, to place that board in trusteeship. This power was given under Bill 86 and it was never used until the bean board issue arose.

I stress once again that, as far as I am concerned, in order to restore the confidence in the marketing structure across the province, we must build into our Farm Products Marketing Act in some fashion—and I suggested how in a resolution I put before this House some weeks ago—a procedure whereby a local grower board has recourse to the decision of the farm products marketing board, as it applies to trusteeship or dissolution.

I stress again that this recourse is well defined and is very clearly stated, as it applies to a dispute between a grower board and an individual grower. The grower can dispute the grower board's decision. The recourse in that case is well defined and has been used on a number of occasions between the grower and the grower board. If the grower feels that he has had an injustice done to him, he has recourse, but the grower board has no recourse to the farm products marketing board decision. I say, Mr. Chairman, that this is wrong, it is wrong in a democratic society and I suggest to my friend that in order to restore the confidence in the marketing structure of this province we must build into our marketing legislation some form of appeal as it relates to a dispute between the grower board and the farm products marketing board.

**Mr. J. P. Spence** (Kent East): Mr. Chairman, I might add a few words here before the Minister replies. The hon. member for Huron-Bruce has brought out some of the facts that I, too, would like to have cleared up.

Another fact I would like the Minister to clear up: I understood the Ontario farm products marketing board committee had reached an agreement a year ago last September that they would separate their two operations, the growers' board and the plant. I understood that they had reached agreement.

We hear about these 11 amendments to the agreement. Were some of these amendments from the Ontario farm products markting board, as well as the grower board? I would like to know that, if the Minister could clear that up.

Also we would like to hear when the Minister allowed a vote to increase the fees to be collected to build larger facilities? Two of the members of the Ontario farm products marketing board resigned and we read in the press one of the reasons was that one Minister changed his mind and allowed a vote because of political pressures. We would like to know something about these political pressures that had taken place. Also I go along with the member for Huron-Bruce. The course followed by the government in swooping down and taking over the little bean board, and putting it under trusteeship, I think, was a severe blow to marketing boards all over this province. I would like, if the Minister would clear up some of these points, to see if some of these amendments that the board tabled were amendments from the Ontario farm products marketing board.

**Hon. Mr. Stewart:** First of all, in answer to the member for Kent East, there were not 11 amendments; there were 11 points in the agreement. There were some amendments that had been suggested by the bean board to those 11 points. These amendments were all agreed to by the farm products marketing board. There was no dispute there whatever.

Now, as far as the argument that you have advanced is concerned, that because of the amendments the agreement was tabled, this does not hold water at all, because every amendment that had been proposed by the bean board had been agreed to by the farm products marketing board. There was no problem there.

With regard to the reason why the plebiscite was allowed to be held and why the two members resigned from the farm products marketing board: They resigned because they did not believe that the agreement was really going to be effective, they did not believe that there was any intention on behalf of the bean board and the company to separate them, this was the reason they gave me in their resignations.

**Mr. D. C. MacDonald** (York South): That is not what they said publicly.

**Hon. Mr. Stewart:** Well, I do not know what they said publicly, I know what they told me.

**Mr. MacDonald:** They said it was because the Minister reversed his position.

**Hon. Mr. Stewart:** Exactly. This is right, and I reversed my position because the agreement had been drawn specifically stating that the company and the board were to separate, and because that agreement had been drawn and we had good faith in it. I believe that the problem which had existed for years with the bean board—between the bean board and the

farm products marketing board—could be resolved and was being resolved. As a matter of fact, I had no idea that they had tabled the agreement, no idea.

It seemed strange to me that they tabled that agreement on November 25 and invited myself, the Deputy Minister and the chairman of the farm products marketing board to meet with them on November 29. When the agreement was discussed and there was reference made to it, if there was any change in it, we were given the answer that there was no change in the agreement, everything was in order. It was on this basis that any future facilities that the board might build would be leased to the company or to any other company who wished to lease from the board, or with whom the board might make agreement. Now, this to me indicated a clear separation between the board and the company. And it was on this basis that we went ahead.

I agree there was a difference of opinion between the two members who resigned and myself; and, indeed, between them and the farm products marketing board. They did not believe that there was going to be any intention of separation but I felt there was. Because here was an agreement attested to by a committee of the bean board and a committee of the farm products marketing board, and without any indication that I had in my hand at that time, I knew that there was no intention of fulfilling that agreement. And I say this to you quite honestly.

Now, as my friend, the member for Huron-Bruce has said, I should have known when this was dated, December 20, that the minutes were sent in and they were filed and were not referred to me. I had no knowledge of them, I have no knowledge of anything that comes in to the board regarding individual commodity board meetings. I do not concern myself with it and I am sure that the chairman of the board does not concern himself with it, because they are filed as they come in, with respect to the various commodity group files. The first time I knew that there was anything amiss in this agreement was after the vote was held. I must confess I read it in the *Globe and Mail's* report of the vote following the counting of the ballots, when the chairman of the board was quoted as having said the operation would continue as it had throughout the years. This made me very suspicious, quite frankly. I immediately called our Deputy Minister and I called the chairman of the farm products marketing board and said, "What does this mean?" They were as mystified as I was. We got the minutes out of the file through the chairman of the marketing board and it was clearly indicated on the minutes that had been received December 20 that on November 25 the agreement had been tabled after a lengthy debate. There had been a motion to accept the agreement, there had been lengthy debate, there had been another amendment moved that the agreement not be accepted and that it be tabled.

Now, the member for Huron-Bruce says the reason for this was that there was a new board coming in. I think that may be a valid reason, but I think it is a highly unlikely one because there had been no significant change in the membership of that board over the years. And I would think those men would feel likely that they would be reinstated. But when one examines the minutes all through the fall months when this agreement was under discussion, then I think you can see a trend of thought going on all through it where there was really no intention of separation of the company and the board. When we found this out, no one was more shocked than I to discover what had happened. We felt there was only one thing to do and that was simply to separate the company and the board and this was done.

**Mr. Spence:** Mr. Chairman, may I ask the Minister further: Was there a committee from the Ontario farm products marketing board which met with the bean growers board, and which reached an agreement to divide their two operations last September? I understood that they agreed to give them one year to separate these two operations. So that would be this next September. I am told this. I I understand that some of the board thought we had a year to do this.

**Hon. Mr. Stewart:** Yes, this is quite true. There was an agreement reached, that that be done, just as the member has explained.

**Mr. MacDonald:** If there was an agreement, why did the government swoop in the fashion that they did?

**Hon. Mr. Stewart:** Because it was very obvious, as I have explained, that there was no serious intent obvious to us in the minutes that had been discussed all through the piece, and the fact that we had been deliberately deceived in the meeting of November 29.

**Mr. MacDonald:** Mr. Chairman, I want to come back to what is really the most puzzling aspect of this whole thing. I do not propose to review all the details. The hon. member

for Huron-Bruce has done it. The Minister says he did not know that these two final clauses had been tabled. Indeed, he said, when he checked with the farm products marketing board, that they too were mystified. Mr. Chairman—and I measure my words carefully—I have talked with former directors of the bean board who say that it would be impossible for the Minister not to know; who say, for example, that they were in the process of negotiating with the chairman of the Ontario farm products marketing board; that he knew they were moving, and indeed they were within two or three weeks, of a complete separation.

Well, we have the very interesting problem of two honourable gentlemen having such clearly different assessments of what are cold, hard facts, and I submit if there was an independent inquiry here, we could get an assessment of what are the cold, hard facts. In the view of the directors of the bean board, they had tabled it as an expedient for the moment, because there was to be further discussion—in fact, further discussions were going on. They were in frequent contact with the chairman of the Ontario farm products marketing board. And I repeat, they say they were literally within two or three weeks of the complete separation. As my hon. friend, the member for Kent East just indicated, they had been given written assurance by a letter from the Ontario farm products marketing board—I believe over the signature of the chairman—that they had until August 31 to complete the separation.

Now, it is all very well for the Minister to get up and say that he suddenly, in his rather arbitrary fashion concludes from the facts that he has lost confidence in them. I suggest to you that they have every good reason to come to the conclusion that they have lost confidence in the Minister in the handling of the whole matter. And I say this more in sorrow than in anger, Mr. Chairman, because here is the interesting situation: Seven of the 11 members of the board are back. All those who ran have been re-elected.

**Mr. W. D. McKeough** (Kent West): The member for York South said that yesterday, but one who was a member was not re-elected.

**Mr. MacDonald:** Well, let us not argue if it was seven or eight or six or seven — the majority of the board was re-elected. I was told by one of those who was re-elected that all those who stood, namely seven, were re-elected — seven of the 11, I believe I am correct, now back on the board, are former members of the board. So what is the situation, Mr. Chairman? Here is a group of people whom the Minister has told, "I just don't have confidence in you, you deceived me." The minutes were supplied to the Minister. He did not read them. They were supplied to the Ontario farm products marketing board, they did not read them. And yet they were deceived by the members of the board. Now, that might be all a closed chapter that should be forgotten, but these people are back in office — I suspect to the chagrin of the government and their friends. The majority of them are back in office.

Indeed, it went even further than that, Mr. Chairman, when you had a meeting of the commodity board downtown, the one from which you were going to exclude everybody. Early in the meeting the Deputy Minister as the chairman of the meeting indicated that they had no quarrel with the individuals who were on the board; they were all honourable fellows; they were all good fellows — a somewhat different kind of line from that which the Minister has just indicated when he said that they were deceived by these people. But subsequently, when somebody got up and said, "Look, why did you take over in this fashion? Presumably we are partners in this rather difficult and rather complex problem of marketing." Why did you not say the them, for example, "Well, we are not going to dilly-dally any longer, we will give you a deadline. Indeed, you had given them such a date — next August 31 — when they must separate the board. If they had not separated by that time, then you would move in. And what was the reply of the Deputy Minister? The reply of the Deputy Minister was "If we did it that way when we got in there we might not have found all of the books."

Now that is an interesting comment.

Interjection by hon. member.

**Mr. MacDonald:** Right? It is right. I was there and heard it and a lot of other people heard it.

Now, this is the kind of attitude and feeling that was expressed. The Minister is repeating it here by charging that these people had been deceiving him backed up by this kind of expression right in that meeting, that they just did not trust these people.

You say that if you had not swooped down and, in effect, taken the books away in the dark of night, you might have found that some of the records were gone.

Mr. Chairman, it is all very well for the Minister to get up and say "We have to have confidence; we have to build confidence between the Ontario farm products marketing board and the local marketing boards because we have a very difficult joint job to do."

But I suggest to the Minister, in keeping with the accusations of the hon. members for Huron-Bruce and Kent East that if there is anybody who has botched the situation and done more to destroy confidence and now has made his bed and has to lie in it, because he is going to have to work with the same people, it is this Minister—and, indeed, the Ontario farm products marketing board along with him.

So I come back to the proposition once again: Is the Minister telling this House that neither he nor anybody in the farm products marketing board knew that that had been tabled for two months after it had been tabled? Where were you sleeping? What were you doing? Even if your answer to that is "no," why did you, in effect, move prematurely six or seven months before the deadline that had been given by the chairman of the Ontario farm products marketing board for a completion of this separation, why did you move in February when you had given them until August 31?

**Hon. Mr. Stewart:** Mr. Chairman, the answers are very obvious.

**Mr. MacDonald:** Because you had lost confidence in them.

**Hon. Mr. Stewart:** It was obvious that they apparently had lost confidence in us. I find it very strange, indeed, to believe that after the relationship that we felt had been building up through the process of working out this agreement, and the fact that three of them, at least, had been members of the group of producers who had gone overseas on the trade promotion mission of The Department of Agriculture last fall. Then having had their meeting in London on November 25 at which they asked us to attend the following Monday—which we did —and when this very agreement was discussed, they gave us to understand that there was no change. They did not suggest that they had tabled it but they would like to wait until after the new board had been elected. There was no suggestion of that whatever. I think that anyone would feel —particularly when the minutes reveal that after we, as a delegation left the meeting, the minutes of the previous meeting were read and adopted. That, to me, looked very peculiar.

When one studies all of the minutes, right through the affair, one cannot help but come to the conclusion that there was no real intent ever to separate them; there was no real intent ever to do it. I hope that I am wrong, and anyone can point with validity to both the Ontario farm products marketing board and at me and say that we should have known when the minutes came in on December 20. I suppose we should have; I have to admit that, but the simple fact of the matter is that I did not know, therefore the vote was allowed. We thought that it was legitimate and legal for them to go ahead and vote.

I thought we were acting in good faith all the way through the piece. I found out that they did not have much confidence in ourselves, and I felt that under the circumstances there was nothing else to do but to take the action that appeared indicated.

Now, separation has taken place. No one ever heard me suggest either publicly or privately that I had one thing against any of those men individually—not once. It is unfortunate that it happened; it is unfortunate that two members left the marketing board because they were valuable members of it. But out of that whole affair has grown a situation that, I think, has brought to the attention of a great many people what the farm products marketing board really stands for and what The Farm Products Marketing Act can really accomplish in this country. We should take a pretty good look at it because I am concerned—I am very much concerned—with what has happened, not only with reference to the bean board, but what happened to other commodity boards in this province, who immediately felt that they were in jeopardy. Why would they feel that way? There was no intention, nor had there ever been any suggestion—

**Mr. MacDonald:** In the light of what you had done, why should they not feel that way?

**Hon. Mr. Stewart:** There was nothing to suggest that there was the least bit of trouble anywhere else.

Now, Mr. Chairman, I think that it is interesting to note that we are being criticized and were criticized, by the Opposition parties in this House, quite vigorously. In fact, I missed an address by the hon. member for Grey South—

Interjection by an hon. member.

**Hon. Mr. Stewart:** It was a good address; I heard it was an excellent address. I know how eloquently he can speak and I am sure that he excelled himself that day in denouncing me—

**Mr. V. M. Singer** (Downsview): Did you not bother to read it in *Hansard*?

**Hon. Mr. Stewart:** Indeed, I have; I read every word of it. I wonder if you have taken the same trouble to read some of the things that I have said.

**Mr. Singer:** We have, we have, but we have not got an answer from you yet.

**Mr. Chairman:** Order, please!

**Hon. Mr. Stewart:** I want to say this, that I find it difficult to adjust my thinking as to why it is that the Opposition parties always take the negative approach to everything.

**Mr. MacDonald:** Negative approach!

**Hon. Mr. Stewart:** I really wonder, because you see, when I stop to think about it—

**Mr. MacDonald:** Polish up your halo again.

**Hon. Mr. Stewart:** Polish up your halo, if you like. I would point out to my hon. friend, the leader of the socialist party, that when his party was in power for 20 years in the province of Saskatchewan, they never did one single thing for marketing.

**Mr. MacDonald:** You played that record yesterday—deal with the issue here—you played that record yesterday.

**Hon. Mr. Stewart:** I did indeed, and I will continue to play it, because the farm people of the province of Ontario should know the record of the ND Party in the field of farm marketing. They never did a thing for farm markets.

Interjections by hon. members.

**Hon. Mr. Stewart:** I want to tell you about the Liberal Party when they came into Saskatchewan.

**Mr. MacDonald:** How about you own problems? Deal with your own problems.

**Hon. Mr. Stewart:** Mr. Chairman, may I have the floor?

**Mr. Chairman:** Order, order, order, please! Out of the fairness to the Minister I would ask you to refrain from interjections, please.

**Hon. Mr. Stewart:** I would like to ask, because they are so almighty as political parties for farm marketing legislation, why have they not done something about it in jurisdictions where they had the authority?

In Saskatchewan in 20 years of rule there was not one marketing plan developed.

**Mr. MacDonald:** Deal with Ontario.

**Hon. Mr. Stewart:** Not one!

**Mr. MacDonald:** Deal with Ontario.

**Hon. Mr. Stewart:** In Saskatchewan the Liberals came in and the Premier opposed the only marketing plan they voted on through his and the former regime—

Interjections by hon. members.

**Hon. Mr. Stewart:** —came right out and opposed it and, in fact, expressed pleasure in the defeat of the hog marketing plan—

**Mr. MacDonald:** This just shows that you are bankrupt and you know that you cannot defend your position when you go off on this tirade.

**Mr. Chairman:** Order, please.

**Hon. Mr. Stewart:** It is wise for us to lay some facts out because the two Opposition parties have been playing party politics through this whole issue—

**Some hon. members:** Hear, hear.

**Mr. Chairman:** I would ask the Minister—

Interjections by hon. members.

**Mr. Chairman:** Order, please! I would ask the Minister if he will, please, to stay with vote 108.

**Hon. Mr. Stewart:** I am staying with vote 108, Mr. Chairman. I want to lay things out in a way that people will understand and not be duped into thinking that these people over here are the only people who ever do anything for anybody.

I want to suggest this, that not only did Premier Thatcher oppose the hog plan in Saskatchewan, but he said that if the plan was voted in he was doubtful if his government would ever implement the regulations to bring the plan in.

**Mr. Singer:** Manning in Alberta?

**Hon. Mr. Stewart:** Let us take a look at Ontario—19 marketing plans—

**Mr. MacDonald:** Let us deal with the bean growers.

**Hon. Mr. Stewart:** —with 38 commodities covered in our plans, doing ten times the amount of business in the province of Ontario than is done in all the rest of Canada put together. This is marketing legislation in the province of Ontario, and I wonder why it is that our friends do not recognize what has been accomplished.

Certainly there have been problems and there will likely continue to be problems in marketing legislation. But, as a government and as a Minister, we have stood with the farmers of this province in their demands to establish a stronger position in the market place. Knowing full well that if we had taken the stand-off approach, having nothing to do with marketing plans, that has characterized both of our opposition parties in this House, the lot of the Minister—no matter who he has been—all through the history of marketing legislation in this province, and the history of The Department of Agriculture and the lot of the government itself would have been a lot less onerous.

There is no question about that. And that is why your parties in the other provinces will not have anything to do with marketing legislation. They stand away from it as though it was the plague. I wonder sometimes why you do not tell these things to the people when you go around the province talking about the things that we do—

**Mr. MacDonald:** Amen.

**Hon. Mr. Stewart:** —that you criticize so much. I think it is time we took a look at these things. We could go on and talk about the various editorial opinions that have been expressed but suffice it to say this: that we offered to change the legislation to do exactly what my friend from Huron-Bruce suggests, that there be the right of appeal of a marketing board, through a judge, against the decision of the farm products marketing board.

**Mr. MacDonald:** And they would not let you off the hook?

**Hon. Mr. Stewart:** They certainly would have—

**Mr. MacDonald:** Because they lost confidence in you—that is why.

**Hon. Mr. Stewart:** They would—

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** Keep it right where it belongs.

**Hon. Mr. Stewart:** That is fine, but you—

**Mr. Chairman:** I am going to ask the members to stop the interjections, please.

**Hon. Mr. Stewart:** We wanted to do this. We would gladly let them have the legislation if they really want to have it. But they do not want it. They do not want it. I think it is interesting to note the resolution that was passed by the commodity boards of the OFA on May 9, last. I have read it into the record before; I want to read it into the record again. It is headed: Recommendation re Appeal System in Farm Marketing Legislation:

> Resolved that this meeting recommend the continuance of the present system of hearing appeals of the form products marketing board and the milk commission of Ontario, and that there be no change in the existing provisions of The Farm Products Marketing Act and The Milk Act, 1965, with respect to appeals.

Now, there it is. They could have it if they wanted it. But I do not think they want it. The commodity groups of this province have expressed confidence through their producer members in marketing legislation in this province. This is the point we should concentrate on. We should concentrate on the positive approach to what we are trying to do. I believe that when we recognize the fact that there are $400 million worth of farm products sold under marketing legislation in this province, and $270 million worth of dairy products sold under marketing legislation in this province; in fact, 70 per cent of all agricultural production in this province is sold under some kind of a marketing plan, affecting 90 per cent of the commercial farmers in this province.

It seems to me that we have done a pretty good job. But I think we have to recognize, also, that there are some very real problems, and some very real pitfalls in what can happen in marketing legislation and its effect on the producers and the position in which it can put the producers of the province, regardless of their good intentions.

I think that we must be aware of these things. I notice that a report has reached my desk from the national commission on food marketing in Washington, United States. The commission was created by Congress last year under an Act directing it to make a study on ways and means of improving the production, processing and distribution of food; particularly with an eye to narrowing,

if possible, the margin between prices paid to farmers and those paid by the consumer.

In a recommendation that has already drawn criticism, the commission suggested the creation of agricultural marketing boards to represent farmers in negotiations with processors for better prices. These boards would be under the general supervision of the Secretary of Agriculture.

This is a recommendation coming from the United States and it could not be closer to what is happening in the province of Ontario, if they had taken it right out of our file, because this is what is happening here.

It is also very interesting to note an editorial that has been broadcast on the CBC by Dr. Ralph Campbell, professor of economics, University of Toronto. I feel very keenly that this should be read into the record of the House because, to me, it substantiates implicitly what I have been saying the last two or three days in connection with marketing legislation and the necessity of having authority that goes beyond the confines of the province.

The article, or the editorial is entitled: "It looks as if the chickens have come home to roost."

> It was just a bit over one year ago that broiler growers in Ontario voted in favour of a marketing plan whose major feature was to be control of production, under authority granted by the farm products marketing board. Thereafter, the broiler growers proceeded to institute production controls on all producers. It is my contention that the production-control programme has had most unfortunate results to date and that the producers board and the Ontario government, from which it receives its power, should reconsider it at once.
>
> Let us examine some statistics as to what has been happening in recent months. In the first 16 weeks of this year, compared to the same period last year: First, let us look at slaughterings of chickens measured in terms of eviscerated weight. Slaughterings are down 3 per cent in Ontario, but up 8.7 per cent in Quebec, and 6.8 per cent in all of Canada. Slaughterings indicate what has already happened. But a somewhat better measurement of the past, and prospects for the near future are placements of broiler chicks and producer farms various provinces.
>
> In Canada as a whole, placements are up 12 per cent over last year. But in Ontario, placements are up only 1.2 per cent. The smallest percentage increase in any other province which produces broilers is in British Columbia. And the increase in that province is 18.2 per cent.
>
> The most important competitor of Ontario is Quebec. In that province placements are up 26.8 per cent, compared with the 1.2 per cent in Ontario. We can, of course, look further into the future and also look at other sections of the broiler industry by examining the statistics on pullet chicks, placed for broiler supply flocks. These are the chicks which eventually will produce the eggs that produce more chicks which will be sold to broiler growers.
>
> In the 26 weeks, up to April 9 this year, Ontario placements in broiler flocks were up only 2.5 per cent, while Quebec placements were up 15.2 per cent and total Canadian placements were up 6.6 per cent.
>
> But, no matter how one looks at the data, or what data one uses, there is evidence that Ontario has been losing its place in broiler production to Quebec and to other Canadian producers.
>
> In case one might conclude that Ontario has withdrawn from poultry meat production, a look at turkey slaughtering so far in 1966 is most enlightening. The number of pounds of eviscerated turkey meat produced in Ontario so far this year, has increased 51 per cent over the same period last year, compared with increases of 15.6 per cent in Quebec and 33 per cent in all of Canada. Ontario produced 53 per cent of all turkey meat in 1965 and almost 61 per cent so far this year. There are no controls on turkey production. Presumably some producers who would like to have produced broilers, have turned to turkey production.
>
> From a cursory look at what has happened to Ontario broiler production so far this year, it confirms one's worst fears about the ill effects of a production-control programme in the one province while producers in other provinces are free to increase production and take over our market.
>
> At the same time one hears rumours of market values established for producers' rights to grow broilers. These will merely increase the cost of production in the future without contributing to efficiency.
>
> The Ontario government's farm products marketing board, under whose authority all marketing plans operate in Ontario, has the responsibility for looking after the

> interests of everyone — consumers, producers of a product, and even those who would like to be producers of that market.
>
> I am not opposed to marketing plans. Indeed, I am enthusiastic about the beneficial results of most Ontario plans such as those for hogs, winter wheat and canning vegetables. But, I think it is time for the Ontario farm products marketing board to take a good hard look at the results of the broiler programme of production control.

Now, here is a man speaking who has a wide experience, highly knowledgeable in the field of agriculture, a man who certainly has often expressed opposite viewpoints to The Department of Agriculture and Food's policies in this province. I simply quote this editorial to substantiate the facts that I have made, that if ever there was need for commodity pricing on a national basis, the time is now. I think it simply has to become a reality if we are going to afford any type of production control or advantages in the type of marketing plans that we have developed in this province.

Now, Mr. Chairman, I would like to advise the members of the House that to further the bean industry in this country an enormous interest has developed in the United Kingdom in Ontario white beans. We were very much impressed with the opportunities there, the potentials in it.

When I had the opportunity of visiting the United Kingdom a while back, my hon. friend the leader of the socialist party claimed that I became a bean expert overnight because I came home and suggested there was a good potential market over there.

I do not pretend to be a specialist or an expert on bean production, I never grew an acre of beans in my life. I never marketed any, I do not know anything about the business of export, other than just good common sense, that would indicate that when there was a market growing at the extent that market in the United Kingdom was growing, I felt that it was important, indeed I felt it was necessary that we should exploit it in every way possible. But I think it is interesting to note the tremendous inrcease that has taken place in the export of white beans in the last little while.

In 1963 we exported to the United Kingdom, from the province of Ontario, 28,526,000 pounds of beans.

In 1964 it had increased to 32,548,000 pounds; and in 1965, to 48,278,000 pounds. This was in the yearly figures. I think that is an indication of how much we can expand the market when we really get in there with a product that they want and produce it in quality and quantity of sufficient abundance for them.

There is so much interest developing in the United Kingdom that it has been suggested that we bring a group of people from the United Kingdom over to Ontario during the white bean harvest season, in order that they may see at first hand what is going on here. It is proposed that the group comprise three buyers and three technologists from the three major users of white beans in the United Kingdom, one representative of the United Kingdom importers, accompanied by one of the agricultural staff of Ontario House, making a total of eight. These persons would spend approximately two days visiting bean fields and the operations of bean dealers in Ontario and another two days in a seminar on white beans, which would include representatives of the white bean marketing board, bean dealers, Ontario Department of Agriculture and Food personnel, agronomists, research personnel and transportation representatives in the United Kingdom.

I believe that only good can come from such a delegation as this, looking at first hand to the possibilities and the potential of further expanding our exports of white beans to that ever-growing United Kingdom and off-shore market. This, of course, is the purpose of marketing legislation. It is the purpose of the Ontario food council, and of The Department of Agriculture and Food to assist wherever we can. As I said earlier, no one knows better than I that there can be problems develop in marketing legislation.

I believe it was not the government of the party that I represent that introduced farm marketing legislation in this province, but I suppose that at that time had that government seen fit to stand off and not taken any action, and succeeding governments had stood off from it, we would not have had all of the headaches that we have today as far as marketing legislation and marketing problems are concerned. But that was not the intent. We stepped into the field. Admittedly there have been problems, but when you see the tremendous results that have flowed from the advancement and the development of marketing legislation in this province, I think that we can look back with a certain degree of satisfaction to those accomplishments that have been made, and look forward to even greater accomplishments in the future.

**Mr. MacDonald:** Mr. Chairman, I want to congratulate the Minister. He is an absolute

past-master in throwing up a verbal smoke screen. Some 15 to 20 minutes ago—indeed, it is now past the half hour—we were talking about the bean board and the problems in relation to the bean board. The Minister has risen and he has read a prepared little political diatribe about Saskatchewan. It was interesting that he came in prepared to read it. He had it as an insert to throw into the battle. He has read a long statement from Dr. Campbell's editorial. He then gets back to a dissertation on the potential increase in our bean board exports. Now let us get back to the issue we were discussing.

The issue we were discussing is the crisis of confidence between the bean board, the Ontario farm products marketing board and the government—indeed, between all marketing boards and the government.

Let me deal with that. The Minister says, for example, that he has a recommendation from the commodity group saying that they do not want to have an appeal procedure to a judge; he interprets this as saying that they are happy with their present situation. Mr. Chairman, it it not the way I heard it, and I talked to people in the federation. They have asserted that they do not want the decision to be off with a judge. They know from what has happened, that after this government has manoeuvered, as they have done in a number of instances, with regard to commodity groups, and then the Minister gets himself into the kind of pickle he did with the bean board, he then, of course, will hand it over to a judge. The judge maybe has not the slightest conception of the operation of marketing boards and will come up with a somewhat biased and not very knowledgable decision with regard to it—not anybody can move in and be aware of all the nuances of the situation, and this will get the Minister off the hook. The farmers have got to the point where they do not want to leave the Minister off the hook.

So they have said to him, we do not want any appeal procedure. If we are stuck, in effect, with a paternalistic setup and with the Ontario farm products marketing board, an agency of this government acting on the biddance of this government, and that the local boards are, in effect, rubber stamps for the Ontario farm products marketing board, let us at least keep the responsibility with some political figure who has to be answerable. Let us not put it off into the courts where then we will hear a cry from the Treasury bench of the issue being *sub judice.* You are criticizing the integrity of our courts when you challenge some decision that they make.

So the Minister may conclude that they are happy with it, but I suggest to you that they are not happy with the situation and that is the reason why they did not want any change —because they did not want to relieve the Minister of political responsibility after the experience they have had.

Now Mr. Chairman, let us get back to the basic point we were dealing with when the Minister went off on his great digression. He said he had lost confidence and he did not know how he could come to any other conclusion but that he was entitled to lose confidence in the bean board.

You know that Robbie Burns comment about seeing yourself as others see you? The Minister went overseas a year ago, came back and, as I said, and I repeat it, became an expert on bean exports overnight. Immediately, he started hurling publicly criticisms and charges with regard to the operation of the bean board. Indeed, when we got down to the details of these charges and their alleged wrong pricing procedures and their miscalculations in marketing and we heard both sides of the story at the Royal York meeting, I defy any objective outsider not to have come to the conclusion that while there may have been differences between the Ontario farm products marketing board and the bean board—and some of them are arguments over little technicalities—there certainly was no difference that justified the kind of arbitrary coup action that this government took when they finally swept in.

But that is not the whole story, Mr. Chairman. The Minister says he lost confidence. I ask him for one moment, to consider why they have lost confidence in him. He did that a year ago. He came home and was responsible for an instruction that they should separate the company from the marketing board for reasons that were not convincing to the people who were involved. These people are struggling with the trade and some of the trade happens to be, as I said before and I repeat, bagmen for the Tory party. When I was down in Hensall last week, I thought what a strange situation: Here we have a group of farmers through their own marketing organization, seeking to expand their facilities to control the marketing of their crop, and they are being frustrated in it—frustrated by the manoeuvrings of this goverment. You go into Hensall and there is a nest of silos going up. Thompson silos, Mickle silos; they are making millions out of the farmers. And this government has frustrated an opportunity for the farmers to make millions for themselves.

**Hon. Mr. Stewart:** Why did not the farmers in Huron county vote to build silos in Huron county? They had the chance, why did they not do it?

**Mr. MacDonald:** I do not know why they did not, except that Robert Allan, the former chairman of the board, when he spoke to the meeting downtown, said they lost the vote because they were fighting against not only the trade and the influence of the government, behind the scenes, but a successful influencing of all the mass communication media so that they were fighting it all by themselves. The interesting thing, Mr. Chairman, is that one year later the same people went out and voted these people back on to the board. You have to live and work with them now.

**Hon. Mr. Stewart:** We will do that.

**Mr. MacDonald:** However, let me come back. Because of the difficulties, Mr. Chairman, and the refusal of the board to move out and immediately hearken to the bid of Big Daddy from Queen's Park, then the Price, Waterhouse chapter with, if I may morrow the phrase from my friend from Sudbury who is using it in another context, the most scandalous misrepresentation of the situation. The hon. member for Huron-Bruce is correct: When the bean board with their other friends in the commodity group sat down and studied the Price, Waterhouse report and presented their counter report, they tore the Price, Waterhouse report to shreds. That was bad enough. Here was a confrontation, the irresistible force and the immovable object, but they were going to have to separate it. There was going to be no co-operation with them in terms, for example, of holding a plebiscite to be able to get authorization for the financing of the expansion. But then, suddenly, overnight the government changes its mind. It says it is going to permit them to do this. Not only did they doublecross them, they doublecrossed a couple of members of the Ontario farm products marketing board to the point—and I congratulate them for their integrity—where they said: "We will not take this," and they resigned.

One could go on adding chapter after chapter, so it is just a little absurd for the Minister to get up and plead, with a sort of pathetic tone in his voice, that he had lost confidence in these people as though these people were all wrong when, in my view, they had four or five times as much reason to lose confidence in the Minister as the Minister had to lose confidence in them.

**Hon. Mr. Stewart:** That was quite obvious—

**Mr. MacDonald:** However, Mr. Chairman, the Minister now, through his marketing board, I repeat, has to live with this group. They have been re-elected by the growers and I trust that out of it will be some lessons, one being that the government is not going to exercise its arbitrary power which it took unto itself in Bill 86 and thought it could get away with.

I want to put one final question to the Minister before I sit down. Now that you have had an election for your new bean board, how long is the Minister going to retain it under this government trusteeship instead of handing it back to the duly elected members of the board? When does the Minister propose a transfer?

**Hon. Mr. Stewart:** I will answer the question first, when the turnover is to take place; it was supposed to have taken place this very day. The bean board was invited to meet with the appointed board and with the farm products marketing board to receive the turnover of the bean plan and the board operations, but only three of the newly elected board that the member talked about turned up at the meeting. I understand a date is set for next Tuesday. I think it is quite understandable because the board members are haying; they have to take the crop off. It is good weather and they are haying, so they called off the meeting today and it will be held next Tuesday in London. That is when the turnover is to take place.

Now, I understand my hon. friend has said a lot of things about me and people losing confidence in me and all the rest of it. I would like to say this to him, that I wonder if he questions the integrity of the letters that have come to me from the various commodity boards in this province and the various commodity group associations, expressing confidence in our activities and in our handling of not only the bean situation but of the marketing situation generally as it pertains to commodity groups.

**Mr. MacDonald:** How many letters did the Minister get?

**Hon. Mr. Stewart:** I have a great many.

**Mr. MacDonald:** How many letters did the Minister get from the federation of agriculture members?

**Hon. Mr. Stewart:** Not one.

**Mr. MacDonald:** Well then, the Minister has not heard the other side of the story.

**Hon. Mr. Stewart:** Well, maybe not, I am just saying the things that I have heard.

**Mr. MacDonald:** Right.

**Hon. Mr. Stewart:** And I think I have a right to believe those people, and I ask my hon. friend if he is calling all of them liars?

**Mr. MacDonald:** No, I am not.

**Hon. Mr. Stewart:** These men in the commodity groups whom he supposes to represent —I think we ought to let everybody know that not everybody is as unhappy as the hon. leader of the socialist party would try to have them believe in this province of Ontario. And with that I rest the case, because to me there are too many things being said that are misleading not only to the people in this House but misleading to the people of the province of Ontario for pure and simply political purposes and nothing else.

I want to clear up one other thing. The hon. member for Huron-Bruce referred to Bill 86. It was not the clauses of Bill 86 that were used in this bean episode at all. I would like to read an opinion expressed by one of the solicitors of our department and it reads:

> Ontario bean growers marketing board dissolution. The above local board was dissolved and its assets transferred pursuant to section 6(1)(g) of The Farm Products Marketing Act and the plan was revoked pursuant to section 6(1)(a). The new Ontario bean marketing board was established pursuant to section 6(1)(a). The present section 6(1) of the Act first appeared in 1958 and contained basically the present clauses (a), (c), (e) and (g). Clause (d) was added in 1959, together with other minor changes not relevant here.
>
> In 1960, Bill 86, enacted the predecessor of the present clause (f). It should be pointed out that Bill 86 only concerned the dissolution of marketing agencies, not local boards. In 1963, clause (f) was changed to its present form and dealt with the dissolution of local boards rather than marketing agencies and the present clauses (aa) and (b) were added. I therefore advise that powers in the Act derived from Bill 86 were not involved in the matter, the powers which were used were established in virtually the present form in 1958, several years prior to Bill 86.

I put this on record only so that we know. There have been references made to Bill 86 and it had nothing to do with what happened in this particular instance.

**Mr. F. R. Oliver** (Grey South): Mr. Chairman, I have been listening to the discussion this afternoon and there are two or three things that still stand out in my mind as being unsolved, to my satisfaction at any rate.

I want to go back to the minutes that were mislaid or lost or put away until the appropriate time. It seems to me, Mr. Chairman, that around these minutes revolve the resignation from the farm marketing board of two gentlemen. Now, I cannot for the life of me see the Minister of Agriculture or the two gentlemen who resigned from the board not having been made aware of these minutes before they decided—the issue was so clear and so vexed. The issue revolved around what might have been in those minutes and yet the Minister stands in the House this afternoon and tells us that he did not know a thing about these minutes until after the event and apparently the two men who resigned from the board, he would have us believe, did not know anything about the minutes. That is just a pill that is not too bitter to swallow, but it is too big to swallow. I just cannot understand the reasoning of my hon. friend in this regard.

The other matter that is prominent in my mind at this time is that my hon. friend says that he lost confidence in the board. The reason he lost confidence in it was that after the events in which he displayed confidence—after those events—he found that the minutes had been tabled by resolution of the board.

I want to say to my hon. friend that in my opinion he should not be so vexed about this matter; I think it was perfectly logical. I talked, as my friend has, to members of the board. One man in particular, who by the way, was a former member of this House — and my friend knows to whom I refer, and I always understood and believed that he is an honourable man whose word can be taken — this man told me on two occasions at least that the board members had every idea of putting this motion through and carrying the resolution to fruition.

**Mr. McKeough:** When?

**Mr. MacDonald:** By the deadline that was given them.

**Mr. Oliver:** I am coming to that in a moment. The reason the motion was tabled, in my judgment, from two points of view, was perfectly logical.

In the first place, the annual meeting was

coming up and in view of the fact that under your signature the board was given a year come next September to facilitate and to come to this agreement, there was not an immediate pressure on the board to pass it at that time on the eve of their annual meeting. I think that is done repeatedly in many organizations, that if an annual meeting is imminent, the board tables it for the consideration of the incoming directors. In this instance there was ample time under an agreement signed by yourself, for the incoming board of directors to have taken action on it. I suggest that my hon. friend rushes in where angels fear to tread, and I would say to him that in this instance, he had not a leg to stand on.

I did not know until today that my hon. friend had signed an understanding with the board.

**Hon. Mr. Stewart:** No, I did not sign it.

**Mr. Oliver:** Well what did you do then?

**Hon. Mr. Stewart:** There was an agreement between the committee of the farm products marketing board and the committee of the bean board.

**Mr. MacDonald:** Signed by Mr. Arbuckle.

**Mr. Oliver:** And you honoured the agreement. It was understood to be an official agreement.

**Hon. Mr. Stewart:** Oh, yes.

**Mr. Oliver:** Yes, well it is much the same thing. It was an official agreement. But that agreement does not run out under ordinary circumstances until, as my friend says, August 31 coming.

Now, my hon. friend surely — I would think that that board, if it could engage my friend from Sudbury, or some good lawyer, could have sued you actually for breaking up that organization while those conditions existed and while the time limit was still undissolved. I suggest to you that you really took the bull by the horns and you did not get a very good hold of him, but you grabbed him by the horns at any rate and you really rushed in where you had no business and you served no useful purpose, except to get people mad at you. If that is what you want to engage yourself in for the next few months, it is all right with us.

**Mr. MacDonald:** That is when you were playing politics.

**Mr. Chairman:** Is vote 108 carried?

**Mr. Nixon:** Mr. Chairman, before the vote carries, I want to ask a question or two about another responsibility of this board, and that is with the tobacco marketing board.

As you know, sir, the operation of this segment of the agricultural economy is very much on the upswing. Those who have tobacco rights and are presently growing tobacco, are looking forward to a very successful year indeed. We all hope that the elements co-operate. Most of these people have very elaborate operations, involving irrigation and their greatest fear is hail. If we can get through the next few weeks, the peak of the hail season, without any serious damage, then certainly the tobacco farmers in the constituency that I represent, as well as the four adjoining ones, can look forward to another excellent year.

But specifically on this matter, I wanted to ask the Minister if he would clear up for me and for some other members of the House, the financial dealings for which he had some responsibility and for which the federal government had some responsibility, with the taking off of the market of the surplus tobacco some years ago, when the position of the marketing board and the farmers involved was not nearly so advantageous.

An announcement was made some weeks ago involving this, and I think this would be an appropriate time if the Minister would set the matter straight so that those of us with some responsibility can make it clear to those we represent.

**Hon. Mr. Stewart:** I recall very well the hon. member asking one time before in this House during my estimates, what the loss would be really—if I recall correctly his words at that time—to the government on that deal.

**Mr. Nixon:** Just in this connection, I can well remember the Minister drawing to my attention that it was a poor time to ask the question because the tobacco was not yet sold.

**Hon. Mr. Stewart:** That is right.

**Mr. Nixon:** I know that the tobacco has been sold and it would be to everybody's advantage if the facts were made clear.

**Hon. Mr. Stewart:** Right. The loss sustained was something over $600,000. We have made good a $600,000 payment on the loss now and the balance of it will be calculated as soon as all of the tobacco has been

graded that has been sold. It is not yet all calculated.

Now, it is all sold, but as I understand it, January 1, 1967 will be the final billing to know how much additional loss there is. It is calculated to be about $30,000 more or less.

**Mr. Nixon:** In addition to the $600,000?

**Hon. Mr. Stewart:** In addition to the $600,000.

**Mr. Chairman:** Is vote 108 carried?

**Mr. Nixon:** I have two or three questions further here.

How do we go about providing the money to cover this? Is this met through warrants, or in what way is it provided by the House?

**Hon. Mr. Stewart:** This was obtained as a bank guarantee under The Co-op Loans Act and it is paid by Lieutenant-Governor's warrant. I think it is only fair to say, Mr. Chairman, that the money that was expended in this regard cannot really be considered as a loss, it was really a promotion of tobacco into other markets, and I think it is a very legitimate expenditure when it is held in this regard, because it did get tobacco into markets where our Canadian tobacco has never been in before. No one can say whether or not this is really a loss. It may generate sufficient business that it may turn out very well to be a very good investment.

**Mr. Nixon:** I was wondering what advantage the marketing board and the Minister with the co-operation of the Minister of Economics and Development might be making of the present international situation regarding Rhodesia and the tobacco sales there. There has been a lot of comment that this difficulty with Rhodesia has been a factor making our own market much more buoyant than it ordinarily would be. Is there any indication that we are going to find ourselves in a position to take advantage of the misfortunes of some others?

**Hon. Mr. Stewart:** The tobacco exports committee working in connection with our government and the federal government are exploring every possible avenue expanding sales of Ontario tobacco. But I do not think one can suggest for a moment that the buoyancy of the 1965 crop market was related at all to the Rhodesian situation, because the stocks of tobacco that were sold, were sold without any real decision having been reached, so far as Rhodesia is concerned, and I would not think it had any bearing at all.

Now it may very well have a bearing in the future. This crop year there is an increase intended in export sales from Ontario and I would hope that that would continue to escalate, but as far as last year is concerned, I do not think it had any bearing on the market whatever.

**Mr. Nixon:** I understand that the Minister and his advisors had much more to do with the deliberations that set the size of the crop for this year than they had in the past. I believe that the good offices of the Minister's committees were used to negotiate with those who would buy the tobacco, in an effort to decide just what the optimum size of the crop would be.

I wonder if the Minister would comment on his part in these negotiations and if in fact the possible expansion of our market, because of the international situation, formed a part of those deliberations?

**Hon. Mr. Stewart:** No, I would say, Mr. Chairman, that this took place three years ago—this break-through in getting the market going. We got the buyers to agree to purchase so much tobacco, providing the growers would produce that much tobacco, at what would be established as a uniform price. This was by voluntary and mutual consent and agreement. This was a real breakthrough and it started to establish confidence between the buyers on the one hand, and the growers on the other. The culmination of it was reached last year, when we had the most buoyant market in the history of Canadian tobacco sales. The agreement that was reached this year was based on the same principles and in effect, went through the same motions, but we took into consideration the expanding sales that we hope will be made to the United Kingdom and off-shore markets. Those off-shore markets indicated to us their intention to purchase extra tobacco.

Now there is nothing new about the relationship. It has been going on for the last three years and I think it indicates what can really be done when you get all sides of the question, the people involved, sitting down around a table and working out their problems in a sincere way. I would hope this would permeate all marketing plans in this province, because they can really work when they work co-operatively together.

**Mr. Nixon:** During the past four years amendments to The Farm Products Marketing Act has strengthened the position of the local board in control of the crops, as the Minister knows. Is there any evidence this

year that any crop has been grown outside the jurisdiction of the board; has there been any action taken in this connection?

**Hon. Mr. Stewart:** No. I am advised, not to our knowledge.

**Mr. Nixon:** Well, I think this is significant because, as the Minister knows, during the past few years there has been a group of people who have been prepared to grow outside the authority of the board, and have tested the authority of the board to the supreme court of Canada. The amendments that were passed unanimously by this House were upheld by the court at every level, and those who were contesting them, now find themselves in very difficult positions indeed.

Mr. Chairman, I think it is well to remember that these farmers did contest the legislation in what I would say was good faith. They, themselves, at least the ones that I am concerned with in my own constituency, do have acreage rights that they are continuing to avail themselves of during this crop season. But really it is a difficult situation and I, as the member, the representative, for at least two of these people, want to raise the position here in the House because they are in many ways outcasts as far as their neighbours are concerned who have conformed with the requirements of the marketing plan and, as I say, were supported by all parties in this Legislature.

They fought it to the supreme court of Canada. In the final judgment, costs were assessed against these people who were contesting the regulation. These costs would normally be divided over a fairly large group of people. I should know specifically the number; it occurs to me that it would be 15 or 16 contesting farmers. But some of these are no longer in agriculture. At least one has gone into bankruptcy. Our experience is that the total load of these costs now devolves on two people, both of whom happen to live in the constituency of Brant and have brought their difficulties to me, as their member, and to the Minister through me and perhaps on their own; I am not sure.

Without talking about their difficulties on a personal basis, it is my information and understanding that at least one of these farmers is going to be forced out of his farming business because of the responsibilities to pay the court costs. This is a justifiable assessment; after all, they lost the case after lengthy litigation. Their own requirements, as far as costs were concerned, were very heavy, and they maintain that at one time there was quite a battery of lawyers offering legal advice so that they could go to the highest court in the land.

The fact remains, though, that as the dust begins to settle—as a matter of fact, it has settled—we find that no tobacco is being grown outside the regulations at all. The battle has been won by the authority of the marketing board, and this has been tested to the highest court in the land and is, in a sense, something of value. So I would say that it would lie within the generosity and power of the Minister and his marketing board to make some accommodation with at least these two specific cases to assist them over the time during which the heavy cost of these court proceedings are going to rest on their shoulders personally.

In saying this, I would say that I carry no brief whatsoever for the merits of the case they argued. This was argued before in the Legislature of Ontario and the agriculture committee of this Legislature. I want to make myself abundantly clear on this.

The fact remains that they now find themselves in a precarious financial position, and a position that could be ameliorated to some extent by sympathy, some understanding, some assistance that would not, I submit, cost the taxpayers of the province of Ontario anything, if we could give an extension to the costs that are presently required of them.

Frankly, I must admit that I have not spoken to these people and they have not come to me for some weeks. The Minister knows that earlier in the session we discussed this and I have heard nothing further of it. I felt that it was of sufficient importance to raise it at this time, and I wonder if the Minister would make a comment on the possibility of assisting them in their difficulty?

**Hon. Mr. Stewart:** I well recall the two cases that the hon. member referred to. One of them has 38 acres and the other has 56. I believe they are both fully planted, or at least planted to the percentage that they can plant this year.

I would say to the hon. member this is purely a matter that rests with the tobacco growers' marketing board in the amelioration of those costs that are involved. If the tobacco board feels so disposed, I suppose they could deal with it accordingly as they see fit. They have not chosen to deal with them, as my hon. friend suggested they might be dealt with. However, I believe the matter is still under consideration. I do not think there is any danger, because of those costs, of either one of these men being wiped out at

the present time. We have to recognize this.

Mr. Chairman, if I might, I would correct myself in stating earlier that the turnover of the bean plant that I stated would take place on July 5 in London, is actually taking place in Toronto at the farm products marketing board office. I said London, it is Toronto. Sorry.

**Mr. Nixon:** I apologize, Mr. Chairman, for taking up so much time in the House in this matter, but did the Minister bring this matter to the attention of the tobacco marketing board in the weeks gone by?

**Hon. Mr. Stewart:** Yes, it was done through the farm products marketing board. The Attorney General and I had considerable conversation about it.

**Mr. Nixon:** I see. And he can assure me it is still under some discussion?

**Hon. Mr. Stewart:** I would say it is with the farm products marketing board through the tobacco board. But it is really a matter for the tobacco board to decide finally.

**Mr. Spence:** Mr. Chairman, before this vote is passed, I would like to return to the bean situation.

**Hon. Mr. Stewart:** To the what situation?

**Mr. Spence:** To the white bean situation. I might say that the Minister has talked about the fine markets that have developed in Great Britain for our white beans. Last fall, the growers board did not give notice or make public to the bean producers that beans had skyrocketed in price in Great Britain. Of course, neither did the white bean dealers. Those farmers were deprived of hundreds of thousands of dollars because they did not know that beans had skyrocketed in Great Britain. They were selling beans at $7 a hundred, when beans were selling in Great Britain at $11.

In cases like this, does the Minister in any of his publications set out markets of products, such as beans? Should we have got from some of your publications notice of the price of beans in Great Britain?

**Hon. Mr. Stewart:** I would say that one of the chief responsibilities of the marketing board is to keep its growers informed of the activities of the market, the fluctuation, condition, potential and what have you. If this was not done, this is unfortunate. But as far as the farm products marketing board is concerned, they forward to the respective commodity boards any assessments of markets that they get which are passed on to those boards.

We do not attempt, from our central office of the farm products marketing board, to contact all of the individual members of the commodity groups involved, but there is liaison between the secretaries of the respective boards and the secretary of the farm products marketing board in the respect that you mentioned.

**Mr. MacDonald:** But Mr. Chairman, they did not inform the growers of the higher price for the simple reason that there was no point in it. All their storage was filled. You are right back to the whole nub of the issue, the greater storage space they required.

**Hon. Mr. Stewart:** I think, Mr. Chairman, this opens up a whole new field of debate and discussion. It opens up the field of whether or not this should be a commodity board with a negotiating plan, or whether it should be an agency plan. I say, for the record of this House, that I was impressed with what Bob Allan had to say in reported press releases which came out from the annual meetings that were held of the bean board in bean areas last year. He wondered, with the bean growers, whether or not the time had come to look at it as a complete agency policy.

To my way of thinking, and I hope you will not think I am trying to draw red herrings here, we have to look at this thing from the standpoint of what its net effect is on the whole industry. The bean marketing board, with, I think, the best of intentions, were really only handling about 10 to 12 per cent of the crop; they were buying that and putting it in their storage. It is true they decided to build more; they voted on it and it was turned down. But today I believe there is a contract out to build three new silos in London to give them more storage. I do not know whether they are under construction, but I understand they are to be ready for this season. This will help a little, but it does not take control of the whole situation. I should not be the one to suggest this here, because if I suggest it, it will likely be turned down by everybody; they will say: "The Minister is in league with somebody," right off the bat. "This is wrong. You should not do it, the Minister suggested it," but I think that Bob Allan had a sound suggestion when he talked about an agency plan for beans. The only way you can get real control of a price and real authority to deal on the market place is when you have complete control of the product.

I look at what happened in the wheat marketing plan of western Canada, where we had the co-operative pool elevators formed with the best of intentions to buy wheat in competition with the private trade. Hopefully, as co-operative pool elevators they could have such an influence on the trade that they could, in effect, control it. But they could never reach that place. Only when the wheat board came in with national authority and took over the entire product and in effect formed an agency did we get some order into marketing of wheat in western Canada, and we really achieved something for Canada. Perhaps the time has come for the bean growers to take a look at this type of an arrangement. I am not suggesting it is the thing for them to do because I suppose if I suggested it, it would be the first thing to be turned down.

But I think it is worthy of consideration, because to me it is not good enough to handle 10 per cent of the crop and hope that is going to have an influence on the remaining 90 per cent. Let them get into the field, if they are going to get into it, and really do a job. I think the job can be done to an even greater extent. Then the point that my friend, the member for Kent East, has raised will be dealt with properly, that the money that really should go to those farmers who grew the beans would go to them on an up market, but we have to recognize as well that when a down market comes, in effect what we are talking about is price pooling, that when there is a down market it could work in the other direction.

Generally speaking, there should be no less price received than that which is negotiated, because we have the protection of, first of all, the import duty and the benefit which we enjoy on the Canadian dollar in relation to the American dollar today. So that we can set that price for our production in Ontario and for the use of beans in Ontario, I should say, in our domestic use. We can get everything we can out of the export market. It seems to me it is only logical that price blending could have a very marked effect and improvement for the whole bean industry. I simply say that in commending and congratulating the suggestion that was made last year that I read in the press by Mr. Allan, chairman of the bean board.

**Mr. MacDonald:** Mr. Chairman, I certainly agree with the proposition that it is desirable to consider an agency, but before we leave it let us go back to last fall. I still think that there is no valid criticism that can be directed at the board for not having informed the farmers, because it would have been an idle bit of information, they were in no position to buy with no facilities to store them.

**Mr. McKeough:** What about the other dealers?

**Mr. MacDonald:** Well, the member means they wanted to inform the growers so the other dealers would not be able to underpay them.

**Mr. McKeough:** They could have told them to hold out, though and not sell—

**Mr. MacDonald:** Well, my hon. friend may be right, but if the function of the board was to alert the growers so that they could make certain they were getting as much as the market would bear when they sold to the private trade, this is the point that is well taken, but I think it is an interesting point for my friend to be pushing at the moment.

**Mr. Gaunt:** Mr. Chairman, just before we leave this, the Minister made the comment that this opens up a whole new area of debate and I am very interested in this particular thing because in reading the pool report the comment was made that had the board actually had agency powers then the company operation would not have been an illegal one. Now, I want to know if, in fact, the farm products marketing board had ever laid this proposal before the bean growers marketing board prior to the takeover. And if they had, what was the reaction?

**Hon. Mr. Stewart:** Well, I would say that the matter had been discussed with the board last year. It was one of the things that was discussed at the meeting that the Deputy and the chairman of the farm products marketing board and I attended with the bean board. This is their policy decision to make. It is up to them to make that decision. If they see in their wisdom that it is not wise to do that, it is their prerogative. We are not directing them how to do it at all.

But any commodity group can form an agency if the producers of the commodity so indicate.

**Mr. Gaunt:** I would just say that the statement by the Minister in relation to agency powers and the fact that a marketing board has to have control over the entire product in order to be truly effective is a very valid one. I think he makes a good point and I would certainly agree with that. However, I

want just for a moment to go back to the statement that my friend read, that was given over the CBC by professor Ralph Campbell. I know Mr. Campbell and I respect his views very highly.

However, I do want to point out that as far as the chicken broiler growers marketing board is concerned, I think their record this past year has been a very good one in terms of price. It has been a good one in terms of price when you relate it particularly to the past few years and to the tremendous increase that had taken place in the chicken broiler placements up until the time the marketing board came into being with this type of power to control production and to direct production in a manner which would be conducive to the orderly marketing of chicken broilers in this province.

And I compare that to the situation in the turkey broiler industry, with which I am rather familiar, where Mr. Campbell is quite right, we have had a tremendous increase in turkey broiler production, not only this year but for the past number of years. The fact of the matter is that since the chicken broiler producers marketing board came into being, their prices have been at a satisfactory level as opposed to the turkey broiler growers and indeed, the producers of heavy turkeys where prices for the past three years have not returned to the growers a satisfactory return.

So it is rather obvious to me and I think it was obvious to the people at the meeting in London in the middle of June, where they stated that something had to be done in the turkey industry. They are now in the process, I believe, of taking a vote among the producers as to whether they go ahead with the marketing plan of a similar type embodied in the chicken broiler growers marketing plan.

I say to my friend that I hope in his comments and in reading what Mr. Campbell had to say, that he was not inferring that the chicken broilers marketing board was not doing a job, because I think within the confines of the province it has done a remarkably good job.

Now the point about a national board is also a valid one; I could not agree more. I think the thing to be truly effective has to be done on a national basis. But until we get to that point, I say that we have to take the thing in stages and it would seem to me that it would follow that the province should be pushing ahead, and indeed many of the growers in terms of turkey broiler growers and chicken broiler growers have been doing this along with many others, as has been witnessed by the tremendous increase in marketing plans with teeth in during these last few years.

I just want to say that I hope in the interim, while we are waiting for a national marketing system that will be truly effective —perhaps this will be some years off, I do not know—but in the interim I think it is very worthwhile and certainly important in terms of insuring to the producers in this province an adequate return, that we go ahead with the marketing plans at this stage of the game.

**Mr. Spence:** Mr. Chairman, to go back to the bean situation, as the Minister has stated this afternoon, there were a number of members of the bean board who went to England on a mission to sell beans.

We never heard any report or heard that they ever gave a report. Was there ever a report given after their return on the bean market situation in Great Britain?

**Hon. Mr. Stewart:** Unfortunately, I never heard of a report that they made on coming back either; I do not know why.

Vote 108 agreed to.

On vote 109:

**Mr. Paterson:** Mr. Chairman, I would hate to see this vote go through without paying some little tribute to the women on the farms and especially to the ladies of the women's institute. I would ask the hon. Minister if this particular branch is still placing the same emphasis on handicrafts and home sewing in the rural areas of Ontario and specifically in regard to possibly some centennial project. I would ask the hon. Minister to comment on this.

**Hon. Mr. Stewart:** I thought my friend was paying tribute to the women's institute and I am not sure what he asked me to comment on. I must confess that I was looking at some notes I have here on something else and I have to say that I did not hear what he asked me to talk about.

**Mr. Paterson:** I asked the Minister if this section was still placing the same emphasis on handicrafts and home sewing as has been done in the past and if any specific projects were forthcoming toward the celebration of our centennial.

**Hon. Mr. Stewart:** I am not so sure about the relationship to the centennial but I would like to read the functions of the home economics branch — it is now divorced from the extension branch and is a separate branch. It is:

> to conduct and expand a programme of home economics education for Ontario rural women and girls. The emphasis is placed on foods and nutrition, clothing and textiles –

So I would assume from this that the emphasis is very much a part of clothing and textiles, as it has been in the past:

> – home planning and furnishing; home management and home crafts.

The programme is carried on by 34 county and district home economists and a head office staff of 17 specialists.

Last year over 20,000 4-H homemaking club projects were completed by girls and over 13,000 women attended training school short courses and forums. Much of this was made possible through the work of over 5,000 voluntary local leaders trained by the home economics branch.

The total number of 4-H homemaking clubs was 2,176; the total number of projects completed by 4-H homemaking club members, 19,928, and the total number of individual 4-H homemaking members was 12,230.

I think this is one of the most active and profitable branches of our department as far as the living standards of the people of the province of Ontario are concerned. It is a magnificent contribution that has been made by the home economics branch not only through the women's institutes but through the young women who have found homes of their own. I speak from personal experience on this because with four daughters in 4-H homemaking clubs and one now operating a home of her own, I know what it has meant in our family to have the services of the 4-H homemaking club and I am most enthusiastic about it, and I had better sit down before I talk too long.

Vote 109 agreed to.

On vote 110:

**Mr. MacDonald:** Mr. Chairman, I would like to make a few comments in regard to the information branch – an issue on which the Minister and I have had some rather heated exchanges this year, in reference to one particular meeting, and that is that I am rather impressed by the amount of protest that is emerging from farm papers with regard to the growing tendency of farm organizations and of this department, when it suits their purpose, of holding closed meetings.

For example, on the particular closed meeting on the bean board issue held downtown, that day, George Atkins, whom I think I can describe as one of the respected farm broadcasters in this province, commented on the CBC as follows:

> No doubt some fragmentary reports will come out of the meeting because I saw several reporters listening at the cracks in the door to what was going on. As far as I am concerned though, for information that we are going to report on the farm products marketing board it has to be complete, factual and gathered in a proper way, not by listening at keyholes or cracks in the door, or begging for statements from officials in the bustling hallway after a meeting is over and they are on their way to lunch.

But that is not an isolated incident, and just let me briefly document it, Mr. Chairman. Some time earlier, on a CBC broadcast, Mr. Peter Lewington, the associate editor of the *Country Guide* had a commentary entitled, "The Sins of Censorship". The first two paragraphs are rather hard-hitting. He said:

> Once upon a time there lived a little man who would write the news before the event even happened. He was an evil genius who could improve, shape, modify and create facts to order. His name was Goebbels. I hoped that he was quite, quite dead. To my anger and concern, I find that his ghost is walking through Canadian farming.
>
> Managed news, propaganda news releases, public relations services, these are all terms with which we have become familiar. I do not suggest for a moment that what we have going on in Canada is steeped in horror and baseness of the Goebbels era, but I do say, and most vehemently, that we should tolerate no tampering with the news. What I do say, and with infinite sorrow, is that we are already launched upon that dangerous, slippery slope of improving, either by omission or commission, what is represented as factual news.

And in it he cites one instance, Mr. Chairman – just to show you that I am not directing my fire principally at this government–with regard to a meeting that was held back in 1964 by the CFA with regard to a swine improvement conference and they concluded that by saying that they would book another conference the next year. Suddenly he discovered that the conference had been held. He knew nothing about it. A release came out indicating what was held

in it and some time later, if I may just quote from his comments:

> But worse is to follow. By July the CFA had decided that what it said happened, did not really happen. It finds it necessary to send out a three-page memorandum of "explanations and corrections." Such are the ramifications of closed door conferences.

Now, lest the Minister should think that I am going too far afield, and not getting back to home, in a subsequent broadcast on the "Point of View" series the same Peter Lewington, associate editor of the *Country Guide* spoke under the title of "Weasel Words" and one paragraph in it has this comment:

> Other news releases and radio tapes have a more subtle approach. They are the biased variety which come from the desks of PR men in the pay of The Ontario Department of Agriculture. This is part of the government foray into the quicksands of image building. As one of the PR men retained by the taxpayers' money observed to me, "We are going to blast the saboteurs." The saboteurs were not, as one might have expected, the Viet Cong, but none other than the Ontario farmers who object to some current aspect of government policy.

Now, I quote that partly because I think that this is a growing tendency that should not be ignored, and indeed, should be corrected. The meetings that deal with public policy should be public meetings. I reiterate what I said earlier, and say unrepentantly, that the proposition that when you have as serious a difficulty with regard to a marketing board, as this government had, the proposition that the members of the Legislature should be excluded from the meeting, I think, is wholly unwarranted. But he goes on to indicate that what happens is that even the PR men of the department go out to treat as saboteurs those who dare to criticize government policy.

Now this is another disinterested observer's suggestion that anybody who does not play ball with this department sometimes finds that he is the victim of a concentrated attack—directly, or through farm organizations. I see the Minister shaking his head and I invite him to comment on it.

**Hon. Mr. Stewart:** Mr. Chairman, the remarks are so completely ridiculous that they are not worthy of comment. I do not know how anyone gets the message out other than through the information branch that we have and surely there is not a more respected man in news services in the province of Ontario than Brad Schneller, who sits at this very table, to say that he or anyone else in our department is associated with managed news. Trying to put the political emphasis on it is just simply ridiculous in the extreme.

**Mr. MacDonald:** Mr. Chairman, it is all very well for the Minister to get up and indignantly dismiss it, but he is by implication suggesting that Peter Lewington is not an honourable person, is making false accusations and so on. I repeat, Peter Lewington quoted a PR man. I have no idea who he is talking about, but I think it might be in the interests of the Minister to find out.

**Hon. Mr. Stewart:** Would Peter Lewington identify the man for certain?

**Mr. MacDonald:** I do not know. I would think, quite frankly, that if this kind of a statement were made with regard to a PR man in a department that I was head of—"we are going to blast the saboteurs," those who were critical of my policy—I would want to have that clarified very quickly. Even though it is a little time after the event, I invite the hon. Minister to look into the matter, because I suggest this is a wholly indefensible kind of role for a PR person to be engaged in.

**Mr. Gaunt:** Mr. Chairman, I want to make a few brief comments on this vote in a little different light than the comments of my friend, the member for York South. I was interested in seeing in the *Rural Co-operator* an article by Jim Garner "why the communicators do not communicate." I read this particular article and, interestingly enough, from time to time we have heard complaints by various people—news media people sometimes and sometimes by farmers themselves—that a lot of the material that is put out is of no real value to them because it is away over their heads. They do not really understand a lot of it, so with that background I was interested in reading this particular article.

It says, in part, that the educational level of rural Ontario is known fairly exactly. Men average grade 10, women, surprisingly, average two grades higher, grade 12. About a quarter of the men in rural Ontario did not go past grade eight. So it naturally follows, and the writer makes the point here, that in order to be clearly understood, the message must be clearly and simply stated. Apparently some research has been done in this particular field and several professors at various universities have drawn up a scale of

how hard or difficult certain material is to read and comprehend.

The article says the classic is a piece of literature mailed directly to a large number of Ontario farmers. The organization which puts it out complained they never read it. Measured by the Flesch method, one sample registered "very difficult." According to the Gunning index, it was of average reading difficulty for grade 23. That would be the final year of study for a man with two Ph.D's. So it is no wonder, this being the case, that many of our farm people just do not understand and do not get any value out of a lot of the material that is shipped to them. Dr. Gunning says the average counts for well known publications are children's comics, six; *Reader's Digest,* nine; *Time* magazine, ten; *Atlantic Monthly,* 12. It says no ocular magazine is more difficult to match—even the *Atlantic* is considered a little highbrow by the general public.

This is what the researchers have found and these indices indicate the difficulty of the particular person in comprehending and understanding the material. I suggest to you that these figures as related to some of the publications such as *Reader's Digest,* which has an index of nine and *Time* magazine ten and so on, will give you are very interesting.

The Canada Department of Agriculture bulletin has an index of 13. In other words, it is twice as hard to read as children's comics. I would not say that is too startling. *Reader's Digest* was nine compared to the Canada Department of Agriculture bulletin, 13; Ontario Department of Agriculture and Food release, 14.4; the milk marketing board news release, 16.5; the Canadian federation of agriculture news release, 17.3; the Canadian council on 4-H clubs news release, 19.2; and the united co-operatives of Ontario news release, 20.2. I pass these figures along, and I know my good friend, Brad Schneller, the director of this particular branch, cannot in any way, I am sure, be blamed for this, but I point this out so that the Minister will pass along to these people who do the writing that perhaps some of this material might and should be a bit simpler and much more easily comprehended than in its present form. We are often startled when we find out that from time to time farm people do not really know what is going on in agriculture, and indeed in some other fields. Perhaps this is one of the reasons. So I pass it along to my friend for what it is worth. The beauty of it is, of course, that it does not cost any money to correct this kind of situation.

**Mr. Nixon:** I was interested in the member for Huron-Bruce saying that it is a shame that some farmers do not know what is going on in the agricultural industry. I would say more than that—it is a shame that some non-farmers are not better equipped with information about the industry, particularly in times of some public relations stress that the Minister might experience from time to time, and even the farmers themselves.

I was wondering if the Minister makes the average figures on farm incomes generally available. During this session I have heard him say that the farm income has never been so high and is several million dollars over last year. I would assume this is gross income. I heard him say also a day or two ago that the net income in Bruce county was up 300-odd per cent for those who took part in the farm management club. Surely some statistics from various organizations such as farm management clubs, the dairy herd improvement association, could be released without too much comment by the department, so that those who are interested enough to read the actual figures of net income in various areas would know precisely what the farmers are faced with, how their income compares with the average factory income and how it compares with other incomes associated with privately-owned business and investment? As I understand, the member for Bruce indicated to the House last night, Mr. Chairman, what the income from dairy farms is in the area of Brant county which I represent. I thought it would be interesting to compare that with the figures from the farm management association that the Minister quoted from Bruce. That was not quite so glowing. It seemed to me that if factual information was available on what the net incomes were for the farmers in the areas of Ontario—not the money they deal with but the money they have to spend on their families, their homes and their education—their take-home pay, if there is any would be of primary value. There was a time when the farmers objected to having these statistics used. There was a thought that the Minister used the dairy herd improvement association figures for his calculations on the milk formula. There was an objection to this because those who take part in dairy herd improvement association work are not the best dairy farmers by any means. On the other hand they are perhaps above average.

I would also say that the farmers that take part in the farm management associations on a county basis are well above average, so that the statistics associated with these

figures would perhaps not give the true representation that the farmers as a group of people would like. But they would have some specific basis upon which those not directly in farming would be able to relate their opinion of the whole industry. Whether or not there is any validity in farmers from a certain area of the province getting out their tractors and, in fact, going on strike against the system and if, in fact, there is any validity in the complaints that are heard from time to time from the farming community, would also be decided.

I believe that the farmers are in a deperately hard-up situation. I also believe that it is improving. We look forward to better times, but the farmers have come through ten of the toughest years that they, their fathers, and their grandfathers can remember. Yet still we talk to our friends in this House, some who sit not too far from me here, and our friends in the community at large, who have a warped impression of what farm life is.

Those of us who are farmers obviously have some certain income from our labours as representatives that go along with our farming income, so that we are not full-time farmers, and cannot express it on a personal basis. But the community at large is not aware of these difficulties. The statistics are available to the Minister, whether he feels he can use them in this way. But if he decided that he could put on the record what the net incomes are, in the various economic regions across this province, it would be an eye-opener to those who have the impression that farmers all go to Florida, all drive big cars, all have swimming pools, and all of these things that associate themselves with the attitude of the uninformed.

**Hon. Mr. Stewart:** Mr. Chairman, I think that is an excellent suggestion. This discussion should have come under the statistics vote, but the points are well taken. I think this is a point that should be discussed at the conference that is coming this fall, because while these figures are available in the statistics branch of our department, they are not published on a regular basis. But they are available to the people in the department, the agricultural representatives and the extension branch people.

Your point is that it should be made public, and I think this is a good point. I would like to have the thinking of the farm organizations on this. I see no reason why it should not be made available, but I think there is a bit of a delicate area in here, and I would like to have their opinion. It should be discussed, I would think, at the coming conference.

**Mr. Nixon:** I would say that I think it does great harm when the increase in the gross farm income during the year is released as a significant thing. I do not think it means a thing. The newspapers always grasp this and put it on the financial page. Those who are not in the farm community may look at it, and nod sagely and say: "Yes, we always knew things were good on the farms."

It is also dangerous to select a set of figures as does the Minister when he referred to the increase in net farm income in the Bruce area, based on a club of probably 25 or 30 people. It may have assisted him in making a point. I feel the other point could have been made just as strongly with statistics taken from other areas. It is dangerous to select them without due consideration for the effect they have on the whole farm community.

Averages may not tell the right tale. Averaged on economic communities, or the economic divisions of the province, would, I think, be the best way to do it.

Vote 110 agreed to.

On vote 111:

**Mr. K. Bryden** (Woodbine): Mr. Chairman, to save the Minister a little time, I will refer to myself as the farmer for Woodbine. That will wipe aside at least one of his numerous irrelevancies.

I rise, however, not as a farmer, but as a consumer of farm products. I want to take up a matter that was discussed in the House some substantial time ago, and which I think merits some further consideration.

This is the matter of medicines in the treatment of livestock. There is also a related problem that I discussed with the Minister of Health. I will not go into it again. I will merely say that it relates to the hazard to the consumer from the improper use of pesticides. We have a problem that poses certain dark as possible in relation to these hazards. That has been its policy up until now. I am not going to repeat the arguments rug and to keep the public as much in the hazards. That has been its policy up until now. I am not going to repeat the arguments I made on the matter of chlorinated hydrocarbons appearing in milk, as they have appeared in this province in what are, I would say, somewhat dangerous concentrations. I will not go over that.

But I do want to get into this matter of the use of medicines in the treatment of livestock, which is another hazard to which the consumer, including the farmer himself since he is a consumer of his own products, is subjected.

I raised the point before specifically in relation to antibiotics, which I think are quite widely used in the treatment of many morbid conditions in farm animals. What I say will actually apply equally to any other drugs that are administered to animals which are subsequently slaughtered for meat.

When I raised this matter before, the Minister dismissed it in his usual haughty manner. He said that the federal food and drug directorate had the problem completely under control. Those are not his precise words, but they are a fair summary of what he said. "There is nothing to worry about. This matter is completely under control by the federal government."

This, of course, is complete nonsense. There is very little control of this problem by the federal government or anybody else. This is what alarms me. I am not suggesting there are easy answers to some of these problems. What alarms me is the fact that people in responsible positions dismiss them as if they were not problems, or suggest that the problem is under control.

As far as the administration of drugs, including extremely potent drugs such as those in the antibiotic group, is concerned, federal law requires that where a manufacturer of prepared feeds includes these substances in his product, he must show on the package the proportion that is contained. That is about as far as federal regulation of this matter goes.

Of course, the regulations under The Food and Drug Act are most meticulous with regard to the administration of antibiotics to humans. Such substances cannot be administered to humans except under a doctor's prescription, and they can be dispensed only by a qualified person. This is a natural and necessary precaution but there is no regulation at all when we come to the administration of antibiotics and other powerful drugs to animals. I suppose that one could say: "What difference does it make? After all, if more than the accepted dosage is administered to an animal, it is only an animal. If it suffers, that is not a major disaster and not in any sense in the same category as administering an excessive dose to a human."

The only problem is, if excessive doses are administered to animals it is possible for the drug to become deposited in the tissue of the animal. The animal is subsequently slaughtered. Human beings eat the meat of the animal, and in doing so they eat these powerful drugs without knowing it.

This can have quite unfortunate consequences, as far as the health of the individual is concerned, because these are poisons except when used properly. The individual could become sensitized to the drug, so that if at some subsequent occasion it is necessary to administer that drug to save his life, or at any rate to save him from an acute illness, the drug may either be ineffective or it may produce very undesirable side consequences, over and above those that would normally result.

This is the hazard that exists for the human being, and I admit it is a difficult hazard to control. I do not know if there is even any way of discovering, except by elaborate laboratory tests, if antibiotic residues, for example, are present in the flesh of an animal that is sold for meat.

Obviously the best way of trying to control the problem is to take all steps that may be reasonably possible to prevent administration to animals of antibiotics and other similar powerful drugs, except under careful and reasonable control—not as strict as that which applies to humans but a lot stricter than it is now. And when I say a lot stricter, I should say there is really no control at all now.

A farmer can buy antibiotics almost anywhere where farm supplies are available. As long as the product is not suitable for human use and as long as the container is labelled "for agricultural use only," there is no control over it. He buys it, goes home and administers it in whatever way, sound or unsound, wise or foolish, that he may decide to administer it to his animals.

I may say this is not a problem only for city folks such as myself. I have discovered that responsible leaders in the farm community have also expressed some concern about the problem, notwithstanding the cavalier way in which the Minister dismissed it when I last raised it with him.

For example, here is one of the leading farm papers of the province, *The Market Place.* I believe it is the official organ of one of the largest groups of animal producers in the province, namely, the hog producers. In a recent issue of this paper—the date does not seem to be on the pages that I retained, but I think it was the February issue—an article appeared under the heading "Drug mixing problems call for strict control."

I am going to read part of this article into the record, Mr. Chairman, but before I do so, I think it is significant that to provide information on this problem we seem always to have to go to the United States. This article relates to certain experiences in the United States. I do not know why it is in Canada that we never seem to have anybody on top of a situation to provide similar information about Canada. But there is no doubt in my mind that anything said here about the United States is quite true of Canada. In fact there is probably even less control in Canada than there is in the States. There are at least elements of control in the States; there are not even the elements of control in Canada.

Here, at any rate, are some paragraphs from this article:

> Farmers who mix their own feed and add medication will come in for much closer scrutiny from the U.S. food and drug administration.

Not from any agency that I know of in Canada but from the U.S. food and drug administration.

> This prediction was made at the American national pork industry conference in Lafayette, Ind., recently. Robert Wilcox, a feed quality control specialist at Kansas State University, said there was mounting concern over reports the do-it-yourself feed mixers are ignoring mixing instructions.
>
> Mr. Wilcox said there are recurring reports that some farmers who mix feed in the barn are using levels and combinations of drugs that have not been approved or cleared by the food and drug administration. Giving excess dosage to get "maximum" effect is highly dangerous. "Practices of this nature could result in drug residues in edible tissues."
>
> There is real concern over the misuse of arsanlic acid, he asserted. Under normal conditions this is an excellent feed additive and of great benefit to many hog operations. However, there are stories of three, four, and even ten times, the approved level being put into feed in an attempt to "knock" a disease condition and get the pigs sold.
>
> At the same time, drinking water is being medicated and hogs are receiving injections with hypodermic needles loaded with other drugs. "The probability of having unwanted residues in the edible meat is very high in cases such as these," the feed specialist added. It is the duty of all farmers to see that drugs are used exactly as outlined on the package. If drug additives do not clear up an existing condition, a veterinarian should be consulted.

and so on. I will not read the rest of the article.

I am quoting, I would like to emphasize, from a farm paper. Admittedly, it is quoting from somewhere else, but it apparently considered the item to be of sufficient importance to publish in its own paper.

I think it is of importance both to the producer and to the consumer. It does not do the producer any good in the long run to create uncertainty in the consumer's mind as to the purity of the product placed on the market. We spend in many contexts a great deal of money in this country to insure purity of food products placed on the market. The money is well spent. It is an essential protection for the consumer and it is also a protection for the producer. He can more readily sell his product if the consumer is satisfied in his own mind that it is pure or as pure as human ingenuity can make it.

However, there is a new problem here. I think it is a problem we should get on top of. I do not pretend to have any final answer to the problem but I cannot help but tend to the conclusion that the administration of drugs to animals should somehow or other be under the control of veterinarians.

I am not saying that pig number 6 should have a special prescription written for him in the same way as a human being would have done by a medical practitioner. I do believe, however, that we should work out a system whereby there is some supervision and control by the veterinarian. It should not be possible for any individual at all to go to a store and buy powerful drugs in bulk form without presenting credentials of any kind. I think he should have some sort of statement from the veterinarian indicating that it is necessary for him to have these products, and also indicating the quantities necessary.

I am sure there are farmers, like other human beings, who will fall for fallacies such as the one mentioned in this paper, that if a certain dosage will do some good then ten times the dosage will do ten times as much good. It is a fallacious notion, but I am sure there are lots of people in the world who are just likely to think that and just likely to administer ten times the dosage, especially if they think they can knock out a diseased condition in a hurry. There should be some method of control. As I said, I am certainly not in a position to present a final solution to the problem. All I ask is that the problem

should be given serious consideration, because it is a serious problem.

I was distressed, when I previously raised this with the Minister, at the high-handed way in which he dismissed the whole notion that the problem even existed. This is when we get problems, when the people responsible pretend they do not exist. I am not asking him to come up with a solution today. I am merely asking that his experts, in consultation with federal experts, should try to come to grips with this problem and find some way of controlling it so that we can feel assured that when meat is put on the market it does not have antibiotic residues or other drug residues in it.

I would like to hark back to another problem we had, and this was the problem of diseased meat. A few years ago we had some pretty violent battles in this House about the inspection of meat. The government tried, with the full support I may say, of the Liberal Party—

**Mr. Chairman:** I hesitate to interrupt the member, but I think this particular section of his remarks would more properly come under the meat inspection, vote 116.

**Mr. Bryden:** If I was on the wrong vote, I might as well finish now because I have about two minutes. I thought it could come under livestock, but if it is more properly under veterinarian service, I apologize.

However, I will finish up. I would just point out to you that the Minister was as dogmatic with regard to the general question of meat inspection a few years ago, and he was completely wrong. This group took the position that we could not have anything less than a federal standard of meat inspection in this province. We were hooted and howled at by both the Liberals and Conservatives, but this is what we ultimately came to. We finally established the federal standards uniformly throughout the province.

I would suggest that with that experience behind him, the Minister could approach this other problem I am raising in a spirit of humility. He was completely wrong in his initial position on the earlier problem. I would suggest now that he might look at this problem as a problem and not as something that he can contemptuously discuss.

**Hon. M. B. Dymond** (Minister of Health): Mr. Chairman, if the Minister of Agriculture is not going to mention it, I think it a great pity to leave the members of the House under the misapprehension that this is not a matter of great concern. I am certain it is in agriculture, but it certainly is as far as human nutrition is concerned.

In 1960, I believe the date was, shortly after I became Minister of Health, I became very much concerned in this matter because of the possibility of sensitivity. I asked the then professor of human nutrition at the University of Toronto to give me a written opinion on the matter and at that time they were doing studies on this very thing. He gave me the opinion that at the time no instance had been found of residues being found in animal tissues being used for human consumption.

**Mr. Bryden:** That was a long time ago.

**Hon. Mr. Dymond:** Just a moment, Mr. Chairman, please. The great problem with our socialist friends is they are in such a damn hurry they cannot—pardon me, that may not be very parliamentary—but they cannot wait to listen, and here is the problem. Rome was not built in a day and we did not find out about these things in a day.

But I have continued to get reports periodically from the departments concerned with nutrition. Only this morning I was talking to a leading authority in nutrition in this city who assured me that a very great deal of research is constantly going on in this. They themselves admit that there are many questions unanswered in their own minds and all they can do is keep as close watch over it as possible. And contrary to what my hon. friend seems to think, the residues are not difficult to detect in the tissues.

I do think, Mr. Chairman, it should go on the record that this is not something that is being brushed aside in cavalier fashion, but that the authorities and those experts in the field are doing what they can to keep abreast of the situation at least.

**Mr. Bryden:** Mr. Chairman, I said it was cavalierly brushed aside by the Minister of Agriculture the last time I raised the matter in this House. I was not referring to the Minister of Health. I am happy to hear that he is getting reports regularly from nutritionists and others. I should mention that when he says the residues are not difficult to detect, it is true they are not difficult for a scientist to detect, but they are impossible for the consumer of meat products to detect.

I am glad to hear that the Minister is receiving reports. There are a good many authorities in the field who consider that the problem is perhaps a little more urgent than the Minister of Health suggests. This may be a difference of opinion among experts.

I am just suggesting that we should be thinking in terms of some system of control of the sale of drugs for agricultural purposes. That is all I am suggesting.

I think that this is a sufficiently serious matter. I do not want to get involved in any battle of experts about it, but I think there is sufficient cause for concern that we should be thinking in terms of adequate control.

**Hon. Mr. Stewart:** Mr. Chairman, I would say on behalf of the farmers—and I suppose my friend in the socialist party, the member for Woodbine, will again say that I am brushing it aside in a cavalier fashion; this is the way it is described. Whatever that means I am not sure—but if he thinks I am not concerned about it, he is badly mistaken, because I am, first of all as a farmer.

He referred to the farmer using more antibiotics than is necessary—or "these dangerous drugs," as he referred to them, and you would think that the drugs the farmer uses are going to poison the whole population of the province of Ontario. That is the impression he is trying to give.

**Mr. Bryden:** I said no such thing.

**Hon. Mr. Stewart:** I find my friend—now just a minute, Mr. Chairman, I have the floor and I am not going to—

**Mr. Bryden:** Mr. Chairman, on a point of order.

**Mr. Chairman:** Order, please.

**Mr. Bryden:** There is no basis and no right to say that I am trying to give that impression. I will state—

Interjections by hon. members.

**Mr. Bryden:** I will state what impression I am trying to leave, but I can assure him it is not that. He is quite out of order in even suggesting it.

**Hon. Mr. Stewart:** Well, of course, he cannot take it, but he likes to give it.

**Mr. Bryden:** That is the typical, cheap response of the Minister.

**Mr. Chairman:** Order, please.

**Hon. Mr. Stewart:** No farmer is deliberately going to use more of a purchased antibiotic or any other feed, than he necessarily has to use to accomplish the purpose for which he bought it. That is just sound common sense.

Now, in the first instance the hon. member uses, the farmers are supposed to be throwing money away not knowing what they are doing with it. I take strong exception ot this, because farmers who use these antibiotics know what they are for and they use them according to the directions and according to what they are intended to do.

In the second place, the food and drug directorate of Ottawa are constantly checking these things to be sure that there is no problem. I cannot think of an instance to date where there has been any food product found with which there is anything wrong, as far as drug residues are concerned.

I would back up completely the hon. Minister of Health when he suggests that he, too, is interested in it from the standpoint of our provincial Department of Health. We just do not want to leave an impression abroad in this province—and if my friend is seeking headlines, he did a good job of it this afternoon, in trying to create suspicion in the minds of the consuming public that the meat they are purchasing every day of the week is not fit for human consumption. It certainly is and there are people who make it their business every day of the week to see that it is fit for human consumption.

**Mr. R. Gisborn** (Wentworth East): Some of them are not.

**Mr. Chairman:** Order.

**Hon. Mr. Stewart:** And I would suggest to you people that this is the case, right across this province, not only is meat under federal inspection, but under provincial inspection, wherever we have provincial inspection. We will come to that in a later vote.

But I want to be sure not to leave this thought abroad that there is indiscriminate use of drugs and that the human population is in danger of eating products that are not fit for use.

**Mr. Bryden:** Mr. Chairman, this is exactly what I was talking about when I referred to cavalier dismissal. I would add another word, I would say "irresponsible dismissal" of the problem.

Now, of course the Minister grossly distorted what I said and attributed motives to me which of course he has no right to do. I would not bother asking him for a withdrawal, even though the rules require it, but I would point out to you, Mr. Chairman, that

he is the person who introduced the inflammatory element. I did not by any stretch of the imagination suggest that there is widespread contamination of meat. I did say that there is a hazard here.

**Hon. Mr. Stewart:** That is the impression you tried to leave.

**Mr. Bryden:** And I repeat, there is a hazard and a potential hazard that is a cause for concern. It is unfortunate that this Minister can never discuss a problem on its merits, he always has to drag red herrings across the trail—

**Mr. Chairman:** Stay with the vote, please.

**Mr. Bryden:** —bringing in that sort of irrelevancy, but the fact still remains that there is a problem, it is a cause for concern. Now, that is a lot different from saying that there is widespread contamination of meat.

Indeed, the association to which the Minister of Health belongs, stated in one of its meetings only a month or two ago, that there was a cause for concern in this field. The Ontario medical association called attention to the matter not too long ago. I do not have the press clipping here, but it happened there is no question about it. So, you see, when we try to raise a problem, the Minister immediately tries to escape even consideration of the problem, by making his own exaggerated, inflammatory, irresponsible rehash of what he attributes to us.

**Mr. Chairman:** Order. I am going to suggest to the member that we refrain from personalities and that we discuss the item under the vote.

**Mr. Bryden:** There is no personality involved here, Mr. Chairman, this is—

Interjections by hon. members.

**Mr. Bryden:** It is perfectly in order to describe the manner in which a Minister handles a problem and I take responsibility for what I say. He can disagree if he likes. But—

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Mr. Bryden:** But there is certainly no personal attack on the hon. Minister at all. I am talking about the way he is handling his responsibilities. I am saying once again to the House, Mr. Chairman, that there is a reason for concern here and it is regrettable that the Minister will not discuss it soberly as a problem. This is what alarms me. He merely goes off on an attack on me or on what I said, and a misrepresentation of what I said. He just cannot support the proposition that there is no problem at all here. There is. And he suggests that the farmers will not waste their money in administering antibiotics in excessive quantities. Of course that is true of the great majority of farmers, but I have no doubt that farmers are just like any other group of people. There are some people among them who are not as wise as most of them. And I cited an example of an expert in the field who describes the very thing that I was talking about. I didn't raise it absolutely on my own authority.

The Minister is not even willing to accept the elementary proposition that undoubtedly there are some cases where antibiotics are administered unwisely. This is obviously true, but you see he just dismisses it, and thereby refuses to accept his responsibility in this field. I think that the Minister of Health is concerned in the field. The only trouble is that on any public health problem where agriculture is also involved. The Department of Health is being muscled out of the picture, and The Department of Agriculture and Food is taking over. I say that The Department of Health should be responsible for these public health measures. But it is not, it is being muscled out of the field. The testing lab with regard to the –

**Mr. Chairman:** Would this be a convenient time for me to interrupt the member?

**Mr. Bryden:** I will be finished in one minute. The testing lab, for example, which should be under The Department of Health is under The Department of Agriculture and Food. This is what is happening everywhere. The Department of Agriculture and Food has a testing lab with regard to pesticides and residues of feed and so on.

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, I must protest that this was set up as part of a co-ordinated programme in full consultation and full collaboration with The Department of Agriculture and Food.

**Mr. Bryden:** I know you were—

**Hon. Mr. Dymond:** Just as we have assumed certain responsibilities which The Department of Agriculture and Food once

handled — overlapping responsibilities — they have assumed this responsibility.

It is wrong to say we are being muscled out of the field.

**Mr. Bryden:** Fundamentally it is a public health responsibility, but The Department of Health has not got responsibility for it. That is my point. It is the same in these other fields, and so his concern is, shall we say, marginal. It does not matter because he does not have the basic responsibility even though he should have.

**Mr. Nixon:** Mr. Chairman, I would like to make a comment on this.

**Mr. Chairman:** I understood that there were two or three others who wanted to ask questions on this.

It being 6 o'clock, p.m., the House took recess.

No. 160

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

## Wednesday, June 29, 1966

**Evening Session**

**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JUNE 29, 1966

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD
*(concluded)*

**Mr. Chairman:** On vote 111: Before we proceed with the vote, I would like to welcome here a group under the Speaker's west gallery – some friends we met earlier this evening, a group of officers and members from the Italo-Canadian youth association. I do not know if all the members are here yet but I understand in the Speaker's gallery there is a group from the Forest Hill Liberal association.

On vote 111:

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, on vote 111, I want to bring up a number of matters but the first one I want to deal with is one I suppose that could rightly be classified as a federal matter. However, I had the problem drawn to my attention by a beef cattle producer so I draw it to the attention of the Minister and if he is talking to the federal authorities in the very near future perhaps he could draw the problem to their attention.

At the present time, according to my informant, all slaughter cattle are de-fatted but there is no set rule or standard or regulation as to how much fat should be taken out. It is suspected apparently that some plants when buying on the rail take out more fat than others to their own benefit and to the producer's loss. With the ever-increasing trend towards selling on the rail, this problem of course is becoming more acute. Many beef producers feel that there should be some standard or regulation set whereby all animals are sold on the rail with the fat on, as is the case in the United States. So that is the No. 1 problem that I draw to the attention of the Minister.

The other problem concerns itself with the warble fly programme. This has enjoyed varying degrees of success over the years. Actually the programme has not been entirely successful although I suppose one could say that it has kept the problem under wraps and has not allowed it to get out of hand. In some cases, it has had very good results, in other cases the results have been minimal.

The one thing that has been mentioned to me on a number of occasions is that the control measures should be on a provincial basis rather than on a township basis. Apparently the programmes vary very widely from township to township and in some cases the townships involved deal with this problem with varying degrees of success. This means that a uniform product or a uniform programme across the province is not achieved and therefore the results are not as good as they could have been, had there been some uniformity established at the outset, had the province actually undertaken this programme on a provincial rather than a township basis.

So I draw those two problems to the attention of the Minister and solicit his comments on them.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Chairman, the first point that the member for Huron-Bruce has mentioned regards uniform standards of grading, trimming and weighing procedures. This is already under study by a committee of the Ontario beef improvement association, working in co-ordination with the Canadian cattlemen's association, that is the western organization. I believe there is very real need of uniform standards in all three areas, particularly in the weighing procedures, that is, in the type of equipment that is used to weigh carcasses of beef and de-fat them and all the rest of it. We are very much aware of this and it is proceeding.

With regard to the warble fly problem, I would call the attention of the hon. member and the members of the House to the recent issue of the *Ontario Beef Improvement Association Breeder and Feeder.* I believe it carries the best article on warble fly control, and the problems associated with warble fly control and the damage that can occur to hides in particular, that I have ever read. It is a very concise article and points out the necessity of taking active measures along this line.

I will agree with my friend that there are areas in the province where warble fly control is not practised. In fact, my own

township is a typical illustration of this – where it is not mandatory, that is, it is the prerogative of the cattle breeders within the municipality to so decide if they wish to have warble fly control. Having drafted their bylaw, they can carry on with the authority of the Act for inspection purposes.

But with the introduction of cystemics that has taken place in the last few years, there have become exceptionally good ways of controlling warble flies – not only the warble fly, but parasites of all kinds that attack the livestock – with one treatment in the fall. It seems to me that we as members from rural Ontario would be well advised, at every opportunity we have in speaking to livestock groups, to emphasize the importance of these new chemicals that are out, which do such a wonderful job and have really modernized, in a very practical way, parasite control.

**Mr. Gaunt:** Mr. Chairman, may I ask my friend, has the province actually ever given consideration to making it mandatory on a provincial basis?

**Hon. Mr. Stewart:** The matter has been considered but it has always been rejected because we believe it is a prerogative of the individual municipalities. If they wish to go ahead, they may go ahead. I do not think it is a good thing to lay down a blanket law that all of the municipalities have to go along with.

**Mr. R. F. Nixon** (Brant): Mr. Chairman, before the supper recess we were discussing the possibility of the contamination of foodstuffs by medications unprofessionally administered on the farm. I thought the Minister's answer was rather incomplete when he indicated that he was simply aware of the difficulty and was concerned with it.

My understanding of the testing procedure as a dairy farmer is that the product that is sent to the urban market is carefully inspected, particularly for the presence of antibiotics in the milk, and that the detection of these antibiotics is a very serious matter indeed, and usually causes instant suspension of the shipper. I think the Minister, and the Minister of Health, who was in the House a moment ago, should emphasize the fact that there are these controls and that they are effective–

**Mr. K. Bryden** (Woodbine): What about meat?

**Mr. Nixon:** For meat, a testing procedure similar to that–a spot testing procedure– should be instituted immediately. Certainly you could not test every sample of meat that came into the city, but I would say, sir, that as producers of milk we are very much aware of the fact that the product that we send to the city may or may not be tested and if there is any suspicion of any antibiotics present in the milk we are in very serious difficulties.

**Mr. Bryden:** Except that I was talking about meat.

**Mr. Nixon:** I think it should be emphasized that at least this part of the programme is working effectively. I would agree with the member for Woodbine that if the detection is as simple as the Minister of Health has indicated, we should have a programme whereby there is a spot test taken and that the beef producers should know that if there is any suspicion of this contamination at all, they would be subject to very serious difficulties.

This is surely one way whereby control could be implemented at the provincial level without insisting that every treatment given on the farm be by a professional veterinarian, which would put the cost of the treatment really beyond the possibility of most of the farmers.

**Mr. Gaunt:** Mr. Chairman, I just want to mention something about the SPF programme in Ontario. In 1964, I believe the SPF association went to Mr. Hayes to see if an ROP programme could be applied–

**Hon. Mr. Stewart:** Mr. Chairman, could I point out to the member this comes under vote 116; it is under the veterinary services branch.

**Mr. Gaunt:** I am sorry. May I ask my friend a question in relation to the project started at the New Liskeard station in relation to beef cattle breeding, as it applies to measuring the realized inheritability of rate of gain in beef cattle? I believe that was started in 1963 and I wonder if we could have a report on the findings to date?

**Hon. Mr. Stewart:** I am advised by the livestock commissioner that the programme is still under way and there are no positive results as yet for publication.

Vote 111 agreed to.

On vote 112:

**Mr. J. P. Spence** (Kent East): Mr. Chairman, on vote 112, the Ontario food council,

I might say I was interested in the hon. member for Brant's remarks this afternoon in regard to informing the city members of what those in the agriculture industry are receiving for their products.

I have talked to the members for Downsview and Parkdale. They actually think that we should be rich on what they have to pay for food. Whatever the Minister is doing in regard to getting information out to the public, it is not working satisfactorily or the public is not grasping what he is publishing.

As the hon. Minister knows—and he is a farmer himself—the prices the farmers are receiving for their products are static, the same as they were four or five years ago. We read time and again where groceries in London have increased 25 to 50 per cent, and we also read, Mr. Chairman, where the profits of processing companies have increased 43 per cent in four years, while the prices of farm products remain static.

Mr. Chairman, this winter I brought attention to one of the most unusual cases where those in the fishing industry were receiving six cents a pound and the consumers were paying $1.30 a pound for fish. I just wonder if this Ontario food council is doing the job it should do and I think, Mr. Chairman—the information coming from your department—our colleagues and our friends in the city should understand what we, who are in the production line are receiving for our labours.

**Mr. D. A. Paterson** (Essex South): Mr. Chairman, if I might follow up on the member for Kent East's remarks regarding prices, the Leamington *Post and News* did a survey of wholesale and retail prices for a period of July 12 to July 20 last year on various commodities that are grown in my particular area. I would like to document five of these, to underline the point that the hon. member has made.

I might at the outset remark on the prices received by the farmer, the commissions, transportation and the cost of the container are deducted.

On greenhouse tomatoes they received 17 cents a pound, and in the stores the consumer was charged 32 cents a pound, almost 100 per cent increase in price.

Field tomatoes, $1.65 for an 11 quart basket; retailing from 25 to 30 cents per quart box, or roughly $2.75 for the same 11 quart basket.

Greenhouse cucumbers. They were receiving $1.25 for a two-dozen carton. They were retailing in the stores for two for 29 cents, or $3.50 a carton, which is almost 300 per cent margin.

Cauliflower, $2.45 a crate for number one large, was retailing at 39 cents per head, or about $4.50 per carton.

Cabbage, crate number one was $1.21; two heads for 39 cents or $3.00 per crate.

Potatoes—fortunately it was a good price last year—$3.50 per bag for a 75 pound bag, but they were retailing in the small ten pound bag at 89 to 99 cents for ten pounds, or almost $7.00 for the same bag.

So this, I think, dramatically indicates the problem the the member for Kent East stated and I just wonder—unfortunately I cannot substantiate these remarks—but from what I am told, at the produce counter in many of these supermarkets and other retail establishments, this is where the real money is made, in these stores, as many of the canned produce and soaps and so forth are marginal. Yet it is the vegetable producer that is getting the short end of the stick here again, and the profit is being made at his expense.

I just wonder if the food council has investigated these areas, and whether any of these remarks of mine could be substantiated and something could be done about them.

**Hon. Mr. Stewart:** Well Mr. Chairman, the consumers committee of the food council is continuing to study this price relationship between the producer price and the consumer price—the retail price. The results have yet to be published.

I would say that their studies indicate that there appears to be a gross margin of 26 to 28 per cent on fresh fruits and vegetables, and this is what my hon. friend is referring to, with a net profit of approximately three per cent, as closely as can be determined.

We have to take into consideration the overhead, the cost of labour and all the rest of the store—

**Mr. Paterson:** May I ask the Minister, is this a 12-month period in which imported fruit and vegetables are considered, or is this during the period of our own growing season? I just wonder if these supermarkets and grocery chains take the same margin of profit on their imported produce during the winter months, our non-producing season, as they seem to do when our own growing season is at hand?

**Hon. Mr. Stewart:** The figures that I have quoted are the average figures.

**Mr. Chairman:** Shall vote 112 carry?

**Mr. Nixon:** Mr. Chairman, the food council is one agency whereby I believe the Minister could combat the tendency for the wholesalers of Ontario to import fruit and vegetable products from the United States at the time, or shortly before the time that the same materials are available from the domestic market. He pointed out in his remarks earlier in these estimates that tremendous sums of money went out of the country, to the detriment of our own economy and particularly to the producing farmers of Ontario, to bring into Ontario products that are grown in California and other parts of the United States that could very well be produced here in Ontario.

Now at the time, he said—and I would agree with him on this—that the prime responsibility, if we are going to combat this with tariffs is certainly for the federal government and I feel that Canada, as a trading nation, certainly an agriculture-trading nation, has to tread very lightly when it considers the possibility of keeping out a good many of these products.

But the Minister has, in the food council, an agency which has tremendously powerful forces of persuasion, at least, to convince these middlemen and the consumer herself, or himself, to wait for the home-grown produce which is going to be better in quality, and at a better price.

I feel that the Minister could combat this difficulty through his own agencies as effectively as even the federal government could, by taking these trade-barrier steps that might harm the position of Canada as a whole. I wonder what steps are being taken by the food council in this regard?

**Hon. Mr. Stewart:** I am glad the hon. member raised this question, Mr. Chairman, because the food council does take very effective action through powers of persuasion in working with the chain stores, trying to co-ordinate their purchases of Ontario fresh produce wherever it is possible.

We could name numerous illustrations. In the past, we have had the onion project where there was a tremendous amount of onions that could not be moved, because the export market could not absorb them all. I believe we got into some other areas—eggs was one, and now this one on lettuce last week where we diverted a number of carloads of lettuce that had been ordered. Now they are being bought from the Essex county growers.

The same thing is contemplated now for the early potatoes in the Essex county area. As soon as they are ready we have agreement from the chain stores and the retail food outlets to purchase this product as soon as it is available in sufficient supplies to stock their stores.

I believe that some time ago the hon. member for Welland to me depicted what can really be done. He went into one of the chain stores in the Niagara peninsula and found there was nothing there but Mexican tomatoes. At that time he knew that there were tomatoes available from the greenhouses of Ontario and he took it upon himself to to write a letter to the chain-store president with a copy to me which I forwarded to the fruit council for their information. Immediately he got a letter from the president of the food store suggesting that it was an oversight on their part and that it had been corrected immediately and that Canadian tomatoes were now in the food store.

I believe that this is a typical illustration of what we can do for ourselves in this country. And this is what the food council has been doing rather than legislating things out of existence or legislating them out of the country. I believe that we can do a very successful job of persuasion in working in co-ordination with these people rather than working at loggerheads with them, because our retail outlets are of substantial benefit to us as producers and certainly to the consumers. I would hope that all of us would take the opportunity wherever we can to urge the use by Ontario consumers of Canadian food products at every turn.

**Mr. Spence:** Mr. Chairman, we see very few reports from the food council in our daily press. This makes us wonder if they are taking any action as to the increase of prices to the consumer and what astounds us is that we do not hear more in the press about it.

**Mr. Chairman:** The hon. member for Essex South.

**Mr. Paterson:** Through you, Mr. Chairman, to the Minister, I wonder if the food council has made any plan toward getting Canadian farm products into the Expo food services. I know that the farm people in my area are anticipating a banner year next year with the many millions of people going into the Montreal area. They are anticipating selling many of the products at very good prices. Is the food council working in this direction at all at this time?

**Hon. Mr. Stewart:** With regard to publications, in answer to the hon. member for Kent East, *Food Facts and Food Notes*

goes out twice monthly and there is a mailing list of 1,800 for this publication. The press is circularized; the food editors of the newspapers get copies, consumer groups, wholesalers and retailers. It may not reach down to the level of every individual person but through these various media the news does get out.

I have followed with interest the food notes columns of some of the press people, and definitely they are using material that comes from the food council office.

Again, working through the food council, Miss Ruth Moyle, and the restaurant association, hotels and the tourist industry particularly have done a tremendous job in promoting the use of Ontario foods in special dishes and certainly using them when they are available in the growing season.

With regard to Expo 67, the director of the food council had a meeting this very morning with the people who are in charge of Expo 67 to get as many Ontario food products used in that exhibition as it can.

**Mr. Paterson:** I appreciate those comments of the Minister. With our centennial coming up and July 1 at hand here, I am very disturbed by certain advertising by one of the major United States chains in the food business in our own country to the effect that they are going to keep their stores open on Friday which is our Dominion day, and closed on Monday, July 4, the American holiday. I assume that this is strictly of monetary importance to them and I know that the retailers in my own community are very disturbed at this. I hear that this is being done all across our province and I hope that they will abide by Dominion day in 1967.

I would like to ask the Minister if he has considered appointing more people as farm representatives on the food council rather than from the canners or consumers. I personally feel that we should have one more agriculturalist on that group to give a little stronger voice to the agricultural producer. It seems to be somewhat dominated by the other interests—the retail and canning people. To me the interest in the food council seems to relate more to canned goods rather than to the fresh fruit and vegetable market. I would appreciate the Minister's comments on this, Mr. Chairman.

**Hon. Mr. Stewart:** I realize that the vice chairman, Dr. Browne, has not been replaced, but there is a representative from the producers, the consumers, the distributors and the processors on the food council today with Mr. Williams, the director of the branch as chairman.

The point that the hon. member has made is well taken and I will certainly take it under consideration.

**Mr. Paterson:** To follow up, I assume that the Minister makes these appointments to this committee. Would he tell me what is the length of the term they are to serve? Is there a specific number of months that they are to serve on the council?

**Hon. Mr. Stewart:** It is on a staggered basis and I thought I had it right here. I am not sure and cannot tell you exactly what it is, but it is on a staggered basis. They are appointed for one-, two- and three-year periods.

**Mr. Paterson:** Would this be covered in the Act or the regulations pertaining to the council?

**Hon. Mr. Stewart:** No, it is just policy.

**Mr. Chairman:** Shall the vote carry?

**Mr. Nixon:** Mr. Chairman, I have just one question before the vote carries: The council was set up in the first place, as the Minister knows, as an agency to combat vertical integration. This has passed out of prime interest largely because the most economically advantageous integrations have now been accomplished. I wonder, however, what report the council would have on the advances of vertical integration during the past year?

**Hon. Mr. Stewart:** I would say this, Mr. Chairman, that as far as the establishment of the food council is concerned, it was not specifically set up to deal with vertical integration. That was one of its purposes, but it had a great many other purposes—

**Mr. Nixon:** It was its prime purpose.

**Hon. Mr. Stewart:** It may have been its prime purpose but not its only purpose—let us say that. It has accomplished much and I would agree with what the hon. member suggests, that it appears to have been accomplished in some areas. In other areas, vertical integration has disappeared to some extent, but I would say that it does not appear to have accelerated; it is more or less remaining static in most areas.

**Mr. Nixon:** In what farming endeavours is it still active? In my own area where the farmers used to have access to canning peas and canning corn and so on, a whole generation of farmers is coming along who cannot remember when there has been access to this

market. The canning plants themselves either rent or own the land and simply grow their own crops, so in the canning business I suppose that this has pretty well run its course. I wonder if it is still going on in this area of agriculture, or is it mostly in poultry, in meats, or where is the tendency toward vertical integration most active at the present time?

**Mr. W. D. McKeough** (Kent West): Mr. Chairman, if the hon. member for Brant would like to come down into the great county of Kent—

**Mr. Nixon:** Why would I want to do that?

**Mr. McKeough:** —we could show him some land and some farms. I think of one in the riding of the hon. member for Kent East and we could show you one of the prettiest and nicest of Kent farms, which was bought about four or five years ago by one of the canning plants for the express purpose that the hon. member for Brant is talking about. It is for sale today. They have come to the conclusion —and I do not think that they make any bones about it—that they can contract tomatoes from somebody else cheaper than they can do it themselves. This has been accomplished with no pressure from this Minister, that I know of, and the food—

**Mr. Nixon:** Well, there should have been pressure down through the years because this—

**Mr. McKeough:** Why, why?

**Mr. Nixon:** Because, Mr. Chairman—

**Mr. McKeough:** Why?

**Mr. Nixon:** Do you want to sit down and I will answer you?

**Mr. McKeough:** No, not particularly. I do not agree that there should have been pressure. Let me say this: I talked to a number of farmers and they feel that they should be entitled to rent or sell their land to whoever wants to buy it. And, if in this case, the Campbell Soup Co. Ltd. happens to want to buy a farm and try their luck farming, then they are entitled to do that. They tried it; and they are going out of it, and there has been no pressure that I know of from this government.

**Mr. Nixon:** Well, Mr. Chairman, I would say—

**Mr. McKeough:** And I hope it stays that way.

**Mr. Chairman:** The member for Brant.

**Mr. Nixon:** Well, Mr. Chairman, I would say that this problem, during the past six years, has changed the whole face of agriculture in Ontario. The farmers who were forced out of the canning crop industry by vertical integration went into milk production which resulted in the difficulties that are only now coming to a head that the Minister is aware of.

I firmly believe that the primary production of food in this province should be in the hands of bona fide farmers, and not in the hands of the large companies.

There was a time when the Minister acceded to this idea and he said he would do what he could with his food council to restrict this practice. And I can remember him rising in his place when a canning company, not too far from Chatham, was persuaded to abandon vertical integration in the tomato business because, to their wisdom, it was the smart decision to make. And because of the pressure of the food council they decided not to go ahead with vertical integration in the tomato business.

I would submit to you, Mr. Chairman, that the hon. member for Kent West is mistaken in his view. He represents big business and big farms, and he has no consideration whatsoever for the primary producers of food who must be kept in an economically healthy and viable position. I know the Minister of Agriculture and Food agrees with me on this.

**Mr. Gaunt:** In connection, Mr. Chairman, with the point raised by my friend from Brant in connection with the importation of food, I just want to say that perhaps the food council should, if it has not already done so, consult with many of these importers because, if, in fact, we have to import food into this country —and I fully agree that we import too much; I think we import a lot of this food at a time when it can be and is grown in this province —but, notwithstanding that, if, in fact, we have to import food surely that importation, if it comes from a country other than the United States, there should be no reason why it would be directed via the United States.

This happens, I am given to understand, quite a lot. That is to say that if we buy lettuce from—well, I do not know where we buy lettuce from—but let us say we would buy lettuce from South America, let us say.

**An hon. member:** It is not likely.

**Mr. Gaunt:** It is not likely, no, but I just want to use this as an example. If we do get

lettuce from South America, in a good many cases that lettuce—if it is imported into this country—will come via the United States. And this, certainly in my opinion, is not a particularly good arrangement. That is the first point I want to make.

Then I want to deal with the lifting of the quota on cheddar cheese as it applies to the United States. I believe that some time in April that quota was raised to 3 million pounds, which is quite a substantial increase from what we had. I believe it was 600,000 pounds and has been for some while.

**Hon. Mr. Stewart:** That was a pretty good speech I made that night and it paid off.

**Mr. Gaunt:** I would say to my friend that I think it was a co-operative effort. I think his speech had an effect. The influence of my friend and Mr. Greene, working together, as they do on a good many occasions, had a very profound effect, and a very beneficial effect and I give them full marks. I do not hesitate to say that. Anything that benefits the producers in this country, I do not care quite frankly whether the Minister does it or whether someone else does it, or whether he does it in co-operation with someone else. As long as we get it done, that is the important thing.

I just want to say that in connection with this quota, we produce a very high-quality, aged cheddar cheese from raw milk, and I think that we can compete very successfully on the United States market. I am wondering if the food council is working in co-operation with the cheese producers organization to insure that we take all of this quota. I would hate to think that we get a quota of 3 million pounds and then at the end of the year we use only something like 2.5 million.

**Mr. McKeough:** Mr. Chairman, my friend from Brant has roused me a little bit because he said I am representing big business and big farmers. I am not so sure about the big business, but I will say that in Kent we have a number of very successful farmers. If they choose to send me here to Queen's Park, I am delighted to be here on their behalf.

An article came to my attention today which I think is of interest in this debate. This is by Mr. Barron, the editor of *Country Guide*. He had quite a bit to say about one of our Kent county farmers and I am certainly not going to read the whole thing but just let me read a little bit of this.

**Mr. Chairman:** I would ask the member for Kent West whether what he has in front of him has anything to do with the Ontario council.

**Mr. McKeough:** Oh, it does most definitely, it does most definitely. If I sat a little bit over farther I would read the whole thing, but I will not waste the time of the House.

**Mr. Chairman:** Taking a leaf from the book of the member for Grey North, I would ask you to crystallize it.

**Mr. McKeough:** I do not think it is an exaggeration with all the changes taking place—

**Mr. Chairman:** Order, please.

**Mr. Bryden:** Well, when are you going to start?

**Mr. McKeough:** Well, Mr. Chairman, whenever the Liberal Party want to listen to a little common sense, I am ready to start:

> Farmers there—

—and we are talking about southwestern Ontario—

> —have learned how to produce a pound of beef for 15 cents; yet a decade ago many of them could not make a profit feeding steers. Their costs were running up to 25 to 30 cents a pound and they were losing money on every steer they fed.
>
> In this revolution farmers have found how to produce a ton of beef to the acre by growing corn and feeding it to steers. They have found how to feed cattle efficiently on the highest priced land in the province — the cash-growing southwestern part of the province where land sells for $600 to $800 an acre, or even more.

And then, going on, the article refers in particular to a number of southwestern Ontario farmers and a good friend of mine, Mr. George Morris, in particular, who is probably well known to some members of this House.

> Morris, by the way, spoke at farm meetings in spots as divergent as the Maritimes, telling a story—and he did this last winter —telling the story of the industry that he likes best, the beef industry. Morris owns 400 acres in rich and intensively farmed Kent county.

**An hon. member:** He sounds like a Tory.

**Mr. McKeough:** He is a damn good Tory.

**Mr. Chairman:** Order, please.

**Mr. McKeough:** To continue:

> He has won the corn-growing competition in his county two out of the past three years. He is growing yields of over 150 bushels of corn per acre and every year he aims a little bit higher.

And we go on here: This is still quoting from Mr. Barron:

> The picture is one that should leave few ranchers with serious worry for the story I have tried to tell is that even in Ontario, and in other provinces, too, a person who makes good use of his land, his capital and labour, can handle cattle as efficiently as anyone.

And I suggest the same thing is true of tomatoes and many other things.

> An American farm paper recently took a group of its readers from the corn belt over to California to look at the huge commercial feed lots there. On seeing these feed lots –

and this is vertical integration that we were talking about; I am now returning to the point at hand, Mr. Chairman –

> – The farmers were surprised and relieved. They had read enough about these feed lots to fear them. They feared the size and the supposed efficiency of them, yet when they saw them, they heaved a sigh of relief and said, "Well we can certainly produce beef cheaper than they can. Size of feed lot is not the only answer to the beef eating business yet." As George Morris and other Ontario feed lot men state time and time again, "The commercial feed lot operator cannot compete with me. I am too efficient for him." I think we can say that the person who wants to meet the competition in the years ahead can move ahead with confidence, if he is prepared to work his land hard and devise the kind of farming system that will be most profitable.

Now to quote the hon. member for Sudbury, I pitch my tent there, and I say this, Mr. Chairman, I say this through you to the Minister, that if there were more farmers in this province – and there are a number of them, a great number of them – talking that way, instead of worrying about vertical integration, instead of worrying about 25 cents on milk, we would not have the problems that we have in farming in this province today.

**Mr. Nixon:** Just one small point. Surely the member who just spoke realizes that my objection is not towards bigness itself, but my objection is where the processing plants do not buy from a farmer, whether he is a big one in Kent county, or a small one in Brant, but where they actually own the operation and do away with competition. This is where I pitch my tent, because I believe that the primary production must be left in the hands of bona fide farmers and kept out of the hands of the industry.

**Hon. Mr. Stewart:** Mr. Chairman, we are all very much concerned with this. My hon. friend's point is well taken. We would have to agree with him that this is basically what should be done. But there are some crops, particularly peas and corn, where vertical integration is carrying on to a very marked degree. But I would say this, that since the introduction of the food council's policy of bringing together people who felt they were aggrieved, as were the farmers in Brant county at the time the peas and corn contracts were lost through vertical integration, there has been a very great diminishing of vertical integration.

Mention was made of the tomato problem. This was taken care of.

There is some vertical integration as far as broilers are concerned, but really there is very little more than there had been. It is, I would say, mostly under control, and the director of the food council tells me that in the last number of years they have had virtually no requests from producers concerning this very problem.

Mind you, many producers work along with this vertical integration idea, right through to the ultimate consumer as a part of it all.

I would like to say this about the food council: it has done a tremendous job in developing exports. The food council, as I mentioned yesterday, is responsible for the fact that in the United Kingdom 50 per cent of all the tomato juice used there is now produced in the province of Ontario. Sixty-eight per cent of all the kernel corn used there is produced in the province of Ontario. And just recently we have had a trip to the Caribbean by a deputation from the food council, with the result that now we are shipping 2,000 pounds of fresh fruit and vegetables weekly to the restaurant trade there. Strawberries, lettuce, are moving now and other fruits and vegetables as they come along.

This is the continuous movement forward into every possible market in which we can compete, but we have to recognize that there are some markets in which we cannot com-

pete. The food council is doing the job; it is simply because our price is too high in world competition, that is the reason.

**Mr. A. E. Thompson** (Leader of the Opposition): You said 2,000 pounds. You meant 2,000 tons, didn't you?

**Hon. Mr. Stewart:** 2,000 pounds per week of fresh fruit and vegetables. This is to a specific restaurant and is a brand new market, just developed.

**Mr. Spence:** Mr. Chairman, the price of pork last spring had risen to as high as 44 cents per pound. Of course, at 42 cents there was a fair profit for the producer. Could the Minister inform us who received a permit to import Irish pork, and did this government take any action in regard to protesting bringing in cheaper pork?

**Hon. Mr. Stewart:** As far as the permit to bring in pork is concerned, this is apparently issued by the federal government. I have no knowledge as to who got it and I have never been able to find out who did get it.

**Hon. A. Grossman** (Minister of Reform Institutions): It was not me.

**Hon. Mr. Stewart:** That is for sure. I understand two million pounds came in and the market retreated quite significantly—I believe about $12 or $14 over a period of three or four weeks. Now it has recovered to a place in the last few weeks of about $38 to $40, somewhere in that neighbourhood, but it did break the market at that particular time. At least, I think it was a contributing factor, although there are those in the trade and in the food industry who say it was not the Irish pork that did it. It would be hard to make me believe that it was not an effect on it.

I would refer again to that cheese export quota mentioned by the member for Huron-Bruce. We were delighted to know that the federal government, with the United States government, had been able to get that quota changed. This means that up to three million pounds of cheddar cheese will flow in and the agreement is to be reviewed again; I believe it is the 1st of July, this next week.

I am informed, and I am quite sure this is the case, that there is no scarcity of cheese for the market, that indeed there is far more available to ship there. The matter is really getting the quota extended and the farther it is extended, the better our cheese producers are going to like it.

Vote 112 agreed to.

On vote 113:

**Mr. Gaunt:** Mr. Chairman, on 113, I have had a matter drawn to my attention on a number of occasions that relates to the evaluator of the junior farmer loan branch going out and evaluating farms during a particular season. The complaint was that the evaluator did not go out in the winter time and this resulted in a big build-up. In the spring it resulted in quite a substantial delay, until the backlog of applications was actually whittled down.

I know that the farm credit corporation in Ottawa does not do this either. Their evaluators do not go out in the winter time similar to the junior farmer evaluators. However, I do know that a number of the private companies, the trust company evaluators, do go out in the winter time. I wonder if something could be done in this line, because it does seem to place a burden on some of these farmers who get their applications in late in the fall, and it so happens that they have a time limit on the agreement of sale, and before they can get the farm evaluated they have to make other arrangements in some cases.

I know that all the people involved in this area—I think I am right here—have soil maps, so they can easily assess the type of soil and evaluate it accordingly. They can determine a general outlay of the condition of the buildings in the winter time, and the lay of the land. And I would think in view of the fact that some of the private concerns do it, and have done it all along, that consideration be given to this matter.

If there are insurmountable difficulties involved, then I do not know about them, but I want to draw that to the attention of the Minister.

**Hon. Mr. Stewart:** Mr. Chairman, the point the hon. member has raised is one that appears on the surface to be quite valid. On the other hand, I would point out, as I have had to point out to farmers in my own constituency who have come to me and talked about loans, and wondered why they could not have them appraised in the winter time, I would suggest to him that where we are making up to 80 per cent value loans, that is a sizeable type of loan. Some of the private companies not making anything like that amount of percentage on a loan could perhaps afford to take greater risks, and they are not using public money either.

I would point out to him that there is always the fact that when the ground is covered with snow, how is the appraiser to

know whether the land is stony; how is he to know what type of drainage there is on it; how is he to know really the characteristics of the soil, even though there may be a general soil map of the particular area. I think being a practical man and a farmer, my hon. friend would recognize that there are some very practical hazards in getting into that type of policy.

I know of no farms that have been lost to a purchaser through the fact that he had to wait until the summer time to have it appraised. Many of them who have complained to me about it have gone to the seller of the farm and gotten an agreement of sale based upon the appraisal to take place as soon as the weather is favourable. As I understand the operation of the loan branch, the applications are approved by the board and sent back to the appraisers. They go through those as quickly as they can and submit their reports as soon as the snow is off the ground in the spring. I frankly would hesitate to suggest changing the policy.

**Mr. Paterson:** Mr. Chairman, I have a couple of points on this vote. One I would ask the Minister: Has he considered raising the $10,000 limit in regard to farm machinery loans that can be obtained by junior farmers? The second point concerns the Provincial Treasurer and the federal tax department, and this just came to my attention this past week.

The succession duty people—this is federal at this point—have recently moved into my area on the farms on which there are gravel ridges. A farmer pointed out to me that a farm which was valued at $1,000 an acre before the succession duty people came in now had an assessed value of $4,000 per acre placed on this farm because of the gravel content. So the farmer who is operating a cash crop farm on the next piece of property is now faced with operating on potentially $4,000 per acre land. I wish to draw this to the Minister's attention, at this time because the junior farmer loan people no doubt will have to take this into consideration and I trust the Minister will discuss this matter with the hon. Provincial Treasurer to see what position the Ontario government would take in this regard.

Mr. Chairman, this is a very serious problem to a son who is going to inherit the farm and perhaps have to pay off succession duty for 50 acres of gravel at the rate of $4,000 per acre, in which case he would just simply lose his farm.

Vote 113 agreed to.

On vote 114:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, under vote 114, I have some comments to make about the situation of Northern Telephone Company, but before doing so, I would ask the Minister to let me know who the members of the Ontario telephone service commission are and also the members of the Ontario telephone development corporation.

**Hon. Mr. Stewart:** The members of the commission are Mr. Vincent Clem, the chairman of the commission; Mr. Gordon Bennett, assistant Deputy Minister of Agriculture and Food; and Mr. S. R. McKelvey of Beeton, Ontario. The development—what did the hon. member call it?

**Mr. Renwick:** The Ontario telephone development corporation.

**Hon. Mr. Stewart:** No, that is not active, it has not been active for a number of years. There is no activity there.

**Mr. Renwick:** Well, I was afraid and had assumed somehow or other that that was the case, that it was not an active body.

Would the Minister let me know whether the Ontario telephone service commission has approved of the agreement for the sale of the controlling interest of Northern Telephone Company to Bell Telephone, the controlling interest being, as I understand it, an offer by Bell Telephone to purchase the shares of Northern Telephone Company. My understanding is that that arrangement for a sale of the controlling interest is subject to the approval by the commission of such an approval.

**Hon. Mr. Stewart:** There has been no application made to the commission as yet.

**Mr. Renwick:** Does the Minister know what the state of the possibility of the transfer of the controlling interest of Northern Telephone to Bell Telephone is? And whether or not the telephone service commission either assumes that it has the obligation or under the statute is obligated to advise the Bell Telephone Company that any such transfer of a controlling interest is subject to the approval of the commission?

**Hon. Mr. Stewart:** Well, I am sure the Bell Telephone Company is well aware, but there has been no application made to the commission whatever. As I understand it from reading the press, they are talking of purchasing the shares on the open market. Whether

this has ever been accomplished or not, I do not know.

**Mr. Renwick:** Well, this is the point that is of concern to me because my understanding of the matter, without labouring it at any great length, is that the Northern Telephone Company operates certain local exchanges throughout northeastern Ontario and that the Ontario northland transportation commission operates the toll lines and that it is impossible at the present time—I confirmed this at the time the Ontario northland transportation commission was before the standing committee on government commissions in May of this year—that it is not possible to make a long-distance telephone call from any of the local operations of Northern Telephone Company out of northern Ontario without going over the Ontario northland transportation commission's toll lines. And that by agreement between the Ontario northland transportation commission and Northern Telephone Company, the revenues received on all long-distance telephone connections made either incoming or outgoing are divided by agreement between the Ontario northland transportation commission and the Northern Telephone Company. I also understand that the toll system of the Ontario northland transportation commission has not only been a very successful system by virtue of these arrangements over many, many years, but that it has in fact produced the surpluses which have gone a long way to reduce the overall deficit of the Ontario Northland Railway.

Now, the Minister may or may not recall that I asked the Prime Minister a while back whether or not any arrangements had been made or steps were being taken by the government, by the Ontario northland transportation commission, to protect the interest of the Ontario northland transportation commission in its arrangements with Northern Telephone Company, having regard to the impending offer or the then outstanding offer to buy a controlling interest in the shares of Northern Telephone by Bell Telephone Company.

I gathered the impression that day that the Prime Minister was not particularly aware of the significance of it but that he was going to look into the matter.

The point that I simply would like to make is that first of all under The Telephone Act, the provision, section 103 of the Act, specifically states that no telephone system and no part of a system or controlling interest in a system shall be sold until the commission has approved the sale or other disposition. I take it to be clear from the statute, section 103 as it now stands, in the statute book, that the acquisition by the Bell Telephone Company by an offer to the shareholders of Northern Telephone Company to acquire a controlling interest in Northern Telephone Company, whether the Bell Telephone Company is aware of it or not, is subject to the approval of the commission. I would like assurance from the Minister. Obviously I am not attempting to place the Minister on the spot, I do not think he is necessarily aware of the point which I am making. I would certainly want the undertaking of the Minister that he will look into it or that the Ontario telephone service commission will look into the provisions of section 103 and the offer made by the Bell Telephone Company for the shares of Northern Telephone Company, and decide that it is subject to the approval of the commission, and if the telephone service commission so decides that the commission will advise the Bell Telephone Company that they expect to have a public hearing of the telephone service commission to decide and to have whatever hearing is necessary in order to approve of that change in the controlling interest. Because—and this is the substance of the reason why this approval is essential in the public interest—if the transfer does take place, it is my understanding that Northern Telephone Company will, if it chooses to do so, be able to route the long distance telephone calls out of northeastern Ontario by a different method than that over the toll lines of the Ontario northland transportation commission.

Now I am the last one to suggest that the Bell Telephone Company is going to be so foolhardy as to kick the Ontario northland transportation commission around, but I am simply saying that the change in the controlling bargaining position of the Ontario northland transportation commission to protect its revenues will be basically effective if, in substance, if not in fact, the Ontario northland transportation commission is dealing with the Bell Telephone Company as the owner of the local telephone business of northern telephone companies.

It seems to me that this is a matter which is of great concern both to the transportation commission, to the people in northern Ontario and certainly to our party here, that the Ontario northland transportation commission should be fully protected in its revenues regardless of what happens to the control of Northern Telephone Company.

Now, I am not familiar with the period of time during which the Ontario telephone development corporation in fact operated or

what service it performed, but certainly the facility is available on the statute books if the government had decided to do so or if this development corporation had decided to do so. The authority is certainly extant for that corporation to have taken over the Northern Telephone Company if it chose to do so with a view to providing an integrated communication system in northeastern Ontario by integrating the toll system of the northland transportation commission and of the Northern Telephone Company.

In substance, Mr. Chairman, what I am asking the Minister, is: Will he make certain and inquire as to the position which the telephone service commission is going to take on any change which may have or is intended to take place in the control of Northern Telephone Company, and what steps the commission is taking to make certain that the revenues of the Ontario northland transportation commission from its toll arrangements with Northern Telephone Company are protected against erosion over a period of time in the future if the change of control should be approved by the telephone commission.

Now, this is something which appears to me to be a matter which neither the telephone commission nor the government nor the Ontario northland transportation commission have chosen to make any comment about publicly in this assembly. And I think that if this is taking place and if the factual information and background which I have set out is an accurate statement, then I think that either the Minister or the Prime Minister or the telephone commission should, in some way, be involved in the change in control of Northern Telephone Company.

It is not just a question of an expression of wish that it should be controlled, because I think that the statutory provision of section 103 of The Telephone Act which I recited a few moments ago, in fact requires as a condition precedent to the change of control of Northern Telephone Company, the approval of the commission.

**Hon. Mr. Stewart:** I am informed that the telephone commission has to approve the sale, but as yet the sale has not taken place nor has there been an application for approval prior to the sale. There has been a new modern agreement just recently between Northern Telephone Company and the Ontario Northland Railway. It has been signed providing for a traffic agreement on long-distance tolls and service provided by both companies. I am advised that the Bell Telephone Company in their considerations to date, have assured us that there will be no change whatever in the structure of the relationship between the Ontario Northland Railway and the Northern Telephone Company.

**Mr. Renwick:** Does the Minister have any further particulars of that agreement? I know that it does not strictly fall within —

**Hon. Mr. Stewart:** No, I do not have any particulars.

**Mr. Renwick:** It is just that there has been a new agreement entered into and the Bell Telephone Company has given assurance that the Ontario northland transportation commission arrangements for the toll divisions will not be altered in the future.

**Hon. Mr. Stewart:** That is right.

**Mr. Renwick:** I simply reiterate the point that it is not a question of approval after the sale of the controlling interest. Under the statute it is stated quite clearly that "no controlling interest in a system shall be sold or disposed of until the commission has approved of the sale or disposition," and I take that to mean that it required the prior approval of the telephone service commission before Bell Telephone could, in fact, have made an offer or completed the purchase of the controlling interest of Northern Telephone Company.

**Mr. D. W. Ewen** (Wentworth): Mr. Chairman, a few short weeks ago I had the opportunity of sitting before the Ontario telephone service commission in the township of Brantford in which an area there was getting very poor telephone service. They impressed me with the fact that the commission went into an area and heard the complaints of the people, some of whom could come before them and express their views and disappointment with the service. I was very much impressed with chairman Flynn and his committee, with the questions that were asked, and the way he conducted the meeting so that no stone was left unturned. I know that the people in the area appreciated what they did and I think this is a step forward in the right direction and I would like to congratulate the commission on the way in which they conducted the meeting. I know that we are going to get the service in the area with the recommendations that were received by the commission there. They heard the complaints and it was a case where the people really could not come down to Toronto because there were a lot of rural people who could not take the time and did not really have the money to

do so, but I think this is a step in the right direction where you can go into an area and hear the people's complaints. I know that the people there appreciated what was done and I just thought it was only right that I pass this on. Thank you.

**Mr. Renwick:** Mr. Chairman, may I ask the Minister what the background of Mr. S. R. McKelvay is?

**Hon. Mr. Stewart:** He was chairman of the Beeton Telephone Company for a number of years.

Vote 114 agreed to.

On vote 115:

**Mr. Paterson:** Mr. Chairman, I wonder if the Minister could advise me if steps are being taken to expedite the payment of the agricultural lime subsidy? I have had some complaints in my area that it has taken up to eight, nine or ten months before the farmers receive their rebate, their subsidy cheques in this regard.

**Hon. Mr. Stewart:** Was this last year's lime?

**Mr. Paterson:** Yes, it was last year's.

**Hon. Mr. Stewart:** I am told that it is just a matter of waiting for our funds to come back from Ottawa to pay these obligations. We have run out of funds in that particular vote and we will get some more and will take care of those cheques.

**Mr. Renwick:** Mr. Chairman, you will recall my concern last year about the common barberry eradication programme and the glowing report that the Minister gave of its progress. Would he advise us of the present state of that programme?

**Hon. Mr. Stewart:** It was covered in the Budget speech that I made last week as to the exact acreages that had been taken care of. I do not have it before me, but it was given last week and it is in *Hansard*—the exact acreage in various areas of the province. It is proceeding. Last year there was $80,834 expended in Ontario to destroy the barberry and approximately 20,000 acres were involved. In 1965 reduced stem rust incidence on oats was experienced in the areas where barberry had been destroyed the previous year, so there is a noticeable effect on the reduction of rust on grain where this programme is in effect.

**Mr. F. R. Oliver** (Grey South): Mr. Chairman, under this vote may I ask the Minister how much was paid in total to the rain-making applications that he had in eastern Ontario; how much was paid out of provincial funds for that?

**Hon. Mr. Stewart:** A total of $80,200.

**Mr. Oliver:** Did you have a contract with them that ran over a period of time or was it a one-job business?

**Hon. Mr. Stewart:** It was a contract—

**Mr. Oliver:** The figure of $240,000?

**Hon. Mr. Stewart:** Oh, no, no. I do not know where the figure came from.

**Mr. Oliver:** Tell me about it.

**Hon. Mr. Stewart:** It was $80,200 and it was to carry out—I forget the exact—three months, wasn't it?

**An hon. member:** To carry on until the end of September.

**Hon. Mr. Stewart:** Yes, it was to carry on until the end of September or to cease whenever we directed them to cease operations.

**Mr. Oliver:** In retrospect, would my hon. friend feel that this venture into the unknown was a success or—I mean—I am serious about this. Do you really think it was a successful venture?

**Hon. Mr. Stewart:** Well, it is hard to know. I must confess that when we read the results that have been apparent in some areas, it looked as though it was worth trying. Because if you recall a year ago now, this province was in the worst drought that it has ever been in in the history of the country.

The rain-making machines were brought into eastern Ontario; whether they generated the rain or not, I do not know, but it certainly rained.

**An hon. member:** You could not stop it!

**Hon. Mr. Stewart:** Well yes, I suppose that could be said—we could not get it stopped. But, nevertheless, it changed the whole picture down there and I am sure—

**Mr. Oliver:** What changed the whole picture?

**Hon. Mr. Stewart:** The rain changed the whole picture. Whether or not the rain-making machines had anything to do with it I do not know. I found that there are some

people who are just as vigorously in support of it as those who are vigorously opposed to it and I do not think there is any unanimous opinion that can be found as to whether or not they are effective. But I will tell you that in the situation in which we found ourselves last year in this province, it was worth taking a chance, in my humble opinion. And the rains came. Whether or not we give credit to the rain-making machines, I am not here to say one way or the other.

**Mr. Oliver:** I have always been intrigued, and I was certainly fascinated, by the Minister's exploration in this regard. My hon. friends had trouble with beans and had trouble with milk and I was thinking if there was a cairn erected to my hon. friend, it would be "Bill the Rain-maker," I am sure.

I was always impressed by the fact that—I think they were a United States outfit, weren't they?

**Hon. Mr. Stewart:** Yes, their head offices were in Denver, Colorado, but they have offices in western Canada.

**Mr. Oliver:** And you said to them: "Come over into Macedonia and help us." I was always intrigued; I didn't suppose they would have come up past New York.

At that time New York was so darn dry that they could not generate a spit if they wanted to. If you had any faith at all in these people, then as a neighbourly act you want to get them to stop off in New York and give them a wee bit of a hand.

**Hon. Mr. Grossman:** Wouldn't have had enough rain left for here.

**Mr. Oliver:** I do not know. I think my hon. friend had better stay out of that kind of business in the future. The trouble is, if you take credit for the generating of the rain then you have to assume the responsibility for the deluge; I mean for your inability to stop what you have the ability to produce. You are just caught in the thing. So, you see me, will you, before you start on that?

Vote 115 agreed to.

On vote 116:

**Mr. Oliver:** On vote 115, I just want to say to my friend, and I think he knows—you do not mind me going back to 115; I am so caught up with the enthusiasm about the rain that I forgot it has to do, of course, with the loss assistance that was given to eastern Ontario and, I think, to one area in northern Ontario. That is all, Mr. Chairman. An area in my riding and in several adjoining ridings was under severe los so far as crop damage was concerned. There were thousands of acres in the bottom end of Grey, in Wellington, in Bruce, and I suppose in Huron and other areas up there. I would think it would run to ten to fifteen thousand acres that were not harvested at all last fall. And the loss sustained by these farmers was very substantial, indeed.

I wrote the Minister at length about this matter, on the 5th day of November I believe it was, setting out the problem as I saw it and enclosing a petition from these people who had suffered loss and asking the Minister if he would include in his list of beneficiaries, so far as this fund was concerned, the people in my area.

He was apparently unable to do it and a few weeks after this event a big meeting was held in the town of Durham, called, I think, by the farmers union people. They passed a similar resolution demanding action and help for those people who had suffered. They came down to see the Minister, and I am told that the Minister said to them, "Well, it has got to stop some place." If that was the answer of the Minister, just why did he have to stop when he got to my gates. What is the picture there? I understand that in northern Ontario, in one area you gave them relief and in another area you refused relief.

In my area you refused relief. In eastern Ontario you gave relief. A crop loss hurts just as badly in Grey county as it does in eastern Ontario; just as badly in my area as it does in some sections of the north. How does my hon. friend relate these things. What is the basis of his policy, if any?

**Hon. Mr. Stewart:** The basis of the policy in the original initiation was to provide assistance to livestock farmers. This is what was done.

**Mr. Oliver:** We are all right yet.

**Hon. Mr. Stewart:** This is very true, but the programme as it was started off in eastern Ontario had to do with the loss of pasture. First of all, the farmers turned their cattle into the hay fields, the hay fields were in many cases eaten right off and they were cutting their oats for hay or for forage crops, forage feed of one kind or another. The basis of the agreement with the federal Department of Agriculture was predicated on livestock carrying them through the winter.

We found in northern Ontario that because of the extensive rain all through that season they had not gotten their hay off—their first crop of hay. So, in effect, those people had

lost their hay crop because of excessive rain fall, while the people in eastern Ontario had lost their hay crops through lack of rain fall. And neither had feed to get their cattle through the winter.

But in your area and, indeed, farther west in Huron county, and other parts—and in Dufferin county the hon. member for Dufferin-Wellington spoke to me about this same problem as did the member for Dufferin-Simcoe. And I know it existed in your area. But the criterion was established for livestock feed and I believe your farmers got their hay off, so that they had hay to carry their cattle through the winter.

I admit that they lost a lot of grain; no question about it. But we established the fact that for any farmer who had no livestock feed the assistance programme would apply. But if he had livestock feed, then it did not apply. That was the criterion which we tried to keep right across the province.

**Mr. Oliver:** I am not quite sure of my ground here, but I think there was one area in northern Ontario to which you granted relief, and another area to which you did not grant relief.

**Hon. Mr. Stewart:** No, northwestern Ontario did not get it, because they had gotten their hay off.

**Mr. Oliver:** They applied for it?

**Hon. Mr. Stewart:** They had asked for it, yes, but did not get it.

**Mr. Oliver:** What area did receive it in the north?

**Hon. Mr. Stewart:** Northeastern Ontario, Algoma.

**Mr. Oliver:** Algoma-Manitoulin?

**Hon. Mr. Stewart:** Yes, that is right.

**Mr. Oliver:** Sudbury and Timiskaming and Cochrane?

**Hon. Mr. Stewart:** Cochrane.

**Mr. Oliver:** What about the North Bay area?

**Hon. Mr. Stewart:** The North Bay area—they were included.

**Mr. Oliver:** They got it too?

**Hon. Mr. Stewart:** They did.

**Mr. Oliver:** Everybody got it but us.

**Hon. Mr. Stewart:** There were farmers in the north who had no livestock who lost their potatoes and there were some cash crop potato farmers up there; others who lost grain crops, and they were not paid in any of those areas.

**Mr. Oliver:** I will have to tell my people they have to lose their hay.

**Mr. Chairman:** On vote 116. The member for Essex South.

**Mr. Paterson:** Might I inquire of the Minister as to what counties in the province are now covered under The Meat Inspection Act and how many personnel are currently in the field doing this work?

**Hon. Mr. Stewart:** There are 74 lay inspectors and I believe there are 12 counties at the present time.

**Mr. Chairman:** Vote 116 was discussed under votes previously—the member for Nipissing.

**Mr. Smith:** Mr. Chairman, I would like to ask the Minister a few questions in regard to the veterinary services in the designated areas, as he calls them, under No. 7. I think this is brought further to our attention by an article that appeared in the Toronto *Globe and Mail* this morning in regard to the Cochrane and Hearst areas, where there are farmers. Up there some of the farmers are losing half their calves due to white muscle disease.

I wonder if the Minister is prepared to provide some veterinary services on at least a temporary basis to that area?

And secondly, since the allowances made to these veterinarians in these areas is $4,000 a year, plus five cents a mile for their car, I wonder if the veterinary services branch is giving any consideration to raising these allowances? It appears that right across the northern part of the province they are having some difficulty in getting veterinarians, and once they do get them they seem to have a problem keeping them in these areas.

I would submit, Mr. Chairman, that the allowances are not nearly great enough when you consider these veterinarians often leave to go into practices with small animals at perhaps double or sometimes triple their income.

**Hon. Mr. Stewart:** Well, first of all, I have a very keen appreciation for the problem that is sustained by Mr. Nazaire D'Amours. I know him very well, I have been on his farm. I know the situation. I know also what it is to lose calves with white muscle disease because this is one of the great plagues of the

cow-calf operation in the province, caused through a lack of a trace element called selenium. It is a very, very difficult disease to control, it is very difficult to do anything to offset it when it strikes.

With regard to the northern veterinary policy—I assume my hon. friend may not be aware that the former policy called for the local veterinary association to raise a sum of $1,800 which was matched by the provincial government, making a total of $3,600 that was paid to the veterinary service besides the regular charges. The new policy provides that the local veterinary association will raise $1,000 and the provincial government will put up $4,000 and five cents a mile, so that wherever the veterinarian goes he will have a standard rate of charge for each call plus the medicines that he may use or that may be applied.

In the area in which this white muscle disease outbreak occurred, we are attempting to locate a veterinarian and put him in there, hired by the government, paid by the government on a retainer basis, so that he can provide service. But it is very difficult to find a veterinarian. We have not been able to locate one as yet. But my Deputy Minister informs me that we are prepared to send one of the veterinarians from the regional laboratory right away to try to cope with this situation.

I would like as well to make a correction, Mr. Chairman, in vote 116, item 7. The item is described in our estimates as "grants for veterinary assistance to designated areas." It should read "veterinary assistance to designated areas." The word "grants" should be deleted because it is veterinary assistance, not grants to the association. It is a direct payment to the veterinarians.

**Mr. R. Smith** (Nipissing): Mr. Chairman, I wonder if I could ask the Minister, how many areas are designated that should be provided with this service? Or with this type of grant?

**Hon. Mr. Stewart:** There are 14 so designated at the moment. Now, there may be more in the future but that is the number at the moment.

**Mr. Smith:** How many of them have that service?

**Hon. Mr. Stewart:** Twelve of them with veterinarians, there are only two without.

Here again I would like to say through you, Mr. Chairman, to members of the House, that veterinarians are very, very scarce. It is exceedingly hard to find enough veterinarians to go around. We have made representations to the veterinary college at Guelph to expand their services, but here again we are limited by the classroom facilities and by the laboratory facilities. Every attempt is being made to encourage more students to get into the field because it is virtually unlimited in possibilities.

**Mr. Paterson:** Mr. Chairman, if I might follow up on my question of the Minister in regard to the inspection. He mentioned ten counties and I wondered if he could advise me of the names of the ten counties in which the meat inspection is taking place and how soon he anticipates having the whole of the province covered in this regard?

**Hon. Mr. Stewart:** The counties that now have meat inspection are Brant, Haldimand, Halton, Lincoln, Norfolk, Oxford, Peel, Waterloo, Welland and Wentworth. The total number of plants being inspected in these counties is 71. I note that on June 20 plants in Elgin and Kent counties were to be brought under inspection—they are under inspection now in those two counties.

**Mr. Paterson:** Is it the Minister's intention to complete southern Ontario before moving into the northern parts of our province?

**Hon. Mr. Stewart:** Yes.

**Mr. Nixon:** Mr. Chairman, I was interested to read that a proposed abattoir in the north which was going to be constructed with some ARDA assistance was postponed because meat inspection in the north was not in the immediate future. Is the Minister familiar with this matter? It is in the Iron Bridge area.

**Hon. Mr. Stewart:** Is the member referring to the Lakehead area?

**Mr. Nixon:** No, the reference in the meeting where the ARDA people were discussing this, was to Iron Bridge, which is not in the Lakehead area.

**Hon. Mr. Stewart:** Oh, I think I know. This was one of the projects, I believe, that was suggested by the hon. member for Algoma-Manitoulin. As an ARDA project—am I right on that? It has not as yet been approved. Is this correct? Is Iron Bridge in the riding of the member for Algoma-Manitoulin?

**Mr. S. Farquhar:** (Algoma-Manitoulin): Yes.

**Hon. Mr. Stewart:** It is? Yes. I think that is a project that is under consideration but it

has not been approved. The ARDA director is not here, I believe, but it is under consideration by the ARDA directorate now.

**Mr. Nixon:** The extension of meat inspection in the north seemed to be one of the crucial factors—

**Hon. Mr. Stewart:** No, I do not think that is quite the case, because we could take care of them through engaging a local veterinarian to carry out meat inspection, just as we have had to do at the Lakehead to get their abattoir going before we have all northern Ontario covered.

**Mr. Nixon:** The member for Woodbine raised this matter of inspection on a previous vote and I was quite surprised to hear him indicate in a rather unfactual way that we in the Liberal Party were supporting the Minister in his meat inspection difficulties of some years ago. I wonder if the Minister would comment on what was said earlier, if in fact we do have federal standards of meat inspection in every respect?

**Hon. Mr. Stewart:** Yes, I would be very glad to. We do have federal standards insofar as the health of the animals in ante-mortem inspections are concerned, and we have the same standards as far as post-mortem inspection is concerned. But the difference between federal standards and provincial standards lies in the standards for height of ceilings and various physical aspects of the plant. But there is no difference whatever in the standard of quality of the meat products sold or used.

**Mr. Gaunt:** Mr. Chairman, I just wanted to ask the Minister a couple of questions on this vote. The first thing that I want to deal with —I have talked to various people about this at various times and I am just wondering how the matter is coming along.

It concerns the diagnostic laboratory that was going to be located somewhere in western Ontario. The decision had not been made the last time I inquired and I am just wondering how the matter stands at the present time. Is it finalized?

**Hon. Mr. Stewart:** It is still under consideration.

**Mr. Gaunt:** Then I want to move on to the mastitis programme. This programme, you may recall, was introduced last year after a successful pilot project in the Ridgetown area. It goes without saying that the annual loss to farmers from mastitis is very great indeed, I think it amounts to something like $25 million to $30 million. Of course the mastitis programme in this province was designed to reduce the losses and mastitis treatment to Ontario dairy farmers.

The Minister mentioned in his lead-off speech that the number of herds enrolled is increasing and I am wondering if the Minister could give me the exact figures of the number of herds that are enrolled at the present time?

**Hon. Mr. Stewart:** Mr. Chairman, 117 herds have completed the first six-month period of enrolment and the disease has been reduced to approximately 50 per cent in all the significant categories. Nearly eight per cent of the herds that have enrolled completed the programme with the disease virtually eliminated. The facts stand as a credit to the concept of mastitis control and I would think it was not anticipated that it would be quite that effective. The problem is that there are not a great many farmers who seem to think it worthwhile to enrol.

**Mr. Gaunt:** How many farmers were enrolled initially in the programme? They were not the 117 that you cited tonight?

**Hon. Mr. Stewart:** There were 221 herds enrolled in the initial instance.

**Mr. Gaunt:** That in effect means that we have had a reduction in the number enrolled. We had roughly 220 and now we have 117.

**Hon. Mr. Stewart:** According to the figures I have before me. Now, I do not think these are right up to date. These are the latest figures that I have.

**Mr. Gaunt:** I am wondering, Mr. Chairman, if in fact this apparent decrease in the number of enrolments would have anything to do with the fact that the department decided to put this programme on what might be called a self-supporting basis. I am wondering if this has had any ill-effects on the enrolment? Apparently, sir, the department undertook a substantial amount of the cost initially, and then as the programme evolved, the department decided that it would be a good idea to put it eventually on a self-supporting basis and I am just wondering if, even though the advantages of it are obvious, and from the monetary standpoint, very rewarding, still the number of farmers enrolling seems to be declining and I am wondering if one could attribute it to this particular item?

**Hon. Mr. Stewart:** I should explain that the total number of herds that have been enrolled are 221. Originally, in the pilot pro-

ject, there were about 100 herds enrolled, so we have actually had an increase.

**Mr. Gaunt:** In the pilot, that was—

**Hon. Mr. Stewart:** In the pilot project we had 100 herds enrolled. About 100 herds. Now there have been 221 herds, according to my figures here, and there may be some additions to this, because these figures were compiled a while ago. So there actually is an increase over the pilot project.

But it seems to me that it is not unreasonable to expect a farmer to pay $2.25 per cow for the service provided. I think this is one of the ways that the farmer can make the decision as to whether he gets into it or whether he does not. To make it wide open to everybody, I think you can see, would hardly be fair. But I think if it is not worth $2.25 per cow to a farmer, it is hardly worth anything, it would seem to me.

**Mr. Gaunt:** Mr. Chairman, may I ask my friend: It is $2.25 per cow now, what was it previously?

**Hon. Mr. Stewart:** It never was more than that. In fact, in the pilot project, it was free.

**Mr. Gaunt:** Yes. But after the pilot project, what was the cost?

**Hon. Mr. Stewart:** It was $2.25 per cow for a six months' period.

**Mr. Gaunt:** Oh, then the pilot project was free, and after the pilot project was finished, the charge was $2.25 per cow, and it still is at the present time?

**Hon. Mr. Stewart:** That is right. There has been no increase.

**Mr. Gaunt:** Mr. Chairman, I want to mention leukosis. Leukosis has caused a great deal of loss in laying flocks throughout the province. It is a very harsh problem, in terms of economic loss, because when a flock contracts this disease, if it happens to be in 80 per cent lay, it certainly falls off very rapidly and the economic repercussions from this type of thing are in some cases rather drastic.

I would say that leukosis is perhaps the biggest problem that the laying flock owner has to contend with at the present time. I was interested in view of this to see some of the experiments that are being carried on to cope with this kind of problem. I believe that at the western Ontario agricultural school in Ridgetown they have done considerable experimentation with various methods of control, and I think one of the more recent ones concerns itself with the injection of swine erysipelas serum into the growing chick. Apparently this has had some degree of success. I am wondering if there is anything further that the Minister has to add in connection with the results of this, and anything further along that line, in the way of controlling this disease.

**Hon. Mr. Stewart:** I am advised that it is an extremely difficult disease to deal with, as my hon. friend knows.

**Mr. Gaunt:** Oh, I know it is. This is quite right.

**Hon. Mr. Stewart:** I recall as a poultry man myself, we had all kinds of problems with this particular disease. The matter is receiving very active consideration by the poultry department of the veterinary college at OAC at Guelph, in conjunction with the veterinary college through the agricultural research institute. But to my knowledge, there is no known cure yet for leukosis. I hope I am right in that. Perhaps I have offended somebody who has a cure, but to our knowledge there is no known cure as I understand from the assistant director of the veterinary services branch, this is right.

But we are working on this and we realize that it is essential to find a cure if possible.

**Mr. Gaunt:** Rabies, from time to time, Mr. Chairman, has been a problem in the province. It comes and goes. Sometimes we feel that we have the disease pretty well in hand and then all of a sudden it breaks out and is rampant once again. As I say, it comes and goes. Its cycles vary in length. It seems that we have come to the place where we have resigned ourselves to the fact that we must live with this type of thing, that we cannot in fact eradicate it and do away with it altogether.

I mentioned last year to my friend, the fact that in some areas of the riding which I have the honour to represent, the losses from rabies were considerable. They were confined to certain areas, but in some cases, farmers lost two or three or four head of cattle. I can think of another case where one farmer lost two horses, which is unique, and in two or three more cases I can think of farmers who lost swine because of this disease. I talked to my friend about the fact that the payments for loss of animals because of rabies, should be increased in view of the current market values of the animals involved, and I wonder if anything further has been done on that.

**Hon. Mr. Stewart:** I am not sure that I got all of the question, but I will relate the status of the programme to date. It is very interesting. At our request there has been a review made of the indemnity policy for livestock that have been lost to rabies. This has been agreed to by the federal health of animals branch and I will read these new rates into the record of the House, Mr. Chairman, because I think it will be of interest to the rural members:

| | *Old rate* | *New rate* |
|---|---|---|
| Horses | $100 | $250 |
| Cattle | 250 | 300 |
| Sheep | 40 | 100 |
| Swine | 40 | 100 |
| Goats | 40 | 100 |

These are significant increases and I think they will be appreciated by the hon. members of the House.

Interestingly enough, in the year April 1, 1964 to March 31, 1965, there were 869 domestic animals lost in the province of Ontario because of rabies. In the year April 1, 1965 to December 31, 1965—that brings us up to December 31 last—there were 217. I should have said 279 domestic animals the year before; other animals including wildlife, that had been lost and so identified as having died because of rabies, numbered 869.

There has not been a very significant increase. I notice that in 1963-64, there were 247 domestic animals and the next year, 279. This year it would look to be about the same.

**Mr. Gaunt:** I would suggest that these new rates are more in line with current market values and they will be welcome.

Votes 116 and 117 agreed to.

On vote 118:

**Mr. Paterson:** Mr. Chairman, the Vineland experimental station is the nearest to my particular area and I would like to ask of the Minister what this experimental station is doing to show the way to advance production specifically in cash crop commodities. What is this experimental station doing toward developing strains for mechanical harvesting of tomatoes and what is it doing in the area of asparagus? I understand that some of the large canning companies have brought certain strains of asparagus root into our province and that other growers are unable to get improved strains of asparagus. Would the Minister of Agriculture comment on these particular items?

**Hon. Mr. Stewart:** Both of these projects are under active study by the research institute in carrying out experimental and research work at Vineland, as well as at the Simcoe research experimental station.

Vote 118 agreed to.

On vote 119:

**Mr. Spence:** Mr. Chairman, it has been brought to my attention a number of times that at the Kemptville and Ridgetown agricultural schools, the staffs are not receiving the same salaries as those doing the same work at Guelph. Would the Minister clarify this for me? If they are not receiving the same salaries for the same work, I think this is too bad.

**Hon. Mr. Stewart:** Mr. Chairman, new classifications have been recommended to the civil service commission and I can only assume that they will be dealt with in the normal course of events.

**Mr. Spence:** Does the Minister think that the salaries will be increased?

**Hon. Mr. Stewart:** We can certainly hope so. We have made that recommendation.

Vote 119 agreed to.

On vote 120:

**Mr. Paterson:** Mr. Chairman, I have heard reports of overcrowding at the Ridegtown agricultural school to a degree where students are sleeping in the common rooms and possibly the dining rooms are overcrowded. Does the Minister and his department have any plans for expanding the facilities at this particular institution?

**Hon. Mr. Stewart:** This is a top-priority item and it is proceeding forthwith. The plans are already drawn for a new dining accommodation and residence expansion.

**Mr. Paterson:** As the Minister is aware, when we had the graduating class down to the buildings this year, there was only one student in that class from Essex county. I was at a loss that day to explain it and I wonder if there is any explanation for it, as I thought there was a very good attendance from my county at that particular school.

**Hon. Mr. Stewart:** I cannot, for the life of me, believe that it is through any influence of the hon. member for Essex South that there are not more there. I really do not know what

attracts students from various areas; sometimes more will come from specific counties one year than there are from others, and perhaps next year there will be more from Essex than there will be from other counties. It is one of these things that cannot be explained.

**Mr. Paterson:** It has been suggested to me that possibly farmers are not encouraging their sons to go on to the land in my area any more. They like to go up to the city and make $3 an hour. I would hope that this is not the case and that the farmers in my area will take every advantage of education in our agricultural institutes.

**Mr. V. M. Singer** (Downsview): Mr Chairman, when the Minister was answering my colleague, the hon. member for Essex South, about top priority, does "top priority" mean that the contract will be called this year? Does it mean that there is a figure in the Public Works estimates that will allow the beginning of that building this year? "Top priority" is a good-sounding phrase, but I just want to push it a little further.

**Hon. Mr. Stewart:** I will try to answer the hon. member. As far as we are concerned, we feel that it requires top priority, and the plans are under way. Now if there is anything wrong with that—is the hon. member suggesting that we should hold it up?

**Mr. Singer:** No, no. I was just asking the Minister – through you, Mr. Chairman – that when he used the phrase "top priority," if there is any reason to anticipate that the contract will be called this year. Apparently, there is not because the Minister now uses the phrase "as far as I am concerned" and I suppose that distinguishes him from his colleagues on the Treasury bench—

**Mr. Chairman:** And Public Works.

**Mr. Singer:** And Public Works. That is quite right and I asked the Minister a specific question which he avoided answering: Is there any figure for this project that my colleague talks about in the Public Works estimates this year. Since the Minister avoided answering me, obviously there is not.

Vote 120 agreed to.

On vote 121:

**Mr. Spence:** Mr. Chairman, I understood that there was a programme to eradicate the blackbirds a couple of years ago. I wonder what progress is being made.

**Hon. Mr. Stewart:** I would say that the research project is proceeding, but if you will recall it was to be at least a five-year project and I do not think that there are any specific recommendations to date.

**Mr. Spence:** Mr. Chairman, I understand that the federation of agriculture asked The Department of Agriculture and Food to make a study of grain storage in the province of Ontario. What progress has been made or has any study been attempted? As we know, after we read the paper after the farm week at the agricultural school, where top agriculturists tell us about the great loss to farmers in some cases, selling their grain including corn at harvest time, we know that those who are least able to afford to sell have to sell at harvest time and I do think that a grain storage study should be made because it would mean a great deal to those who are in agriculture.

They would gain considerably by storing their grain until a later date.

**Hon. Mr. Stewart:** I do not recall any such request from the Ontario federation of agriculture, but it may well have come. I do not recall it. But it is a matter that is under active study by the engineering department of the University of Guelph and the Ontario agricultural college.

I would completely agree with the hon. member that every means should be obtained to provide grain storage. For instance, I discussed this matter with the Hon. Harry Hays, when he was Minister of Agriculture for Canada, suggesting to him that he might very well give consideration to an accelerated rate of write-off on income tax returns for farmers.

He acceded to this request, both for grain storage and for tile drainage.

Tile drainage can now be written off as an expense item and depreciation on grain storage facilities can be written off at 20 per cent rather than the old rate of 5 per cent.

Votes 121 and 122 agreed to.

**Mr. Chairman:** This concludes the estimates of The Department of Agriculture and Food.

Hon. J. P. Robarts (Prime Minister) moves that the committee rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The 21st order; resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into committee on ways and means.

## ON THE BUDGET

**Mr. J. B. Trotter** (Parkdale): Mr. Speaker, I want to give you my hearty congratulations on presiding over what is probably the longest session of the Legislature in Ontario. You have not only had to endure a great number of speeches, but you have had some hot weather to contend with. So I once again want to congratulate you for the fine job you have been doing and I may say that perhaps because it is hot weather, perhaps because it is the length of the session, my Budget address will be reasonably short. That may be the best good news I can possibly give the government benches tonight.

Nevertheless, what I have to say is, to my end of town in the city of Toronto, just as important and it is really important to all of Ontario and to all of Canada. I would like to bring to the attention of the members of the House, Mr. Speaker, through you, that since the end of World War II, Canada's population has undergone great changes. Those of us who live in Metro here have seen it taking place before our eyes. We have gained over three million people in Canada, and it is the greatest change that has ever taken place in the history of this country.

The majority of those three million people have settled in the province of Ontario. In Toronto, one out of every three people has arrived since World War II. With Canada producing more goods than she can sell, these people reduce materially our dependence on markets outside this country. Instead of the goods in search of people, the people have come in search of the goods.

These newcomers to our shores, spread across Canada, bring over one billion dollars annually into our economy—over one billion dollars. That is equal to our combined annual trade with the United Kingdom and Europe. So you can see that the people who come and settle on our shores are very important to our country, not only for what they bring with them in their own natural talents, but even in an economic sense.

The newcomers who have come to Canada are probably the greatest single factor in our postwar expansion. In the true tradition of people who are on the move, they are the best, the most vigorous, the most active of their race. It is no easy thing for people to come to a new country, in many cases to learn a new language and new ways of doing things, and to make a new home. It is not a job for the weak or the lazy.

Representing the riding of Toronto-Parkdale, I have become familiar with many people who have come to our shores who were born in other lands. Many of these new pioneers of Canada have suffered grievously at the hands of Nazi Germany and Russian communism. I think we would do well to heed their warning of what could happen to us unless we are careful of our cherished freedoms.

There is one particular section of the community in west end Toronto, particularly in my own riding, that I would like to draw to your attention, Mr. Speaker, and that is the large and important segment of the Polish community. It is a large community in Canada; it is particularly, as I have said, in the west end of Metropolitan Toronto.

I emphasize the Polish community at this time because the year 1966 is an especially important year for Canadians of Polish extraction and for all Poles everywhere. 1966 marks the one thousandth year since Poland was converted to Christianity, for in 966, and it seems a long time ago, Poland's first recorded ruler, Mieszko I, was baptized into the Christian faith. Poland's millenium of Christianity is indeed a unique occasion. Despite 1,000 years of many trials and tribulations, and despite the ravages of many terrible wars, the Poles have clung tenaciously to their Christian faith. Such people always make good citizens of any country, and we in Canada are especially fortunate to have them.

What happened in Poland 1,000 years ago may seem of little importance to us here today. But those who might think that way have forgotten what has happened in the history of Europe and in our own history.

The great battle of Vienna fought on September 12, 1683, is considered by all historians as one of the decisive events in all the history of Europe. On that day the Turkish army was stopped from over-running all of Europe at the gates of Vienna. The decisive role in the battle of Vienna was played by the Polish heavy cavalry which broke the

ranks of the Turks. The story of western Europe would have been entirely different if the Polish ranks had broken and if the Poles had not been converted to Christianity, whereas you may all recall in 1683, because the western civilization turned back the Turks at the battle and at the gates of Vienna, the history of Europe and, of course, our history, has been entirely different from what it would have been.

As a result of what happened in Poland 1,000 years ago, the Polish people became forever aligned with the struggles and aspirations of western Europe. We in Canada will not forget the courage of the Poles in World War II. We will always be grateful for the tremendous contribution the Polish Air Force made to maintain our way of life in the Battle of Britain.

As a result of the upheavals and the wars of Europe, many Poles have come to Canada. According to the 1961 census, there are now 325,000 Canadians of Polish extraction; 150,000, almost half of them, are in the province of Ontario. The first Polish immigrants to Canada were primarily labourers who joined the ranks of this country's pioneers.

After World War II, in order to escape Communist oppression, not only labourers came, but doctors and lawyers, engineers, businessmen, journalists, artists and people of all walks of life, who gave up everything but their self-respect rather than live under communism.

Today, among Canadians of Polish extraction there are more than 200 professors at various universities in Canada; over 1,200 professional engineers, numerous doctors, dentists, pharmacists, lawyers and architects, artists, journalists, and among almost any of the major callings of life you will find that the Polish community has many of its members who have reached a high degree of learning.

Businessmen and industrialists of Polish origin are now taking part in Canada's development, operating on capital running into many millions of dollars. The contribution such people have made to Canada was recognized by the government of Canada in 1963 when a postage stamp was issued to commemorate the 150th anniversary of the birth of Sir Casimir Gzowski, an engineer, soldier and one-time Lieutenant-Governor of Upper Canada.

And I may say that the first member of Polish extraction to be a member of the Legislature of the province of Ontario is my colleague, the hon. member for Windsor-Walkerville (Mr. Newman). And, of course, since the last election we have the second member of Polish extraction in the person of the hon. member for Renfrew South (Mr. Yakabuski).

These two men are typical of the contribution the Polish community has been making to the province of Ontario. When I say "both these men" that shows I can be non-partisan, as they are taking an active part in the political life of this province, regardless of their party.

So I did want to take this opportunity to bring the accomplishments of the Polish community to this House. I think those of us who are of other than Polish extraction or, you might say, of Anglo-Saxon extraction, should go out of our way to bring to the attention of our fellow Canadians the work of the different groups and different communities that have come to Canada. Because we have probably an extra duty to make an extra effort to show to the people of Canada and particularly to the members of this House the great work that is done by many people.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, I wonder if the hon. member would like to be correct. I wonder if he would mind including in his record of the members in this House of Polish extraction the member for St. Andrew. I happen to be of Polish extraction. Both my parents and their parents and my wife's parents and their parents.

**Mr. Trotter:** I will be very glad to include the hon. Minister. The Polish community is doing better and better all the time.

Now, Mr. Speaker, I would like to draw to your attention the problems of another group in our midst, and this results from a study that was partly financed by the government of the province of Ontario. It was a study made by the international institute of Metropolitan Toronto on the problems of Italians, Greeks and Portuguese who arrived in Canada in recent years to settle in Ontario. I emphasize in Ontario because most of them who have come to Canada have chosen this province to settle in. I do not know if the Minister of Reform Institutions is a member of this group or not – I do not think he is, but he can be included if he wishes – but the international institute of Metropolitan Toronto recently released a –

**Hon. Mr. Grossman:** Mr. Speaker, to get the record straight, I happen to be one of the founders of the international institute.

**Mr. Trotter:** Very good.

**An hon. member:** Quite an accomplished young man.

**Mr. Trotter:** He certainly gets around, Mr. Speaker. A book has recently been re-released –

**Hon. J. Yaremko** (Provincial Secretary): Mr. Speaker, it will be of interest to the members to know that I had card No. 1 of membership.

**Mr. Trotter:** Good for the Provincial Secretary.

Now, the book released entitled, "Newcomers and New Learning" by Edith Ferguson, gives us some idea of the problems of this particular group, and why they specified Italians and Greek and Portuguese, I will attempt to explain to the House through you. I am glad to see the Provincial Secretary's interest and that he was a card-carrying member of the international institute of Metropolitan Toronto, because they certainly do a tremendous work, and I am glad that his department saw to it that they received some of their funds for the work and the study that they did.

The institute carried on a two-year study particularly of Italians and their problems here in the city of Toronto. There are approximately in Metropolitan Toronto 200,000 Italians. Between 1951 and 1964 there have arrived in Canada slightly over 50,000 Greeks of which about 80 per cent live in Metropolitan Toronto. Of the Portuguese, 35,000 have come to Canada between the 14 years from 1951 to 1964, and again about 80 per cent of this group have settled in Metropolitan Toronto. So this is not only a particular problem for the province of Ontario, but it is an especial problem for Metropolitan Toronto.

Here is the major problem and why the Italians, the Portuguese and the Greeks were singled out. They come probably from a different cultural background than many from the United Kingdom or central Europe come from. I will emphasize the problem of the 200,000 Italians because there are more of them and, therefore, their problem is more acute for them and the challenge is all the greater for us.

Most of the Italians who have settled in the Toronto area since World War II come from the southern part of Italy. Their schooling is entirely different from what we have here in Canada, and especially in the province of Ontario. In the southern part of Italy, you have from four to six years' schooling. That is usually considered enough to get by, because you must remember that the communities in which they live are strictly rural. Most of them make their living by farming and they live in small villages. The news of what goes on travels by word of mouth, you gather at the village square to hear what is going on, and now they are here in the city of Toronto where it is by newspaper, by radio, by pamphlet, by a highly sophisticated system of communication.

As a result, many of the people coming from southern Italy, Portugal and Greece do not have the same grasp of the situation that we might have. In some of these communities in southern Italy, their social aims are not as high as ours. Many people who are born to work on the farm as their great grandfathers were, in going back over the generations, assume that they will work on the farms, as we in our turn aspire to be doctors and lawyers and engineers. But we are trained maybe from our cultural background over the years to seek a higher level of education.

So as a result, you have many thousands of people now living in Ontario particularly in Metropolitan Toronto who are not going to have the same opportunity in life that we have or our children have unless we make a far greater effort to see that they get better education and better upgrading in the trades that they might have. Or we must teach them some trade.

You might say: "Why should we spend hundreds of thousands of dollars to train immigrants who come to our shores? Our grandfathers landed here, our great grandfathers landed here and went farming or went west and got a homestead and they did not need that much education."

My grandfather quit school when he was 11 years of age, just as many of the Italians who are now in our community quit school. But we must remember that the world has changed completely from the days when our grandfathers came here. There are just no homesteads out in the west that there used to be. We are going to have to see to it that the standards of education are raised for these people or they will not be able to help the Canadian community, nor will they be able to help themselves. What is even worse, Mr. Speaker, is the fact that over a period of years you will have a hard core of poor people as a result of automation; as a result of the greater difference between the labouring class and those who were able to rise in the professions or in business. There is going to be a greater difference. Not only might

there be a difference of race and cultural background, but it will be emphasized by the economic difference.

This is probably one of the great problems in Canada today. The difference between the French-Canadian and the English-Canadian, has been emphasized because of the economic difference. We know that the income of the English-speaking person, on the average, is far greater than the income of the French-speaking person. So as a result there is, I think, a greater stress in this country.

This will be increased if we do not go to work and help these communities that have come to Canada; not only literally to help themselves, but in the long run, to be a boon and an asset to this country. I pointed out at the very first when speaking about the immigrants that have come to Canada since World War II the annual increase in our economy amounts to more than our trade with the United Kingdom and Europe put together. The economic council of Canada has said that the money you put in education will return the same dividends as the capital you pour into assets, into capital assets of a business. Just as today we are trying to spend more money on universities to upgrade the education of people who are already here, we are going to have to reach the people that have come to Canada of recent years.

Some effort has been made on this score. Some of it has been voluntary effort on the part of the immigrants, themselves. By far the most outstanding has been done in the Italian community by the Italian community education centre, under the work of Father Joseph Carraro. They have, under the slogan of "Integration through Education" done a great work among their people, and the provincial government has helped on that score.

But, as the reports put out by the international institute of Metropolitan Toronto emphasized, private organizations cannot cope with the problem in a proper manner; they simply do not have the funds. It is going to be the work of the provincial government and it is going to be very much the work also of the federal government. But the importance of it is for us to realize this problem, because the more we let things drift, the more that we are going to find that the problem is going to increase. The young people who are the children of those who have arrived in Canada will not be reached in time. They will be doomed to a tremendous economic underprivileged hard core. This is bad business and it is, to say the least, very inhumane.

For example, suppose we admit we have some kind of a programme to teach people the English language, because this is of the utmost importance to get along, particularly in the city of Toronto today. There are 38 locations to teach new Canadians English in the municipality of Metropolitan Toronto, but only one of them is open 12 months of the year. This is going to be improved, and probably a new programme is on the way. But, at this moment, only one of them is open more than six months in the year.

We have to remember this: that if you are to reach people who want to learn English, you have to remember that they do shift work; that many of the Italian and Portuguese and Greek workers, work in the day, and the next week they are shifted to work at night. Our school system, so the institute reports, does not take into consideration the importance of people who have to work sometimes in the night and sometimes in the evening.

We also have to bear in mind that many of these labouring people get up at six o'clock in the morning; are at work at seven, and not home until seven o'clock in the evening. Well, it is pretty hard to expect anybody to go to school and to get much learning when they have to work such long hours. Again, it was pointed out that English was the most important thing to learn but, secondly, we lose many experienced and trained personnel because we do not reach them immediately upon their arriving at these shores. There are a number of trained Italian workers here in the city of Toronto who are doing menial work; who are washing dishes or cleaning up buildings simply because they have not learned the English language.

This is a human loss to us in the people themselves, and it is an economic loss that these trained people are not put to work. Among the things that the international institute recommends were two main recommendations: that these people be reached immediately and given some training immediately, even if it was necessary under a scheme to pay them so much a day; and secondly, the emphasis was that they should have an opportunity to take their trades test in their own language so that we would have some knowledge of what they could do. If they had the opportunity of taking a trades test in their own language, they would then be able to be put to work immediately on having some instruction in English.

Also, there are many employers who speak the language of the newly arrived immigrant in Canada and they could also be put to

work if the employer and the immigrant knew where to find each other.

Many of us know, or think, well if I am looking for a job I will go to the unemployment insurance commission; I will read the want ads in the paper. But imimgrants, particularly those coming from southern Italy, are not aware of these things. In the place they came from, there was no unemployment insurance commission. They went to the village square and asked their neighbour if there were any jobs available. They do not know about reading the want ads. So this is something new to many of them, and we must make ourselves aware of this fact that it is new to them and it is up to us that if we have brought them into this country, and urged them to come, it is now up to us to see to it that they have the opportunity to live as well as the rest of us. Surely, it is hard enough coming to a new country, pulling up your roots and settling down; all these things are hard enough without the tremendous handicap of the lack of the English language.

Another thing we should emphasize, and the institute pointed out, was that they might hold English classes in one school and then they would hold what they call upgrading classes in another building, maybe many blocks away. The upgrading classes are those classes that attempt to teach someone who, for example, has their grade 6 fixed to boost their education up to grade 8 or grade 10, and the importance was that in any new scheme that we have here in this province we should try to teach English as well as the upgrading of classes in the same place.

There is a tremendous job to do in this field. We teach English two nights a week. There were over 246 volunteers who would have gladly gone to learn English four nights a week if the facilities were available. We lack teachers to teach the English language, and what we are going to need to do is train teachers, not just to teach children, but to teach adults, and often it is a different matter handling adults, especially who are in a strange country and who have to work all day. There are thousands of people in the city of Toronto, and I am sure many more thousands throughout the province of Ontario, who are facing this problem. This is a great challenge to us as a governmentt, and as a people to do something.

**Hon. Mr. Yaremko:** Mr. Speaker, if I might just say a word. I think that the hon. member will be pleased to know that since that report was published, most of these things are under way; almost all of those points that have been referred to. Incidentally, that study was in part paid for by The Provincial Secretary's Department, and all those various items relating to shift workers—

**Mr. K. Bryden** (Woodbine): That is what you have been saying for years.

**Mr. Trotter:** I do not want to get into an argument on this, Mr. Speaker. I will say this, I gave you credit, you paid part of the shot, but I do not, for a minute, believe that many of these points are under way. I mean this is why I am bringing this up.

**Mr. Bryden:** The trouble is that the Provincial Secretary does not know what "under way" means.

**Mr. Trotter:** I am going to mention a couple of things that are under way, but to say that all these points are under way is just fantastic, because they are not. This is going to take a great deal of capital and a great deal of time.

I would want to emphasize what is really a major problem. After you have had many children come with their parents to the shores of Canada and you have children born here that live in homes where English is not spoken, where they do not have the opportunity to mix perhaps as much as they should, maybe it is partly the fault of us who speak English. You have a younger generation growing up who, after they are about 13 or 14 years old, want to quit school. I have seen one just recently, 14, who wanted to get a work permit to quit school and go to work. This is what they did back in Italy where they considered they had sufficient education.

If this goes on to any large extent in the city of Toronto, and the province of Ontario, we are going to have many of these younger people really suffering a very great deal in the long run. To give you just some idea, Mr. Speaker, of how many people are actually suffering from this handicap, and I am speaking now of the children of the immigrants, some of the children were born in Italy and have come with their parents, some were born here in Ontario. The report of the city of Toronto board of education states that in a period from July, 1964, to May, 1965, a total of 1,926 students entered Toronto schools from non-English speaking countries, enought to fill 55 classrooms.

Then the report from the separate school board shows that 1,024 students in school could not speak English. Another 717 were not in sufficient command of the English language to make any progress in school. In addition, 1,808 would benefit from further

concentration on English. Then they pointed out that over 80 per cent of this group were from the Italian community, and the others were mainly Portugese and Greek.

Well, you can see we really need a tremendous training for the children in English. We are going to need separate classes for them and it is going to cost money. The board of education in Toronto has voted $1,735,000 to set up such classes. It will not be nearly enough, but it is a good attempt, because one of the great weaknesses is that we do not have really sufficient teachers, they are going to need a crash programme to obtain teachers to teach English.

I just quote from this article from the *Telegram* of a week ago. It says:

> The programme kicks off with special summer classes for 3,000 elementary school children by public schools. Toronto gets some grants but Mr. Ross—

and that is the chairman of the board of education:

> —said that without help from the federal and provincial governments the programme could run up a million dollar deficit. "We will go ahead anyway," he said. "This problem can no longer be ignored."

Well now, this problem, Mr. Speaker, is too large just for one municipality to carry. It is going to add to the educational costs. It is going to add to the ratepayers' taxes and it is an urgent problem for both the province and the federal government.

Again, this goes back, not only to the question of whether we are going to have a province of Ontario where there is equal opportunity. The vast majority of these people are anxious to get ahead, to better themselves. Very few people who have come to this country have ever thought otherwise, in trying to move ahead, but our departments that are concerned in this province are simply going to have to make a greater effort than has been done.

There is no doubt in this report from the international institute of Metropolitan Toronto, that it is going to take a number of years to bring the improvements that are necessary, unless it is going to be done in a short space of time, as I believe it should be done. You are going to have to have a crash programme, not only in educating the children. If you teach the children English, our ordinary public school and separate school system will take care of their education, but this is also the problem—and it is maybe even more difficult—of reaching the adults who are already settled in the province of Ontario.

The institute's report says that these adults, despite their problems, can be reached, especially if we use people who can speak their own language to work among them and this is one of their major points, that we should hire and retain people who can speak the languages of the Italians and the Greeks and the Portuguese, in order to explain our system here and what we are trying to do.

I do want to say this, Mr. Speaker, that I urge the government to take a greater interest than they have in the past. I have heard the Provincial Secretary say that all these things are now under way. Well, certainly they are being considered, but it is another thing to go into action. I know that the Toronto board of education realizes they are going to have a million dollar deficit because they have taken most of this on their own shoulders and this problem is far greater than just for a municipality. It is a problem for Ontario, and it is very much a problem for Ottawa, and I do not overlook that fact.

Let us get to work and do a great deal more than we have been doing for these people.

**Mr. K. E. Butler** (Waterloo North): Mr. Speaker, at this hour on this particularly warm night, it is a real privilege to take part in the debate and to congratulate you as so many others have done, on the great job you have done running this House, particularly after the dinner hour, on occasions. Tempers are inclined to become a little frayed during a lengthy period of long hours and your calm handling of many problems has contributed greatly to the passing of much controversial and highly important legislation to the people of this province.

Such far-reaching bills as OMSIP, legal aid, trust and loan companies legislation, consumer credit, to mention only a few, have been discussed at length and in depth, and I believe the members of the Legislature can be proud of their record to date in 1966, particularly when comparing this record with other Legislatures in this great country, and particularly at the federal level.

I would now like to return the kindness of the member for Sudbury, when he lined up a new Cabinet for this party on June 15. My job is not as difficult as his, and I am sorry he is not here tonight, because I do not have the odious task of firing Ministers now in office. On the other hand, the hon. member was kind enough to leave a few of our Ministers in their present spots. To line up a Cabinet for the Liberal Party requires a complete slate.

It is also difficult to line up this Cabinet with the present members, as it will be so many years before the appointments become effective. However, we can but try.

Premier: The hon. leader of the Opposition is obviously the choice for this position, although there may be some dissent on this within Cabinet ranks.

Provincial Treasurer: Again the choice is simple, with the hon. member for Grey South as the top choice. His experience in the House and my own personal and pleasant experiences with him on certain evenings, when funds changed hands, convince me that he is quite capable of handling not only his own funds, but mine.

Attorney General: This was a difficult choice between the hon. member for Sudbury and the hon. member for Downsview. The nod was finally given to the hon. member for Downsview, owing to the possible aspirations of the hon. member for Sudbury to the federal House.

Education: Again a simple choice, the hon. member for Brant.

Energy and Resources Management: As water resources come under this portfolio, the logical choice is the hon. member for Niagara Falls. That river always seems to be running a little low when he speaks.

Minister of Health: My first choice here is the hon. member for Ottawa East, but unfortunately in this case, it had to be rejected owing to possible conflict of interest with his profession. Sorry I had to make that decision, but the hon. member for Essex South was chosen because he looks so very healthy.

Highways: There was no doubt again. Windsor-Walkerville. He knows every pothole in that road, and has expressed his knowledge on occasion.

The Provincial Secretary: the hon. member for Sudbury.

And Municipal Affairs: This again was rather difficult but finally it was decided that the hon. member for Bracondale would do, owing to his connections with the city of Metropolitan Toronto.

I am sorry that I cannot appoint a complete Cabinet here, but there is one very important appointment, Mr. Speaker, that I would like to make, and owing to the many years that must elapse before anyone needs this advice, my choices cease herewith for Cabinet.

As Speaker, there are no doubts whatsoere. I nominate the hon. member for Grey North, because of his zealous and ardent pursuit of the rules of the House and his fiery recommendations for change.

Now that the future Cabinet has been clarified for the Liberals in the twenty-first century, other things come in mind in this Budget debate.

First, the costs of education are rising rapidly and in these days, particularly, one of the major causes of this rapid increase is in the capital cost factor. For example, in the area of North Waterloo, per square foot cost in the past two years for school construction—this is an average figure—has risen on a recent tender from $13 to $18.25 per square foot. I have no knowledge of the average costs across the province as they will vary greatly and I am speaking of only one building on which a tender was accepted. I have a great respect for local school trustees. They have done a remarkable job throughout the province for many years and are still a vital cog in the educational machine and I am sure will remain so.

They themselves, however, are not worried about the tax increases attendant on new school construction, and it would seem feasible that some definite standardization of construction should be adopted. There might be 10 designs or some other number for schools at elementary level in different sizes with room for additions on a projective basis.

There is no convincing argument that it is essential that large tracts of land be required for the parking of students cars. There is no desire to take the autonomy of local boards away from them by this recommendation, but I am convinced that a co-ordinating architectural committee at provincial level, working with a group of school trustees, could save the people of this province many millions of dollars. It has been the desire, and rightfully so, of many communities to construct magnificent facilities which are a credit to them. But this luxury will have to cease for pure economic reasons, and a standard established for various types of educational facilities throughout the province.

Following that up, there is an article here tonight concerning ward 3 school trustee Yeng Ho, with the same idea: a component system of school construction which he studied in California. He states:

> This system is designed so that all major interior components are interchangeable. Multi-classroom units can be reduced by this flexible construction solving the problem of the traditionally rigid room size for 30 or 35 pupils. An important advantage of this type of construction—

Mr. Ho reports:

> —is that it could result in a 10 per cent saving a year or about $5 million in new school costs in Metro. The basic design of these schools is now being applied to 22 schools representing $35 million worth of construction from Sacramento to San Diego.

I bring this up particularly because there will be a bill coming forth in the next year in various communities in our area.

Second, I would like to discuss highway accidents for a moment. There has been a great deal of publicity in recent years, and particularly in the past few months, on the dreadful carnage on our highways, not only here, but in all western countries. In the United States, more people have been killed in automobile accidents than in all the wars in which this country has been involved since 1776.

Despite better highways, seat belts, crash pads, and other improvements in construction of autos, this toll continues to mount. While there is no doubt that improved construction safety in motor vehicles is very desirable, it will never be the final answer. A truck going 60 miles an hour and hitting a small car coming the other way has to result in injury and death, no matter what safety features are built into either vehicle.

One proposal which has come to my attention which would, I believe, cut down our accident and death toll in Ontario, would be a change in our point system of demerit points as far as our new drivers are concerned. At the present time, a new driver has 15 points to his credit as soon as he is licensed. The highest percentage of accidents involves drivers between the ages of 20 and 24 and the second highest ratio is caused by drivers between 16 and 19 years of age, The principle involved here is similar to a young person with $15 in the bank. This money will be spent without much worry until the account gets down to a few dollars and the depositor realizes he must either stop withdrawing funds or replace the money which he has spent.

Similarly, with 15 points credit it happens altogether too often with newly licensed drivers that they use up a considerable number of these points causing much injury and property damage. And when they have used 10 or 12 points, they suddenly realize that they had better smarten up or they will be off the road.

It would be a sound approach to allow a newly licensed driver three points in his first year without a convicition—and this, of course, is flexible; it is just a line of thought as far as the principle is concerned—and build this credit at a rate of three points per year until five years of conviction-free driving have been credited to his account of 15 points. This would have the great benefit of keeping the driver conscious of the fact that a driving licence is a privilege and not a right. It should have a beneficial effect on insurance rates for young drivers which, due to the generally high accident rate in this group, are very high.

This idea has already been proposed in our area of Waterloo county and generally it has received very favourable comment, including the younger drivers themselves. There is the argument that this is judging a new driver guilty until he has proven himself innocent and, of course, there would be additional administration to keep track of the number of points of credit. But if we can save lives and prevent serious injury by making inexperienced drivers realize more fully the great responsibility they carry by control of a powerful vehicle, and that they must guard this privilege carefully, I think there will be an excellent effect on traffic fatalities.

I am going to skip over the next part, due to both the hour and the heat.

The final thing is—this will probably cause a certain amount of thinking anyway —I would like to discuss our subsidies for brood mares in the horse-racing business in this province. There is a subsidy of $80,000 for thoroughbreds and $120,000 for standardbreds. There appears to be little criticism in this House or from the public on the grants to the standardbred fraternity. The major unhappiness seems to be with the grant to thoroughbreds. This would appear to be that the thoroughbred owners best known are wealthy men, such as E. P. Taylor, Conn Smythe, Jack Stafford, Frowde Seagram, and others, and public funds are not required to improve the breeding of race horses in the large stables owned by millionaires.

Let us look at the other side of the track. The racing industry in this province employs approximately 10,000 people. The citizens of this province receive approximately $10 million in direct taxes from the betting and entrance fees in this province. A good class of horse is necessary to bring people to the track, particularly along the United States-Canada border.

Many thousands of United States dollars are spent in this country, partially due to the attraction at our tracks. Publicity for

our great horses like Northern Dancer in the throroughbred group, or Armbro Flight in the standardbred, is of untold advertising value to sports in this province.

It is a funny thing that there is no unhappiness in the financial condition of Arnold Palmer or Gary Player in golf as far as their share in golf gates provided by fans is concerned, or Willie Mays in baseball, but if there is a—

**Mr. K. Bryden** (Woodbine): Does the Ontario government give them a subsidy?

**Mr. Butler:** No, I do not think they subsidize them. They do not get a direct return, either.

Something is very wrong in providing public funds for the improvement of a particular stable. The people of this province are in a most successful partnership in horse racing. With no capital investment, whatsoever—and I stress this—there is an annual total of roughly $9 million or $10 million in direct taxes, plus the employment I mentioned before and a share of corporation or income taxes from a successful operation. And there are not too many of them, as far as finances are concerned.

Now that I have given what I think are very valid reasons for continued support of the racing industry by the government, I will swiftly reverse my field. There is, in too many cases, only a coincidental similarity between cold business logic and political wisdom. I therefore put on the record that the limit to a single stable of government support be limited to $5,000 annually.

I do not think the bigger stables, despite their great contribution to our sport and our economy, would be slightly hurt by a limit on their grants.

By the way it is of interest—I had dinner last night with the sports editor of the *Globe and Mail,* and one of our more successful racing men some years ago suggested a $10,000 limit on this grant, and it was turned down by the smaller stable because they wanted more of a cut out of it. The balance could then be distributed on a more generous basis to the smaller stables for whom these grants were originally intended.

I would conclude by part on the Budget debate. I might say I have a built-in feature that causes me to stop at the end of 20 minutes or so. My right foot goes to sleep and I wish sometimes some other people had the same problem.

**Mr. R. G. Hodgson** (Victoria): Mr. Speaker, I wish at the first of my remarks to express my appreciation to you for the wonderful emphasis you give the prayers by your tone and expression of voice at the start of each sitting.

Today, I wish to express some thoughts on several subjects that are, and should be, of concern to our people, and give suggestions on how these problems may be solved.

One forest industry concern that needs attention in the next few years is the problem of marketing practices, and the distribution of goods and materials by manufacturers using wood products that have occurred during the past 50 years. It will require those in the wood-products industry to face these changes. In fact, even to maintain our present position with wood as a material for construction and manufacture of consumer goods will demand radical changes in what we have to offer and how we offer it.

The forest products industry, in the estimation of many, has not always moved with the times to meet the particular needs of industries who use wood for their material needs. How many markets have been missed in Canada and the United States because our merchandise was not prepared in a manner suitable to the end user?

In many wood-consuming secondary industries, the carload of graded lumber is becoming a thing of the past. They want their materials as precision-cut components on pallets for immediate introduction to their mass production assembly lines.

Productivity studies on secondary industries indicate that in Canada, production costs are higher than in the United States because of the lack of a broadly developed component industry. This statement raises a lot of questions. Are we taking full advantage of the potential for the further manufacture of basic wood products before they are exported or placed on our local market? This could also raise the question—are we deriving the full value in employment potential from our forest resources?

The high waste factor associated with wood and the high capital cost required for plant and equipment to dry and process wood efficiently makes it worthwhile to consider the purchase of components.

Secondary manufacturers' wood products are ready for this change. Can the primary lumber manufacturers in mill-work plants fill their needs? Already, certain traditional customers have switched to other materials.

More and more companies, when building new plants, are switching to high-volume,

mass-production facilities which only assemble, finish and market a small range of products. These plants use purchased parts and components in the same manner as the automotive industry. Component items are now being purchased by companies which formerly sought seasoned, and processed basic raw materials such as lumber and logs in their own facilities.

So that this development may be expanded and take place, the construction of complex industrial wood components plants will be required right back near the forest. It is entirely possible that the minimum size of these plants would require a production capacity of 5 million board feet of finished product per year in order to be efficient. Therefore, for facilities to produce this volume economically would cost in the neighbourhood of $.5 to $3 million as a maximum contemplated at this time.

These facilities need to be placed as close to the forest or sawmill as possible in order to eliminate costly transportation charges for waste materials and to be in a position to accumulate waste and re-use it in economically usable volumes. Such production facilities for the manufacture of wood components on an economical and profitable basis have only started to be built in Canada. Limiting further growth in most cases has been the problem of having an assured market.

At the same time, our end users such as furniture companies, are unable to dispense with their inefficient and in most cases, uneconomical rough mills. This will continue until they are assured of a continuous supply of high quality components. Introduction of a component production facility in our area would, I believe, further the possibility of the economical use of our low grades of materials which we now either have to sacrifice or which goes out as waste. Therefore, we should be seriously studying the re-manufacture of those grades of lumber that fall below the average selling price, or those grades that fall below the break-even point. There still exists a broad price margin between a produced board and pulp or chips.

Re-manufacture in all its aspects may be the answer for the low-quality lumber which is developing as a result of the decrease in the size and quality of logs as well. Our efforts must now be more profitably directed toward upgrading the value and the profits from a given quantity of wood.

The demand for specific wood species is rapidly becoming a thing of the past. Even in the furniture industry, such wood species as hemlock, spruce, pine and poplar—which were once considered inferior—are now finding equal acceptance with all other species. The reason for this has been the development of knowledge as to how to process the species properly and our recent technological breakthrough in finishing and overlays.

The United States consumes approximately 38 billion board feet of lumber per year. Approximately one-third of this volume goes directly to secondary manufacturing industries. This ratio would very likely be true in Canada. This would leave the remaining two-thirds as being used in housing and construction primarily.

This market which consumes more than twice the lumber production of British Columbia has been largely overlooked by our Canadian people which would be of particular interest to Ontario as slightly more than 50 per cent of this volume of wood as used in the United States is soft woods. Canadian lumber manufacturers therefore should be paying more attention to this type of market, not only in the United States, but in Canada.

Therefore, if our lumber industry in the long term hopes to retain its present position in the United States market they will have to be supplying industrial wood components in place of much of our standard lumber exports. Ways and means will have to be found to minimize the effect of present trade and production barriers. This should not be any great problem because we have a product and we should concentrate on selling it and developing the potential market.

The importance of complete utilization of all residue in the forest products industry and how to turn so-called waste into established products or contribute to the development of new products were topics that attracted more than 80 delegates from Canada to the recent eastern Canadian section meeting of the forest products research society.

The most extensive use for such by-products as sawdust, green shavings, planer shavings and workshop waste, and so on, is its conversion into classified fibres and thence into reconstructed or reconstituted boards including particle boards, fibreboard, plateboard, hardboard and insulation board. Therefore, the number of board plants is increasing, and could increase; and the manufacturers of this type of product will find this supply of chips in short supply unless new sources are found.

One hundred per cent utilization of these would be the prime objective of every plant in the wood industries. Three points justify the wood products residue question. First,

the amounts of wood residues produced are too enormous to ignore. Second, rapid depreciation of accessible timber stressing the need for more complete utilization as a means of preserving our forest resources; and third, more effective utilization should also result in a lowering of the unit cost of production for finished products in the face of rising competition from other materials. Any improvement in the cost pattern would surely improve wood's competitive position.

Growing markets for sawdust, shavings and bark taken as a group, are as agricultural aids. These residues can be used as animal bedding, soil amendments, potting and mulches, in those areas where markets or products such as these exist. They serve as excellent outlets for residues when sold as soil amendment. Some companies add nitrogen or iron to their wood residue. Those mills of secondary wood-using industries located near large agricultural areas would do well to investigate this market as a method of utilizing their fine residue.

There remains, of course, the old market of the fuel industry—this is somewhat now diversified and is reducing as years go by.

I would like to reflect on some tourist industry problems at this time. Tourists need to have greater activities of interest at home or, in other words, items and events at home in the immediate area of where they wish to spend their holiday. The greatest need in this province is to have funds for investment in the winter activities of a tourist area. In this way, longer seasons and longer use of facilities in a given year would result.

Perhaps one of the greatest helps in recreational development in rural Ontario has been the highway programme of this province. This has brought a large quantity of land within a reasonable travelling distance of our urban centres, the home of our provincial market of persons who take holidays. It has, of course, opened Ontario tourist areas to our neighbours to the south on an ever-increasing scale.

With the growing popularity of the small aeroplane we have in Ontario growing need of airstrips of such quality as to bring to tourist areas this available potential market. This takes capital not now existent to any great extent in our own tourist areas. Much of our present expanding tourist areas development is one of transition from the lumbering industry to one of being a joint endeavour in many respects. Tourist roads and lakes built up by ribbon cottage development have to a large degree been opened by the logging roads of the lumbering industry in its early days. Many lumbering businesses have constructed cottages and while doing so have created a local market for their own products and labour.

There still is a lack of capital to finance mortgages on summer cottage construction and purchase. I can say that the Victoria and Grey Trust Company of Lindsay and Peterborough have provided a great service to the capital requirements of the developing recreational areas of southern Ontario. I also believe they have not lost a dollar invested as the result, but quite the contrary, have made a substantial profit on providing a needed service few others would provide.

Our people today referred to as tourists are basically of two types—the one, the person who settles for his holiday in a very limited area close to his temporary home; the other the person who travels from place to place, staying overnight for a day or more, then moving on to other centres. To serve these two types we require varied interests —some of the business enterprise and some of the public interests such as beaches, parks, museums that must have public funds provided to them in order for them to create the attractions for these people.

Today we have a basic problem in the public financing of such attractions on a scale sufficient to provide enjoyment in new ways as well as the old. This will continue to require additional funds, both private and public in the foreseeable future years at an ever-increasing pace. New cottage subdivisions, complete from marinas to other services, are spreading like mushrooms all across the choice recreational land in this province. More than 50 new subdivisions are already being built or planned on land that only yesterday was in farms and forest. At least one more new cottage subdivision is added to the list almost every week in my riding alone.

Behind all of this activity is the mounting pressure of more leisure time and improved incomes of urban people from our cities. Thousands of people are added each year to the population of this province. This means either build on undeveloped lake areas or greatly expand the older areas which rapidly are using available land for expansion, thus consolidating.

Our existing recreational areas, however revitalized, cannot accommodate all the citizens of Ontario of the next generations. I can only look back over the past 30 years and see the growth of usage of our lake shores as we have built by the ribbon development method around each of our lakes.

No one, least of all myself, would wish to limit the use of our lakes by our people, but I do believe we have a basic responsibility to future citizens of this province to assure them of areas accessible in reasonable travel time for recreation and enjoyment.

Our conservation authority effort and future plans can no doubt comply to some extent for the short-time holiday enjoyment periods for those who have limited hours to spend. For instance—a Sunday afternoon. We must, however, provide for those who have two-day weekends and two or more weeks. At present, those who can afford this type of recreation time are the ones who, in large measure, are using the Kawarthas, Muskoka and Haliburton tourist areas. Many of these people now have perhaps eight weeks with the family at the cottage while the father continues to work five days a week in the urban centres and enjoys his approximately two short weeks with the family in relaxation. It simply ceases to be a great enjoyment for that father when he must tackle the traffic volume each weekend for more than six or seven hours of his time driving from and to this great area, called by some the golden horseshoe.

Therefore, I believe we here today have a great obligation to take a good look at our present type of use of what I call our prime recreational lands in this southern part of Ontario, to see if we can use much wiser methods of development—wiser inasmuch as it will provide for future citizens and assure them of land not comparable anywhere else in the world.

I have in these few words attempted to draw attention, in a few brief references, to the fact that we have limited recreational resources land suitable in this part of our province, south of the line east and west of Algonquin Park from Parry Sound to Pembroke. We must give our attention to this problem of suitable development to reassure our future. This should be done as soon as possible. It is entirely possible that the select committee on conservation of this House could well give some attention to this problem and its related items.

One of these is the effect that clearing of lakeshores has, in the experts' opinion, on the wildlife habitant of the area by such ribbon cottage development; the cost of services in this type of development such as hydro, telephone, sewage; and whether different types of methods and location would have a definite short-term or long-term effect on providing these services in a much more economical manner, that would be efficient and up to date; whether different development methods would provide greater recreation and enjoyment in a greater expanding way.

This select committee could also perhaps take a look at the possibility of whether our super-highways and our plans for the roads system of Ontario can adequately serve our people in the future ahead for recreational areas in this part of Ontario, and whether overall planning of these tourist regions is adequate to protect our waters and lands to assure its maximum potential to our people of the future.

Mr. Speaker, at this time I should like to follow a theme I read in an article by Bill Stevens in his column in the Peterborough *Examiner* of April 16, 1966 and an editorial in the Lindsay *Daily Post* recently. This has to do with a great problem and a growing one.

> Have you been out for a drive on a Sunday and noticed the roadsides this past spring? They seem to be littered with bottles, cans and broken glass. Snow, that great white mantle that hides all wrongs, has now melted away and revealed a winter accumulation of trash.
>
> When you look more closely, you discover that a few of the bottles are brown-covered or carry brand names. The majority of the bottles are pebbled glass called, "No deposit, no return."
>
> In the good old days, our youngest independent businessmen, the boys of our community, kept our roadsides and parks cleared of bottles. Each one was worth two cents at least.
>
> The country is being scattered with an ever-increasing number of cola and dry ginger ale bottles, which are being placed in the container marked, "No deposit, no return" by the companies who produce such products. What is going to happen to most of these worthless bottles after you or I drain the contents? What of the playgrounds, campsites, lake bottoms or roadsides? The refund-type bottles will still be grabbed by our young boys, the "No deposit" type will be smashed or left to remain and their litter will be around to cut our little children's feet.
>
> Did you ever step on a broken bottle while in your bare feet? Have you ever spent an hour or so travelling to some landmark only to discover that it was used as a target during bottle-smashing activities of youngsters?

Another unpleasant sight in our communities and roadsides are the new beer cans, the greatest invention ever conceived for the angler, for the huntsman—that was until somebody decided that it would be less expensive to make them out of aluminum instead of steel.

Given an opportunity to rust, metal cans turn to powder in a span of a decade, but what about the aluminum containers? They last longer. Someone has said that Canada was perhaps 20 years behind the United States on many things. We now have the opportunity for Canadians to be as up to date as the United States. A Colorado brewery buys back all of its cans at two cents each and reclaims the aluminum. The firm loses half a cent a can on the deal.

The acclaim by the public and conservation people has been well worth the cost to this firm. Since 1959 the firm has bought back more than 80 million cans. The programme has won many national awards in the United States, and recently the firm built a new beer-can plant that will do nothing but reclaim metal and manufacture beer cans for the company.

The firm will soon be offering a refund on every kind of can or bottle it markets to minimize the litter problem.

We as a government should insist, by persuasion, on having this litter and this present policy of manufacture of our companies involved corrected by the adoption of a similar plan to this one now in the United States. If this is not done then there is need for legislation to halt the use of these things.

What brings this so vividly to my mind was a trip last summer with the select committee on mining in the area of the Rainy River district, represented so ably by our friend, the member (Mr. Noden). On that occasion, my companion was the member for York North (Mr. Mackenzie), who, as we all know, has a great love for the outdoors and an appreciation of our beauty in Ontario.

We travelled north to Manion lake and in that immediate area had some of the finest fishing available anywhere in the world. However, we walked over the portage from Manion lake to a small, beautiful lake called Petit. This portage was the old service road for supplies to the Shevlin and Clark Lumber Company years ago, for their logging industry in that immediate area. In the meantime, beautiful white birch trees have grown there and it is a most delightful place. But along that portage was scattered a very distasteful sight—large accumulations of beer cans of every type and make, some rusted, some made of aluminum still remaining, some soft-drink containers of metal, and all in all it was one of our man-made blights on that beautiful scenery.

This problem, therefore, needs this government's immediate concern and action. I thank you.

Mr. J. Renwick (Riverdale) moves the adjournment of the debate.

Motion agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, tomorrow I would like to complete the estimates of The Department of Health and then resume this Budget debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.05 o'clock, p.m.

No. 161

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Thursday, June 30, 1966

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JUNE 30, 1966

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today, in the west gallery, students from school section No. 1, Mara, Ontario county.

Petitions.

Presenting reports by committees.

Mr. W. D. McKeough (Kent West) from the standing committee on public accounts presented the committee's report.

**Mr. Speaker:** Motions.

Introduction of bills.

## ART GALLERY OF TORONTO

Hon. W. G. Davis moves first reading of bill intituled, An Act respecting the art gallery of Toronto.

Motion agreed to; first reading of the bill.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, by way of very short explanation of this bill:

For some time the art gallery of Toronto has been giving consideration to its own organization and function that it might serve, not only for the Metropolitan Toronto area, but on a provincial basis.

The gallery has been studying the possibility of working in collaboration with the universities throughout the province and extending to them a broader spectrum of some of the cultural benefits now possessed by the Metropolitan Toronto area.

To facilitate its approach to the problems involved in the development of its present programme and the extension of its influence beyond its present limitations, the art gallery has requested that the proposed Act be presented to the Legislature, and it is in an endeavour, Mr. Speaker, to assist in the attainment of these objectives that the government is introducing this bill.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I have a question of the Minister of Tourism and Information. Is the Minister aware that a recent publication of his department indicates the Almaguin highlands area near Burks Falls as being in the polar bear region? It is causing some concern to the tourist industry of the area. If so, would the Minister inform the House if any action could be taken to correct this information?

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Speaker, I would just tell my hon. friend there is no such publication at the moment in distribution. I think probably what the hon. leader of the Opposition is referring to is one of the new route booklets which are now in preparation by the department, and which were described to the standing committee on tourism about two months ago.

Actually, we wrote to all the tourist councils in the province and many of the other tourist associations telling them what we proposed and asking for their comments and suggestions and, to my knowledge, the replies that we have got have been almost uniformly favourable.

Almaguin highlands could be included in three of these route booklets, one which is tentatively entitled, *The Land of the Polar Bear Express*, another tentatively called, *Champlain Country*, and a third, tentatively called, *Wilderness Route of the Voyageurs*.

I understand on checking very briefly this morning, after getting notice of this question, that the Almaguin highlands' tourist council has expressed some concern about being included in the booklet referred to, which as I said is being prepared in dummy form at the moment, and it seems unlikely they would be in that booklet, particularly if they do not wish to be.

**Hon. G. C. Wardrope** (Minister of Mines): Mr. Speaker, I was asked a question the day before yesterday on inquests. I would like to read into the record my reply to the chairman of the safety and health committee of Local 6500, United Steelworkers. I am sending a copy of this as well to the member for York South, who asked the question, the member for Nickel Belt and the member for Sudbury. This is the letter:

This will acknowledge your letter of June 23, 1966, requesting that in future the union be notified in ample time of the date, time and place of all inquests connected with the INCO fatalities—

That is International Nickel, sir.

—as well as the name and address of the coroner selected. The eligible coroner sets the date, time and place for all inquests under his jurisdiction and the official, interested parties should obtain this information from his office. Due to later changes often made in respect to inquests, this department could not accept the responsibility of giving anyone the correct information in ample time. Our district engineers are often required to attend inquests on minimum notice.

We are aware and appreciate union interest in members, and regret no representatives were present at the Schiller inquest. Undoubtedly the simplest and most satisfactory solution would be for their lawyer to request notification of the inquest in the regular manner as an interested party.

A copy of this letter is going to the members for York South, Nickel Belt and Sudbury, and to the Attorney General.

**Mr. G. T. Gordon** (Brantford): Mr. Speaker, I have a question for the hon. Minister of Health. I realize that the Minister did not get this in prescribed time, but I am sure we can have the answer next week.

Would the Minister explain to the House the reasons why Brian Cooper, a recent immigrant to this country from England, having passed all medicals prescribed by The Department of Immigration for entry to this country as a landed immigrant and been cleared by British medical authorities as an inactive case of TB, now 11 years old, would the Minister explain the reason for his department's refusing to grant a work permit to this gentleman under these circumstances, causing him considerable hardship and possibly his having to return to Great Britain because of this condition?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, the member has indicated the question did not come to me in time to get the answer, but I will have it for him on Monday.

**Mr. Gordon:** Mr. Speaker, a supplementary question, explaining it a little more fully.

Doctors who have studied his history, X-rayed and examined him say there has been no deterioration in his health and he is perfectly fit to work at his career.

Others, with the department, who have never examined him, say he cannot work in any of the silicone exposure industries after July 1.

Why, sir, after this man had been cleared in England by our own government doctors and he comes to Ontario does The Department of Health here, after no examination, say that he cannot stay in Canada?

**Hon. Mr. Dymond:** Mr. Speaker, I think I should point out that the attitude of my department is geared to work in the interests of the person. We want everybody to work, but we are not going to expose a man to a hazardous occupation if we believe it is going to affect his health. It does not matter if 50 doctors examine a patient. If my professional opinion should be that it is not safe for him to work, then I am going to stick to my opinion.

However, I have not got the facts of this case. I rather gather it was a matter of exposure to silica dust, and this is a very dangerous matter, and I may point out to this House, sir, is a matter on which very, very few doctors in this country, or any country, are qualified to speak. Indeed, we have perhaps the only consultant available in the whole province of Ontario, on our staff. Not all doctors can pass good judgment about the hazards of silica exposure.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question of the hon. Minister of Highways. He can answer the question next week when he returns.

Would the Minister indicate to the House whether he will accept the views of Chief Thunderbird of the Gibson reserve in the Muskoka area and compensate fairly his band for any land which is expropriated for the proposed Highway 660?

**Hon. S. J. Randall** (Minister of Economics and Development): Mr. Speaker, before the orders of the day, may I make a comment?

During the presentation of my estimates, the member for Scarborough West and the member for Woodbine and the member for Sudbury were somewhat vehement in the rejection of my comments on foreign aid. I was pleased to note this morning in the *Globe and Mail* that Mr. Maurice Strong, the 37-year-old dynamic leader of the Power Corporation of Canada has resigned his position to take an appointment under the Hon. Lester Pearson as director of foreign aid. This indicates, I am sure, that Mr. Pearson must have had this in mind long before I made my comments. I do not take credit for it. I

simply think that the recipients of foreign aid will get a better deal, and the Canadian taxpayer will have a lot more confidence in our foreign aid programme.

**Mr. K. Bryden** (Woodbine): I hope he does not get any advice from you.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 10th order; House in committee of supply; Mr. W. E. Johnston in the chair.

## ESTIMATES, DEPARTMENT OF HEALTH

*(concluded)*

On vote 715:

**Hon. M. B. Dymond** (Minister of Health): Mr. Chairman, when this vote had been discussed at length, but passage had not been granted by the House because certain questions had been put on vote 701 as they rightly should have been put, questions which at that time I was not in a position to answer. I have the answers now.

The questions came in numbers, sir, and they are rather lengthy and rather than repeat them all, I would refer you and the hon. members of the House to *Hansard* of April 27, 1966, pages 2728 and 2729. I will answer the questions seriatim.

Question No. 1: All graduates of medical schools or all graduates of all medical schools in the countries referred to are not automatically excluded from licence in Ontario. The college has machinery to identify the individual graduates who can meet the standards required of Ontario graduates.

Question No. 2: The answer to this question is "yes," the colleges differentiate between universities in European countries as to the quality of their medical facilities.

Question No. 3: The college denies that its registrar stated that graduates from India and Pakistan must meet higher standards than others.

Question No. 4 was in four parts. The answer to the four parts is: These things in themselves are not qualifications upon which a general licence to practise medicine is granted. In elaboration of this, I think it is necessary that I put on the record certain corrections of mis-statements made by the doctor in question, Dr. Baichwal, a graduate of an Indian university.

At no time did Dr. Baichwal hold a teaching appointment on the faculty of medicine at the University of Toronto.

He had no direct responsibility in post-graduate teaching in the Toronto Western hospital.

He rarely did, if ever, a surgical procedure in the Toronto Western hospital without supervision by a member of the surgical staff. In the last six months of 1965 he worked in the Toronto Western hospital in the animal experimental laboratory.

When needed, he was also used as an adjunct in the clinical service.

The opinion of the Toronto Western hospital was that he could practise peripheral vascular surgery, but it was doubted if he could practise cardiac surgery independently.

Question No. 5: In 1964, questionnaires were sent to 34 leading medical schools in India; only six of them replied. Additional information has been obtained from Canadian doctors who have been in or visited India in the past two years.

This question is rather far-reaching, sir, and the answer, of course, is perfectly patent that the college of physicians and surgeons of Ontario, indeed the Ontario government, I do not believe, could afford the money to do an on-the-spot assessment of every medical school in the world whose graduates might, at some time, be applying for admission to practise in Ontario.

I know of no country in the world that does this. They all depend on well-recognized procedures, many of them the result of seeking information which is usually passed freely and frankly between universities, between various academic institutions across the world, and using such agencies as the world health organization.

An ECFMG examination that was set up some time ago was devised as the best method to assess the quality of training provided by various medical and para-medical training facilities in the world. Even the United States, to the best of my knowledge, does not do an on-the-spot assessment of medical schools in order that it may determine the quality of training given its students. It depends on the ECFMG examination.

With your indulgence, sir, I am going to leave question No. 6 until the last.

Question No. 7: Of 430 foreign graduates licensed in Ontario since 1953, there are still 375 in practice. Of these, only a very small percentage is Asian but, as in the case of all

graduates holding licences, their licences could only be revoked for cause, exactly the same condition as obtains in the case of a Canadian or an Ontario graduate.

Question No. 8: European graduates, as a general rule, have language difficulties, and that is a serious handicap in the medical council of Canada examinations. But this is not true of the Indians since English has been their language of instruction if, indeed, not their mother tongue.

Further, Dr. Chandy, the reputable dean of one noted Indian college, states, and I quote:

> Indian colleges place more emphasis on passing examinations than on acquiring and imparting knowledge. Indians are experienced in the techniques of writing examinations.

One would expect Indians to do better than other foreign graduates in the medical council of Canada examinations, and I will have more to say about this in answer to question No. 6. But, comparing Indians with Canadian graduates in the 1964 medical council of Canada examinations, Indians had four times the failure rate of Canadian graduates.

Question No. 9: Doctors hold residency training appointments for foreign procedures only under the supervision of the medical staff of the hospital. In private external practice a doctor is free from this supervision and, indeed, is entirely on his own.

This suggestion of the Indian doctors that they were responsible for lecturing is quite misleading. Let me put it this way rather, any resident in a hospital may be called upon at some time or another to lecture or to give instructions to others junior to himself or herself. This is simply part of the training programme; it is part of the preparation of the doctor to go out in private practice in whatever field he may choose.

Question No. 10: Would I consider an amendment to The Medical Act? I think this would be quite wrong at the present time, and I am quite certain that hon. members will understand why, in view of the announcement made by the hon. Prime Minister yesterday that a committee has been set up to inquire into all matters pertaining to the healing arts. They have the most broad-ranging terms of reference, inquiring into all matters pertinent to these things.

It would be very unwise, I think, and untimely to consider amending The Medical Act, or any of the other professional Acts with respect to these things, at this time.

In answer to question No. 6, Mr. Chairman, which is really the most important, I shall reread this question:

> Would the hon. Minister tell us the nature of the supposed deterioration on medical standards at Indian universities since 1947 as asserted by the college of physicians and surgeons? If the standards have been falling since 1947, why was it not until 1964 that India was added to the automatically excluded list?

Mr. Chairman, we have a good deal of background information in the records of the college which have been widely published over the past several months. Dr. Chandy—whose name I already mentioned—dean of an Indian medical school, and a very highly reputed dean, a medical educator of note in his own country and, indeed, in the medical circles of the British Commonwealth as well. He published a report not very long ago which is very highly critical of medical education in his own country.

But, in addition to that, sir, there has come to my hand a leading paper submitted by the government of India itself to the Commonwealth medical conference in October, 1965, and I am going to read extracts from it which I think will leave no doubt in the mind of any one of us that the authorities themselves in India are far more concerned with this than is anyone else.

Because of the length of the report, I will read only extracts which I believe are pertinent to this. It might well be said that these are taken out of context. This could well be, but the whole report can be put on the record if that is the wish of the House.

**Mr. V. M. Singer** (Downsview): Submitted from the government of India to whom?

**Hon. Mr. Dymond:** The paper is headed, "A leading paper submitted by the government of India to the Commonwealth medical conference—a review of health manpower in India." The second paper is "Medical education in the developing countries with special reference to India—a leading paper submitted by the government of India to the Commonwealth medical conference, October, 1965" and listed as paper 383.

The following are directly quoted from these papers:

> Until 1946 there were 15 medical colleges in India graduating approximately 500 doctors annually. Today, 20 years later, there are 82 medical colleges graduating 6,000 to 7,000 doctors yearly and the proposal—

In what they call the fourth plan—

—is to establish a further 30 medical colleges.

A great drawback of our colleges at present is a deficiency of experienced teachers and equipment. It is estimated that there is a 45 per cent deficiency of teachers in some areas. The shortage of medical teachers has come about and been further accentuated by rapid expansion of medical education and opening of new medical educational facilities. Thus there is a shortage of more than 1,500 teachers in the existing medical colleges. On a modest estimate there will be need for another 3,750 teachers in the 30 medical colleges to be opened during the fourth plan.

Another adverse result of rapid expansion of medical education has been the lowering of the standard of teaching and quality of education. Opening of new medical colleges for graduate teaching every year has further added to the problem.

The medical curriculum covers a period of 4½ years, followed by one year compulsory housemanship. Examinations are set at different stages. Results are not uniform—

And I would like hon. members to note this statement, sir—

—and while some medical colleges do very well, on an average only 50 per cent to 60 per cent taking the final examination qualify annually as doctors. The high percentage of failures requires remedial measures.

May I emphasize here again, sir, that this is a statement of the government of India:

We would need 5,000 teachers and over 20,000 specialists to meet the requirements of the country in the next few years. By 1967, we have to provide for the training of approximately 10,000 housemen every year, and existing teaching hospitals will not be sufficient for this purpose.

Development of medical education in India so far has not been evolved in a planned or progressive manner. The main objective in training doctors, so far, has been to train doctors as quickly as possible to give medical relief to the population. The Bhore committee in its 1945 report indicated some of the objectives of medical education, and mentioned that the main aim should be the production of a basic doctor. India is now concentrating on the production of basic doctors.

In brief, while planning medical education in India, the choice is between quality and quantity. If we want to increase the number of doctors, we have to increase the admissions and decrease the failure rate and/or shorten the duration of the course. Shortening the duration of the course has often been suggested as the practical method of meeting the shortage of doctors. In actual fact, the argument is fallacious. Thus, the course will be lengthened, not shortened. We think that it will be unfortunate if the revival of a short-term medical course is to be accepted.

Many of the doctors who have been going to other countries, particularly the United Kingdom and the United States, do not return after their education. In order to stop the exodus of doctors abroad, the government of India is contemplating suitable measures to be enforced very shortly.

That is the end of the quote, Mr. Chairman, and I would add that surely it is understandable when it is realized that the doctor population ratio for all of India is one to 6,000. Some figures are very revealing. Indeed, I think that these figures should make any Canadian, particularly any person in Ontario who would urge or encourage doctors to leave their native land of India, should hang his head in shame.

One reads that in Assam state, there is one doctor to serve 18,500 population; in Jammu and Kashmir there is one doctor to serve 34,000 population; in Madhya Pradesh, there is one doctor to 26,300; in Mysore, one to 24,100; in Manipur, one to 65,000, and so it goes, Mr. Chairman. This is the government of India's own statement relative to the problem, and I think that what I have tried to place before the House today is proof positive that the college of physicians and surgeons of Ontario has not been discriminatory in its attitude towards the doctors.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, if they have not been discriminatory, then what would you call it?

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, with respect, sir, the answers were given in reply to questions I submitted—

**Mr. Thompson:** I think there is also one question I had asked, sir, to which I have not had an answer.

I asked if there were any doctors who were practising in Ontario and who had taken undergraduate courses at a university

which the college of physicians and surgeons is now disqualifying as not having undergraduate courses that are up to their standards?

**Hon. Mr. Dymond:** The answer to that, Mr. Chairman, I cannot give you. I am sorry, I do not have your question. I must apologize that I lost track of yours, but I could answer this in principle. I cannot say definitely if there are, but there very well could be, because each doctor applying for a licence, each application, is considered on his merits. It might well be that a doctor would have met all the academic requirements and fail in some other way, and this would apply to me or to a graduate of any Canadian or other Commonwealth university.

**Mr. Thompson:** If I can just pursue this, sir, I would clarify for the Minister that there are doctors who did take undergraduate courses at a university which is now said by the college of physicians and surgeons not to be up to the qualifications that they demand in undergraduate courses. Therefore, other people who are coming in and applying to write the examination to practise in Ontario are being told—not on an individual basis, but on a general basis—"because you have taken undergraduate work at a particular university, we say that undergraduate work is not up to standard, therefore you cannot even apply."

The situation is that there are prominent doctors today practising in Ontario who, the same year that these other men were refused, took the undergraduate work. This points up to me very clearly the utter inconsistency and ineptitude on the part of the college of physicians and surgeons in permitting people to apply.

**Hon. Mr. Dymond:** Mr. Chairman, this is the usual extravagant language used by my hon. friend. There is absolutely no proof of ineptitude whatsoever. I have looked into some of these cases myself. Indeed, I met one of these cases and I sit on this council. If any member of this House accuses me of discriminating against them, why should I, an immigrant myself, discriminate against any other immigrant?

Let me inject here, sir, this attitude on the part of us Canadians to indulge in self-flagellation, to indulge in this denigration of Canada is really sickening at times—

**Mr. K. Bryden** (Woodbine): What has this got to do with the issue before us?

**Hon. Mr. Dymond:** Just a minute. Just a minute, Mr. Chairman. These do-gooders sit over there and time after time they spout as if this nation was hard on its immigrants. I say to you, sir, that as an immigrant I know of no country in the world—and I repeat—I know of no country in the world that provides as much for those who come to its shores, by choice, as does Canada.

It gives us the greatest thing that any nation can owe to its own people, far less to those who might choose to come to its shores. It gives us opportunity, and that is the great thing that we do here in Canada. Every doctor coming to this country has the same opportunity as I had.

**Mr. Thompson:** You are not near the point.

**Hon. Mr. Dymond:** I am near the point, Mr. Chairman. I looked into these cases that the hon. member is speaking about—

**Mr. Thompson:** You did not even answer my question. You have not got an answer to it—

**Hon. Mr. Dymond:** If you would just wait and listen you might hear the answer.

**Mr. Thompson:** Have you the answer to my question? I gave it to you four months ago.

**Hon. Mr. Dymond:** Does the hon. member want to make another speech, sir?

**Mr. Thompson:** Yes. I want to say first of all in connection with the remarks that you are making that they have nothing to do with the point. I can stand up and talk with righteousness—

Interjections by hon. members.

**Mr. Chairman:** Order, order!

**Mr. S. Lewis:** Mr. Chairman, the leader of the Opposition plays heavily with emphasis on rule—I am on a point of order.

Mr. Chairman, I would like to assert the privilege of responding to the answers which were given to questions I submitted in this House and at which point this debate was adjourned. I would like the chair to assert the right for me to do so.

**Mr. Chairman:** The leader of the Opposition was to his feet first and I recognized him first.

**Mr. S. Lewis:** I appreciate that, and I would now like to answer—

**Mr. Thompson:** I was invited by the Minister of Health—

**Hon. Mr. Dymond:** No matter what my invitation may be, Mr. Chairman, you are ruling the House, sir.

**Mr. Thompson:** Thank you, Mr. Chairman, and you have so ruled. May I say that I have listened to only a diatribe on how you were an immigrant, and the great opportunities, and you went on with the old dead mackerel, to use your term—a dead mackerel or a dead red herring or whatever it was. It has nothing to do with the question.

The question was simply this: I asked it four months ago and you said you would have to look into it to get the answers. I waited four months and it shows how much you are on top of this whole situation when after four months you still stand up and you cannot even give us the answer. Then you go way off, as I say, on one of your red herrings. My question was this: Are there doctors now practising in Ontario who went to the same undergraduate schools as other doctors who now want to practise, but because they went to this undergraduate school, the college of physicians and surgeons is saying to those who are applying to practise: "Your undergraduate courses are insufficient, they are not up to standard, therefore you cannot practise."

Several years ago you were permitting that undergraduate course to be sufficient. Today you are saying it is not sufficient. That is inconsistency. You may waffle all you want about opportunities for people, but I say if you have inconsistency with the qualifications of people who come to this country, then you are not giving opportunity.

**Mr. W. B. Lewis** (Humber): Mr. Chairman, on a point of order, the leader of the Opposition asked a question and he is answering it himself. Why does he not give the Minister a chance to answer his question?

**Mr. Thompson:** In answering the point of order, I may say I asked the question about four months ago to give the Minister a chance. How many months do you have to give him to get an answer?

**Mr. W. B. Lewis:** Well, give him the opportunity to answer.

**Mr. Thompson:** I gave him the opportunity, he did not answer. He talked about the great golden opportunities of immigrants, nothing to do with the question. Then he turned to me and said, "Do you want to make a speech?" So at his invitation—

**Hon. J. P. Robarts** (Prime Minister): It was a rhetorical question.

**Mr. Thompson:** It was not a rhetorical question, the Prime Minister was not even here at the time I asked the question. So I say to the Minister of Health, he is one of 17 who sits on that council. May I say also that it is from this Legislature that the council gets the authority and, of course, you have to be concerned and you should be looking into this.

I would like to follow up, frankly, on the number of inadequate answers the Minister has given to the member for Scarborough West. Because I appreciate they are his questions, I am going to sit down and get up again on it. But I will tell you, Mr. Chairman, that, as far as I am concerned, I have never seen such ineptitude. I have not said discrimination.

Certainly, you could draw a conclusion of discrimination. But in my terms it is just utter ineptitude, inefficiency and complacency on the part of the college of physicians and surgeons in the kind of reply which they have been giving to people who are applying to be practitioners in medicine in this province. And the Minister is responsible to this Legislature for the ineptitude of the college because he sits on that council and it is from us that the council has its authority. The Minister is going to have to answer—even though he does not give us an answer in four months, he is going to answer on these questions.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member is so anxious to answer his own questions that he could not wait for mine.

**Mr. Thompson:** I waited four months.

**Hon. Mr. Dymond:** Mr. Chairman, are you going to ask him to make another speech, sir?

**An hon. member:** The Minister asked him the last time.

**Hon. Mr. Dymond:** Mr. Chairman, may I point out to you that it is quite possible and might well be probable that there are those practising in circumstances such as he suggests but there is no blanket decision made.

I know of one particular case where a graduate of a university in Turkey is a professor on a university staff, and a fellow class member has not been given the right to practise, but his case was considered on its independent merits and considered individually. There was no blanket decision, there was no blanket wiping out of the school. As

of a certain date the undergraduate training of that school was not acceptable and that has been notified to graduates of this particular university.

This is the answer, but I do repeat, sir, for emphasis, that there is no blanket decision until certain times when it is decided that the quality of undergraduate study or training is not adequate to meet the standards laid down by the province of Ontario.

**Mr. S. Lewis:** I would like to respond to the Minister's questions and I would like to say to him in complete earnestness, his answers are inadequate and in fact he has validated the case we have endeavoured to make.

What is more, Mr. Chairman—and this truly disturbs me—the Minister is participating in what can only be described as duplicity on the part of the college of physicians and surgeons, because there are assertions that he gave this morning which are not accurate.

**Hon. Mr. Dymond:** Mr. Chairman, is the hon. member imputing false motives to me?

**Mr. S. Lewis:** Not at all.

**Hon. Mr. Dymond:** That is the way I read them.

Interjections by hon. members.

**Mr. S. Lewis:** Mr. Chairman, I want to make it clear that, by knowing the quality involved, I am sure it is inadvertent calculated deception, but it is there, and I want that understood, and I want it on the record of the House.

First, Mr. Chairman, I want to begin by saying that this is the penultimate phase of a very shabby affair—shabby for the college of physicians and surgeons, shabby for the government and particularly shabby on the part of the Minister of Health, who sits on that council. We have been led up the garden path by the boy scout sitting quietly on the stump wondering whose hand to take. It has been a series of carefully taking the House into confidence and then in fact the House being misled.

Right from the outset of this session, we were given to understand, the public was given to understand, the press was given to understand, that the committee of the healing arts would deal with this issue and deal with it directly and that these aggrieving doctors would have an avenue of recourse.

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, I must refute that absolutely. There is nothing on the public record to lead this House or anyone of the public to believe it was the intention that the healing arts should deal with these particular matters, these specific matters. The whole broad problem was placed before them as was read out in the terms of reference yesterday by the hon. Prime Minister. But to deal with the specifics, this was never intended, the House was never led to believe—

**An hon. member:** Yes, it was.

**Mr. S. Lewis:** In fact, the House was led to believe that. On January 26, the day after the speech from the Throne, in the Toronto *Globe and Mail* under the byline of John Dafoe, who I will say in his own presence is a pretty perceptive and able reporter, there appeared—

**Hon. Mr. Dymond:** Let us have the quotation.

**Mr. S. Lewis:** —the following headline: "Scope would include banning of three Asians." On the front page of the Toronto *Daily Star*, the day after the Throne speech, there appeared the following headline: "Discrimination? Dymond's three probe Asian doctors' case."

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, I think it is completely wrong that the government be held responsible for newspaper headlines or newspaper reports unless they have direct quotes. This is not the government's responsibility.

**Mr. S. Lewis:** What I am saying, Mr. Chairman—

**Mr. Chairman:** The Minister has stood in his place on a point of order and I should remind the member for Scarborough West that it depends upon the interpretation of the reporter who writes the article in a newspaper—

**Mr. S. Lewis:** I advanced, Mr. Chairman, that the general impression that was created was that the committee on the healing arts would deal directly with this issue and the newspaper quotations were never refuted. The Minister did not rise in his place on a point of privilege the next day and say that this gives a wrong impression, which Ministers have a habit of doing if they feel that such has been created.

Might I also point out, Mr. Chairman, that on February 8 I asked the Minister directly in this House whether or not the aggrieving doctors would be referred directly to the

proposed committee—it is on page 282 of *Hansard*—and he replied, and I quote into the record, and I admit it was a careful reply:

> I do not know how the committee will choose to function, whether they propose to have public hearings. I would suggest that we will have to wait until the committee is set up and then be guided by their determination in this matter.

Immediately before that, Mr. Chairman, he had said:

> Mr. Speaker, in the speech from the Throne, it was announced that it was the intention of this government to establish a committee to inquire into all matters pertaining to the preparation, education, training, licensing, control and disciplining of all those involved in the practice of the healing arts. These terms of reference apply to the committee. I do not propose to take any action at this session of the Legislature, which might prejudge its recommendations.

I would be the first to say that that is couched in careful terms, that there is no question that the impression in the House and the impression in the public mind was that these grieving doctors would have their case referred to that committee. It appears now that all the way through the piece, that was not the intention.

Indeed, Mr. Chairman, as a final point—and I want to put it on the floor of this House, because it is important—when the human rights commission was up for debate under The Department of Labour in this House, it was revealed that the voluntary conciliation undertaken by the human rights commission, between the college of physicians and surgeons on the one hand and the grieving doctors on the other, was abandoned, in light of the fact that the human rights commission was confident that this committee would deal with the problem, and indeed, the hon. Minister of Labour made reference to that committee.

So the entire pattern from the first day of this session led the members of this House and the public and the press to believe that there would be some kind of direct confrontation—not a general skeptical vagary about whether or not the commission would deal with these matters over a period of time, pronounce two or three years hence, and then maybe with the compassion which the Minister talks about, might again hear the individual doctor.

But let me deal now with the replies that have been given to the Minister, because I really think the case has become very clear and I will have no reservations, as the leader of the Opposition has had, about declaring how we in this party feel.

Interjection by an hon. member.

**Mr. S. Lewis:** I am sorry, I do not want to misinterpret him. He was reluctant to use the word discrimination to describe it; we are not, and I will come to that point.

Mr. Chairman, the answer that the Minister gave to the first question—whether all graduates from medical schools in India and Pakistan were excluded—was that they were not. I deny that answer. That answer is not accurate, and I quote into the record an earlier answer from the Minister and I ask him to make the two consistent.

On January 27 of this year, I asked the Minister, on page 56 of *Hansard*, and I quote:

> Are there any countries which have no universities whose medical-degree-granting standards are acceptable to the Ontario college of physicians and surgeons?

That was the specific question and the Minister replied:

> The answer to the first part of the question, Mr. Speaker, is yes. The answer to the second part—

When I asked him to name the countries:

> —is Central America, Communist China, Republic of China, Egypt, India, Iran, Iraq, Japan, Korea, Pakistan, Philippines, Syria, and Turkey.

So at the early part of this session the Minister made it clear that no graduates from those universities were acceptable.

**Hon. Mr. Dymond:** Mr. Chairman, this hon. member is very definitely misleading the House now. This is the correct answer to this question, as of that time, but this does not mean to say there are no graduates of any of these universities practising in Ontario. There are graduates of Indian universities, graduates prior to the time when the undergraduate training was considered not satisfactory to meet Ontario standards.

Let us be completely straight about this. If he is going to willy-nilly accuse me and the government and the college of physicians and surgeons of misleading, and he has no foundation for such a charge, then let him be very cautious that he does not mislead.

**Mr. S. Lewis:** I certainly am, because my question read: Why are all the graduates of

all the medical schools in a variety of Asian countries—India, Pakistan and Turkey, for example—automatically excluded?

**Hon. Mr. Dymond:** Yes, but you did not say graduates of all time.

**Mr. S. Lewis:** Oh, that is a very neat little trick. But the fact is that in the July, 1965, report of the college of physicians and surgeons it says, and I quote:

> Graduates of medical colleges in India and Pakistan be not accepted for full registration by the college of physicians and surgeons in Ontario.

So let us not play with semantics, Mr. Chairman. That was the intent of the question, and let the Minister not get up and say, "Well, some of them might be individually considered." None will be individually considered.

**Hon. Mr. Dymond:** That is not right.

**Mr. S. Lewis:** You have fashioned a closed-door policy, a policy of such arbitrariness and arrogance that the college of physicians and surgeons should not have have its statute reviewed, it should have it amended beyond description and it should be brought within the Ontario human rights code.

Mr. Chairman, to deal again with the Minister's reply: I suggest to you, sir, that the answers plotted out the old irrelevancies which seek to meddle, to evade, to confuse, to rationalize, to obscure, but never to explain. Let me deal with some of the others.

The Minister used Dr. Chandy as an authority for the declining medical standard of facilities in India. Mr. Chairman, you cannot use Dr. Chandy indiscriminately, as Dr. Chandy pointed out, because he felt he had been misquoted by certain authorities of the college of physicians and surgeons. Dr. Chandy made a very important distinction. He said the quality of medical colleges is fine, but the quality of medical schools is not adequate.

I remind you, Mr. Chairman, that Dr. Baichwal is a graduate of Grant college, which has been recognized by every international medical authority that exists, except the Ontario college of physicians and surgeons. To interpret Dr. Chandy without revealing that important distinction he made is another piece of duplicity on the part of the college of physicians and surgeons in providing the Minister with an answer, because they made that distinction in their special confidential submission to the human rights commission.

**Hon. Mr. Dymond:** Mr. Chairman, would the hon. member allow me to set him right again? The government of India itself—

**Mr. S. Lewis:** I am coming to the government of India. I was dealing with Dr. Chandy. I will take them one at a time.

The next thing the Minister said, which he seemed to imply had some merit to it, was that the failure rates of Indian students are rather greater than the failure rates of Canadian students, and he said they were four or five times the number of failures in the last five years, I forget the precise detail.

First, Mr. Chairman, with the greatest respect, that is an irrelevancy, because the important factor is (a) the ones who passed, whether they were adequately qualified, and (b) how they rated on the medical council of Canada exams relative to the other countries and students who tried the examinations.

But the thing that surprises me, Mr. Chairman, is I wonder whether the Minister ever looked at the medical council of Canada statistics. I will put the statistics on the record and then I will ask him to tell me how the failure rate was four or five times that it was in Canada over the last five years.

Between 1919 and 1963, Mr. Chairman, of Canadian students who tried the medical council of Canada exams, some 132 failed, out of the total of 17,700. Between 1919 and 1963 in India, for Indian student who wrote the same exam, two failed out of the total of 51.

Apart from the preposterous contention that you can compare 17,700 with 51, how does the Minister get his four or five times, the figure that is given to him by the college of physicians and surgeons, and I am holding a medical council of Canada book in my hand?

For the year 1964, Mr. Chairman, I would point out that one student failed out of 23 who tried the examination from India. So that is another irrelevant statistic which has been thrown into this melee to mislead and deceive and that is in fact what has happened.

Let us take it a step further, Mr. Chairman. It was pointed out that from any country which had a significant number of students trying the medical council of Can-

ada examinations since 1919, India had the highest single passing rate, and in 1964, for which separate figures are available, again Indian students had the highest single passing rate.

How can that possibly be refuted by the college of physicians and surgeons? Surely the important factor which is at issue here is the quality of the medical students and the way they demonstrate quality at the medical council of Canada level.

I will take it yet another step, Mr. Chairman. One of the things that has been injected into this dispute is the student-staff ratio. The Minister talked about declining qualities involved — declining quality of standard — but did not indicate what some of the student-staff ratios are. I want the Minister to know, and I want the House to know, how well India ranks compared to other colleges, which are acceptable to the Ontario college of physicians and surgeons.

I will read some of the Indian colleges into the record. In Grant college, from which Dr. Baichwal graduated, the staff-student ratio is one to 12.6. In Indore University it is one to eight. In the All India Institute it is one to 2.7. In Gwaliore it is one to 5.9. In Valore, it is one to 3.8. In Lucknow it is one to 6.7. In Madras it is one to 7.6.

Those student/staff ratios are abitrarily and summarily rejected by the college of physicians and surgeons. Listen to the student/staff ratios that the college is prepared to accept: from Montreal, one to 19.9; from Austria, one to 20.8; Innsbruck is recognized in Austria, one to 55.6; in France, Bourdeaux is recognized, one to 37.9; Lyons is recognized, one to 41.2.

And so it is true of Germany, of Greece, of Hungary, of Italy, of the Netherlands, of Norway, of Poland, of Portugal, of Sweden. They all have staff/student ratios equal to or in excess of those prevailing in the recognized medical colleges in India and they are all acceptable to the Ontario college of physicians and surgeons. And did the Minister note something about those countries? They are all white, western countries, Mr. Chairman. They are all white, western countries.

Mr. Chairman, let us get on the record why the college of physicians and surgeons kept Dr. Baichwal out, and since the Minister responded about Dr. Baichwal I, too, will deal with him. They sent a private memorandum, which I hold in my hand, to the human rights commission during the period of voluntary conciliation of this dispute. And they said, to sum up their arguments, and I quote directly from their submission:

> The deficiencies in his undergraduate medical education are those common to Indian medical colleges: 1. Older schools depleted of staff to provide for the newly established institutions; 2. Insufficient funds to provide adequate facilities.

Mr. Chairman, those contentions are groundless; they are feeble; they have no substance; they are irrelevant. There is not a jurisdiction in the world which does not have insufficient funds to provide adequate facilities—to use the argument the Minister is always using. The fact that older schools were depleted in no way affects the very highly recognized quality of the medical schools from which Dr. Baichwal graduated, and of the student-staff ratios which prevailed at the time, which are perfectly acceptable everywhere else in the world, except the province of Ontario.

Mr. Chairman, the Ontario college argument has no basis in fact whatsoever. It is just a series of vague references, none of it backed up, even though, Mr. Chairman, they claim to have greater information. That information has never come to the public. I want to point out to you that when the college of physicians and surgeons submits various letters to doctors who apply, and when it submits its annual report, it says that the following factors have been taken into account. The information has been compared with similar data relating to medical schools in Ontario, and comprises and I quote:

> Medical school admission rates, teacher-student ratios; teaching hospital beds per student; and failure rates in the examinations referred to.

Have we ever once heard about the medical school admission rate? Where are those figures about which the college of physicians and surgeons speak? Where are they? I challenge them to be put before this House. Have we ever heard about the teaching hospital beds per student rate? Where are those figures that the college of physicians and surgeons talks about? Have we heard about the failure rates in the examinations involved? Where are the specific details This is a mound of convention built out of a smokescreen of nonsense, Mr. Chairman, and it is not acceptable to this Legislature.

Take the individual case of Dr. Baichwal, and his case is analogous to many others. I just want to deal with it briefly before taking my seat.

Dr. Baichwal and many of his colleagues have the United States education council for

foreign medical graduate recognition—and that is recognition which is accorded, and it was the Minister who pointed out its importance, by almost every state in the United States and all the provinces in Canada, except the province of Ontario. It says in the foreign medical graduate description of the status of this degree, and I quote:

> It is comparable to that expected of graduates of approved medical schools in the U.S. and Canada.

True, Mr. Chairman, these doctors enjoy the general medical council of the United Kingdom certificate, something that is again recognized everywhere in the world except the province of Ontario. How can that possibly be contended with by the college of physicians and surgeons?

Sir, the staff-student ratio, as I have pointed out, was better in Dr. Baichwal's college than in most of the western European countries which are accepted, and better in India as a whole.

Mr. Chairman, I want to point out to you that the college, willy-nilly, inadvertently or otherwise, consciously or unconsciously, misled the federal department of immigration as to its eventual intention, and as a result, it is applying an arbitrary, retroactive, discriminatory law to individual doctors practising medicine like Dr. Baichwal.

In 1963 the college of physicians and surgeons wrote the federal Department of Education, as I said, and I quote:

> In the case of graduates from some foreign schools, the college is satisfied that any deficiencies in premedical and medical education can be made up by a period of satisfactory internship and instruction in approved hospitals in Ontario, followed by examination to assess knowledge in the basic medical sciences.
>
> Most European schools and some South American schools are included in this category, and up to the present, schools in India and Pakistan whose degrees are recognized by the general medical council in the United Kingdom have also been accepted.

That was April, 1963. In October, 1963, the college again wrote the federal department of immigration and said that medical schools it was now examining were extended to Greece, Hungary and Italy. But it specifically did not mention India and Pakistan. There was never any suggestion in all of this correspondence with the federal department of citizenship and immigration that India and Pakistan would eventually be excluded.

**Hon. Mr. Dymond:** Mr. Chairman, would the hon. member read the replies that passed between the department of immigration and the college of physicians and surgeons?

**Mr. S. Lewis:** I do not have the replies with me.

**Hon. Mr. Dymond:** But I have; I have the whole story.

**Mr. S. Lewis:** Mr. Chairman, the fact is that they did not put it on record until after 1964, indeed until July, 1965, while Indian doctors were being brought into Canada on the assumption that they could qualify in the province of Ontario.

**An hon. member:** That is completely wrong.

**Mr. S. Lewis:** I have quoted directly. How is the department of immigration to know that there are plans afoot when the plans are not even mentioned in the correspondence that is exchanged? As a matter of fact, they warned about other countries. They warned about Korea, Japan, Taiwan, Mainland China, the Philippines, Turkey, Lebanon, Syria, Iran, Iraq and Egypt, but they never mentioned India and Pakistan.

This is an incredible display on the part of the college of physicians and surgeons to cavalierly mislead The Department of Citizenship and Immigration at the federal level, which, I might say, Mr. Chairman, is sorely embarrassed by what has happened. Doctors were brought in under the aegis of that department, and on the assumption that they would be entitled to practise, and then they found there would be a retrograde and retroactive application of a discriminatory law.

Mr. Chairman, all the facts one can marshal demonstrate that there is something at the root of all of this much more profound than the mere superficial surface argument. Not a single persuasive argument that has not previously been trotted out by the college of physicians and surgeons, was made either on the floor of this House today or in the submission to the Ontario human rights commission.

As a matter of fact, Mr. Chairman, just to take a moment to mention the government of India submission, I suggest strongly to the Minister that the expansion of Indian colleges is precisely the same problem as the expansion of Canadian colleges. We, too, are having a desperate problem staffing our medical facility; we, too, are worried about the question of quality in the process of that expansion; we, too, are making submissions

particularly in response to the kind of legislation that is just now before the federal House of Commons. The situations are, if not perfectly analogous, at least to some extent analogous. A government which admits that it has expansion problems is not striking a posture which is in any way different from our own.

Frankly, Mr. Chairman, the Minister revealed, in reading what the government of India had to say, that they themselves weed out their poorer students and that those who graduate, graduate with full medical qualifications.

As to their coming to this province, that is the right of individual Indian doctors or Pakistani doctors. No one is wooing them here, as it were. And, Mr. Chairman, if they make up their minds to come to this country to practise medicine, then it is up to us to give them the opportunity to do so by granting them the right to take the enabling certificate examination.

One knows about the doctor population ratio in India, Mr. Chairman, indeed one knows about it in rural Ontario, but I have never heard the Minister say that one restricts the freedom of movement of individual practitioners and, if that is their social objective, then they have a right to pursue it in a sympathetic atmosphere. We have no right to apply arbitrary and discriminatory rules to them and, indeed, Mr. Chairman, to consciously mislead them by not informing the department of immigration of our ultimate intentions.

We in this party are persuaded that what happened was simply this: The number of Indian medical graduates in this country over the last 30 to 40 years was very small. Indeed, the Minister pointed out there are only 20 now now practising in the last ten years —pointed it out in a response to the member for Riverdale.

Then, Mr. Chairman, an unusually high number applied, and I suggest to you very strongly that what occurred at that point in the minds of the college of physicians and surgeons can only be described as a prima facie case of race discrimination. I want that understood and on the record of this House because there is no other conceivable explanation for the attitude and behavour of the college of physicians and surgeons.

The Minister has succumbed to the blandishments of the council and he has refused to level with us on the floor of this House and to answer the arguments that have been made, except in generalities. I therefore submit, Mr. Chairman, that this matter must now go to a public inquiry under The Public Inquiries Act, because every other avenue of approach has been denied. They have been denied the human rights commission; they have been denied the council of the college of physicians and surgeons; they have been denied the committee on the healing arts, and they are obviously being denied again this morning, as we wind up the health estimates.

There is only one recourse, Mr. Chairman, and that is a public inquiry to be instituted by this government. I suggest to the Minister very strongly that one does not impute motives to him, but one does say that the quality of conduct on the part of the college of physicians and surgeons only demonstrates race discrimination. It cannot possibly demonstrate otherwise because none of the major contentions has been met. In order to get to the bottom of it, Mr. Chairman, we demand a public inquiry into the position of the grieving doctors and frankly urge the Minister to set it up in order to clear the air.

**Mr. Chairman:** The leader of the Opposition.

**Mr. Thompson:** Mr. Chairman, I would simply like to add to the remarks by the hon. member for Scarborough West. I first of all want to make my own position clear. I am concerned, sir, that there is no question but that for the Indian and Pakistani doctors there have been barriers raised. Where I pause at saying "racial discrimination" is because I notice it extends also to Turkish doctors. It simply means that it is on a broader basis of discrimination. I would not focus it completely as being just toward Asiatic doctors, because doctors whom I have met have come also from Holland, but particularly from Turkey, and they say that they feel that the barriers have been down with respect to them.

I listened to the Minister refer—as did the member for Scarborough West—to the fact that each case is treated individually. Mr. Chairman, what utter, blatant nonsense. If the Minister had studied this in any depth whatsoever he would realize that there are sweeping barriers made on the basis of generalities. May I turn first of all to the fact of the Indian and also of the Turkish doctors, and I just want to substantiate with some other figures the point made by the member for Scarborough West.

I would like to say that according to the 1964 figures released by these boards—and I am referring to the boards which release the figures on the annual examination results of the medical examiners in the United States—

Canadian students have a failure rate of only 30.7 per cent and Turkish students have a failure of only 28.1. The Ontario college report for January, 1965, lists the following failure rates: Austria, 83 per cent; Italy, 61 per cent; Greece, 60 per cent; Hungary, 50 per cent; Spain, 47 per cent; Germany, 44 per cent; France, 40 per cent.

In the July, 1965 report of the college, it was stated that these seven countries were all given partial qualifications for an enabling certificate, yet India and Turkey, whose failure rates are lower than any of the countries —according to one of the Minister's own reliable sources—were not given such status. I trust that the Minister will stand up and give us some adequate explanation of that.

I will turn to another point. The Minister has said in reply to one of the questions from the member for Scarborough West that it is very difficult for a college to afford the money to do a proper assessment of the universities and medical schools throughout the world. We recognize this. He said, "Therefore we go through the recognized international bodies that do such studies."

Let us go back a bit now—

**Hon Mr. Dymond:** Mr. Chairman, I did not say we go through the recognized international bodies that do such studies. There are no international bodies which do such studies. I said we went through recognized procedures and we used such international bodies as WHO.

**Mr. Thompson:** I appreciate the point made by the Minister but let me say, sir, that in 1959 the college relied upon a list of approved medical schools which was prepared and published by the American medical association. However, after this list was discontinued—may I say with all respect to the Ontario college of physicians and surgeons—let us compare its resources in comparison with these of the American medical association.

After the American medical association discontinued its list, the colleges sought other sources of information on the quality of foreign medical education. I would like to refer the Minister to an article published in the *Journal of the American Medical Association*, volume 170, 1959, entitled "Licensing of Foreign Trained Physicians." This is what it states in part, and I quote:

> In February, 1958, the two councils—the council on medical education and hospitals of the AMA, and the executive council of the association of American medical colleges—acted to withdraw the current list of foreign medical councils and medical schools. The withdrawal of this list and its accompanying recommendation is to become effective as of January 1, 1960. The councils wish to emphasize that this notice of discontinuing the listing of foreign medical schools is not intended to indicate any lowering of standards of the foreign medical schools that have been on the list. Rather, this action reflects the council's inability to acquire and maintain a continuing, adequate knowledge of the educational programmes of the foreign medical schools whose graduates come to the United States.
>
> The two councils now recommend that agencies in the United States concerned with the medical qualifications of graduates of foreign medical schools consider certification by the education council for foreign medical graduates as evidence that the recipient of such certification is possessed of medical knowledge comparable to that expected of graduates of approved medical schools in the United States and Canada.
>
> These two councils further recommend that such certification be considered as evidence of the quality of medical training offered by the medical school attended by the holder of a certificate at the time of his graduation.

I wrote the Minister about this and I said that I did not know if he was familiar with that article, but I can only assume that he is not, since the college is ignoring the recommendations there.

It is certainly strange that the college relied on the AMA lists but when the AMA stopped publishing the lists because it had not the facilities to do it properly, this college refused to rely upon the AMA suggestions and believed that it could compile its own lists even though the AMA could not.

I think the Minister should explain to us how the Ontario college of physicians and surgeons feels it can in any way assess the qualities of undergraduate schools of medical schools throughout the world when previously it relied on this very large body, the AMA, and the AMA itself suggested that it did not have the resources to do this kind of study.

I would like to come back to one other point—what I refer to as ineptitude. I would be glad to answer that discrimination because certainly the finger is pointing at that pretty steadily. But I also want to say there is a complacency and an arrogance on the part of the kind of treatment that some of these first-class professional people get as they apply to work in this province. To me, when the

Minister answers us by talking about the great opportunity for immigrants, he adds salt to the sore when you listen to some of the treatment that these men get from their so-called professional colleagues.

Let me just take—and I am going back again—some of the treatment they got. A man of great accomplishment and recognition in his profession internationally came to Ontario. This is the kind of approach taken with him. He telephoned the college on three successive days, asking to speak with Dr. Kucherepa, the secretary for the college of physicians and surgeons. The first day he was told the doctor was in conference. The next day he was told the doctor was on vacation, and the third day he was told he was back in conference.

Finally the applying doctor asked the secretary whether he would ever be able to speak to Dr. Kucherepa and she left the phone for a while and returned to say that Dr. Kucherepa did not want to speak to him then or ever. And this, the Minister stands up and tells us, is the kind of individual assessment that is given to every doctor who comes into the province.

I say to the Minister through you, Mr. Chairman, that as a member of that council he has a job to shake the other members up in order that they do their work for the welfare of the people of this province—which desperately needs doctors—and in order that they do it not only with some understanding but also with some efficiency.

Let me take another doctor and the kind of individual assessment that he got. On September 16, 1964, this applying doctor wrote a letter to Dr. Dawson asking for his advice and instructions as to how he could obtain an enabling certificate. The applying doctor has his FRCS from London, England. Another doctor, who had also been applying, was working for his FRCS in Canada, and his original articles had been widely published in Indian, British and U.S. publications. He had won 12 prizes and distinctions in medicine since 1954.

At the time, I wrote to the Minister on August 26, 1965, and this man had been applying, as I say, writing to Dr. Dawson, for 11 months previous. As yet he has had no reply from Dr. Dawson to his letter. On June 28, 1965, either Dr. Kucherepa or Dr. Dawson—and it is not clear from the letter, a copy of which I sent to the Minister, who signed it—chose to answer the persistent inquiries of one of the doctors, Dr. Jaffries. The letter they sent him was a classic example of doubletalk, and frankly I consider it an insult to any man's intelligence to receive that kind of doubletalk, as I am sure the Minister concurred when he saw the letter.

I will not bother to read it before the Legislature, but talk about trying to switch and everything else and give no answer to a man with high professional standing wanting to practise in this province. That letter from the college of physicians and surgeons was really saying to him: "We are not interested in you; we don't want you to practise here; we are indifferent." It just screamed out from the pages, "We are indifferent," and then we hear the argument from the Minister that any immigrant can come here, it is a land of golden opportunity. I suggest he start cleaning out his own house and have a hard tough look at just how many opportunities are open to some of these Asian doctors and Turkish doctors and others with first-class qualifications, who come and want to practise in this community of Ontario.

Perhaps I have been generous in saying that this showed ineptitude and inefficiency; it did not take much intelligence to arrive at that conclusion when you saw the kind of letters that were written. But it was clear to me that it also shows that a barrier was being placed there, on the basis of an intelligent assessment of either the undergraduate work or the qualifications of the doctors who were applying to come here. But it was on some other basis; there was not an intelligent assessment.

The AMA had said that it could not make an assessment throughout the world with respect to the standards of all the medical schools and yet we have the arrogance—the only word for it—the arrogance of the college of physicians and surgeons of Ontario, saying, "All right, we will make an assessment." We know the kind of assessment they made of the Indian schools of medicine. Originally they sent—what was it—37 letters and got six replies?

I talked to some of the people about the visiting doctors who went over to India to study the standards. As I understand it, the doctor was going on a safari across India and he would stop off and have coffee in a cafeteria in one of the schools, perhaps move around a little bit and then head off. And we asked about the student-staff ratio and the Minister replied to me that this was the crux of the whole situation. An essential aspect of a standard of a medical school is the ratio of staff to students, he said, and yet I believe that the Minister still does not have the answer with respect to the ratio of

staff to students in these Indian schools of medicine.

In other words, to me it has just become so apparently blatant that there has not been an intelligent assessment of the standards of the Indian schools of medicine, there has just been a sort of a front that is being raised saying they were not up to standard. But I also am concerned, and I add this to the points made by the members from the other party, such as the member for Scarborough West, about some of the weak insipid excuses which the Minister has made about the Turkish schools as well, and that is why I have hesitated to say that it is only discrimination on the basis of race towards Asians because this thing has spread, the disease of discrimination is wider.

**Mr. S. Lewis:** On a point of order, Mr. Chairman, just so the leader of the Opposition and I can clear our exchange up, colour was what we meant, and I think Turkey is embraced by that term.

**Mr. Chairman:** There is really no point of order, but you have made your point.

**Mr. Bryden:** A perfectly valid point of order.

**Mr. Thompson:** It appears that there is a great deal of validity in what the member has said, and I again just want to raise the point which all sides of the Opposition are making, and it is, that we are fed up with the weak excuses that have been made by the college of physicians and surgeons for the obvious ineptitude, for the clear deduction which can be arrived at of discrimination towards doctors applying to come here, and we are all so fed up that to this point the Minister has no answer.

Oh, he has tried to dodge it. I say this to him before he stands up now: I hope and I plead with him, not only for the sake of this Legislature, but for the sake of the health of the people of Ontario, we need desperately to have doctors. We cannot afford to have a narrow, select group sitting in their armchairs in their club, dictating that the public of Ontario will be denied high standards of medical care that could be given to the people of Ontario by foreign doctors.

I want to say that we agree there must be high standards maintained, but we object that it is clear to us that the college of physicians and surgeons has not tried to analyze intelligently what are the standards, so it can assure us that it tries to maintain high standrads in the people coming in, when it does not know the standards, and that is quite clear to us.

As far as the Minister of Health is concerned, we throw this right at him because he is the Minister of Health, he represents the public on the council, and similarly, it is from this Legislature that the council got its authority and therefore it is to this Legislature that the council must be responsible for its actions.

**Hon. Mr. Dymond:** Mr. Chairman, I think it is quite impossible to answer all the things the members have said. They have gone over and over a number of words which I shall mention as I come to them, but I do want to make one or two points very clear to you sir, and to the hon. members of this House.

First of all, about the closing note of the leader of the Opposition that the college has not enunciated its standards, the college has enunciated its standards, and all those who are concerned – all those who are seeking the right to practise medicine in Ontario, seeking the privilege of practising medicine because it is a privilege – have complete knowledge of those standards.

The college, however, does not have the right, as the hon. member would like to leave the impression, to dictate how many doctors shall practise medicine in Ontario. There is nothing suggestive of this power having been given to the college, it does not control it in any way, shape or form.

Indeed, there is no body as yet. It is only now being set up through The Department of Health that the government will take responsibility to see to it that an assessment is made of the numbers needed in the various fields of health care. This will be laid down and will not be left to the suggestion or the decision of any particular group engaged in the field. One can hardly expect a purely objective opinion from them, and, therefore, I think it is the responsibility and the duty of government. This has never been done in the history of Ontario, it is being undertaken now.

The hon. member for Scarborough West had a good deal to say about the college misleading the department of immigration causing embarrassment. He only had one side of the story, sir. I have got the whole file here in my hand, copies of all of the letters that passed between it and the department of immigration, and the pertinent one that the hon. member was invited to read is dated December 20, 1963, and it is signed by Mr. C. M. Isbister, the Deputy Minister

of Citizenship and Immigration. It was addressed to the college.

I am sorry we have not provided you with the advice in this very complex matter before this. The immigration regulations introduced last year provide for the admission regardless of nationality, origin or country of residence, of persons with the education, training, skills or other special qualifications for successful establishment in Canada. An applicant who has had professional training in medicine and has acquired certain qualifications through that training must be given serious consideration. He need not show that he can become established in his chosen field, only that his prospects for establishment are good.

From the immigration point of view he is admissible, and although in some cases very careful counselling is necessary, he cannot be refused. Careful procedures have been set up to ensure that in the field of medicine an applicant for admission will fully understand the conditions he must meet in order to practise in Canada. He is given the enclosed brochure fully setting out the requirements. At the same time he is advised to communicate with a medical licensing authority in the province in which he intends to settle. If he fails to follow this advice or if he receives a non-committal or discouraging reply from the authority to which he addresses himself he is warned of the difficulties in his path. If he persists he is very likely to be issued a visa, provided he understands the difficulty and is prepared to accept employment in other fields if necessary.

There are many opportunities for people with professional training. There is always, of course, the possibility that the applicant may in time meet the licensing requirements for the practice of medicine in Canada.

I want to explain the department's attitude in these cases, and at the same time to assure you of our awareness of the problems the admission these applicants may present to you and to your colleagues in other provinces. Some of these applicants desperately wish to be accepted for admission to Canada. In such cases there is the natural human tendency to minimize the obstacles and concentrate upon the benefits real or imagined. Once here, of course, the attitude often changes and the difficulties become uppermost in the minds of these people.

It is unfortunately true that most of the people we are discussing are the very people we are most accused of discriminating against on racial grounds.

In your correspondence you have mentioned the case of persons admitted as non-immigrants for post-graduate training. For various international considerations, it is immigration policy to foster and encourage the temporary admission of people from foreign countries, especially the needy and dependent and emerging nations, to take advantage of training in Canada. Such applications for temporary admission are sympathetically entertained, but we require positive assurance that they have been accepted for this training by the institutions to which they are destined.

We have been subject to severe criticism, especially from universities, for attempting to assess the qualifications of a student to undertake a course of study in Canada. This was particularly true with respect of the student's proficiency in the language of instruction. We require assurance from the institution or hospital that the applicant for temporary admission is acceptable for the training in question, but we must leave the determination of his qualifications for training to the institution to which he is destined.

What we can and will do towards lessening the problem your college is encountering in respect of foreign doctors and medical students is to advise our representatives in the countries you have named of your problem in registering individuals who have graduated from schools in those countries.

Our representatives will be asked to exercise even greater caution in dealing with such applications for admission, whether the application is for permanent or temporary admission. As a measure of protection, we intend to have foreign doctors seeking admission to Canada who have received cautionary or unfavourable advice from provincial licensing authorities sign a statement indicating that they fully understand they may not and may never be able to meet the requirements for registration, and are prepared to accept alternative employment if admitted to Canada.

We have noted and wish to thank you for your offer to advise our overseas representatives directly as to an applicant's qualifications for registration. I believe our present procedure in having the applicant correspond with the various registrars, and then produce the advice he receives for the visa officer's consideration achieves the same purpose.

In addition, this procedure is administratively more desirable from the department's point of view. It requires the applicant to take the initiative if he wishes to pursue his application for admission despite a disappointing reply from the registrar. Nevertheless, I am grateful to you for the co-operation.

The director of immigration is aware of our exchange of correspondence and will be only too glad to go into further discussion of this matter.

Now Mr. Chairman, in addition to this—

**Mr. S. Lewis:** May I ask the Minister an amicable question on the letter? I appreciate him reading it into the record, I recognize its significance, but can I ask him why it is relevant to our discussion? Is not the key paragraph of that letter the second last, or last paragraph, where the department of immigration says that it will inform our representatives in the countries you have named of the special difficulties discussed in this letter, and that in fact of all the countries named, India and Pakistan were always excluded. They were never included in the college's information to the department. That is the point we are making.

**Hon. Mr. Dymond:** Mr. Chairman, I do not think it is necessary. In fact, I do not think it was necessary—I expressed this opinion to the registrar—to name the countries.

**Mr. S. Lewis:** They did.

**Hon. Mr. Dymond:** It is not necessary, Mr. Chairman.

**Mr. S. Lewis:** Yes, they named them in the letter to the department—India and Pakistan.

**Hon. Mr. Dymond:** Mr. Chairman, would the hon. member wait? I know they named certain countries, but I stated that I offered a personal opinion to the registrar that this naming of countries was not necessary. There was a blanket information given to the department of immigration that before a graduate of any college could practise in Ontario, he had to reach certain standards and pass certain examinations—the same standards, the same examinations as apply to myself or to anyone who graduates from a Canadian or Ontario university.

In addition to this, we are now making arrangements with our Ontario offices in the various countries of the world to make available to physicians or students or interns or what-have-you, partly-trained or wholly-trained, the health personnel, so that they will know before they leave the country of their origin, what they will have to do and what possibility they will have of becoming registered to practise medicine in Ontario.

A great deal has been said about the difference, as if difference existed between the medical schools and the medical colleges. The hon. member for Scarborough West made a good deal of what I said in quoting Dr. Chandy. I stated that that was in passing, that that was the evidence I had until a few days ago when this paper of the government of India came to my hands. Mr. Chairman, surely no higher authority exists in that land. And if this is the considered opinion of the government of India, surely this is adequate—

Interjections by hon. members.

**Mr. Chairman:** The Minister listened to the presentation by the members of the House, I would ask them to do the same at this time, please.

**Hon. Mr. Dymond:** The government of India has stated its case very clearly. It has pointed out that it is dreadfully concerned about its doctors leaving the country. It, no more than Canada, can afford to pay for the education of professional persons, a very costly education, and then have them leave to give other nations the benefit. However, I agree with the hon. member—

**Mr. Bryden:** That is irrelevant.

**Mr. Chairman:** Order, please!

**Mr. Bryden:** All right then, I would be happy to accept the Minister's invitation.

**Hon. Mr. Dymond:** There is no invitation. My invitation is to sit down and shut up.

**Mr. Bryden:** The Minister sat down and now I am quite happy to carry on.

**Mr. Chairman:** No, the Minister sat down because of a series of interjections. I have given him the floor.

**Mr. Bryden:** Well, he certainly is a very thin-skinned individual for a politician. Does he wish to continue?

**Mr. Chairman:** The Minister has the floor, please!

**Hon. Mr. Dymond:** Mr. Chairman, the government of India has stated its case very clearly. It has expressed much concern about its doctors leaving, but be that as it may, the hon. member for Scarborough West is completely correct that anyone who wants to

leave his country and particularly those who want to come to Canada, should have the privilege of doing so. Whether they can leave their country freely or not is the business of that country. Whether they can have the privilege of coming into Canada is our business, and I would hope that we will make it our business to see that no obstructions are put in their way. Again, I can say this from personal experience, no obstructions, no real obstructions are put, and the two members who spoke should be the last to speak of discrimination in Canada.

It does not exist with reference to immigrants, and I as an immigrant can say this, when Canadians cannot. Again, I say I deplore the fact that Canadians are continually downgrading themselves because of the alleged treatment of immigrants. There is no evidence — and I say this from having sat on this council now for seven years — not one shred or tittle of evidence to prove that in any instance racial discrimination or discrimination of any kind has been shown to any applicant for a licence to practise medicine. Indeed, I say to you, Mr. Chairman, without equivocation, that the council of the college has leaned over backwards to make it possible for doctors graduating from whatever university or college or school, to practise their chosen profession, having in mind their basic responsibility, and this is to provide the highest possible standard of medical care, but not to demand any standard higher than is demanded of Canadian or Ontario graduates.

The hon. member for Scarborough West said, or the leader of the Opposition suggested, that since the AMA — the American medical association — or its committee could not keep track of all of these schools, how did the college of Ontario think that it could set itself up. Mr. Chairman, it is not setting itself up as a higher authority, but the college of physicians and surgeons of Ontario is charged with the responsibility of doing the job in Ontario. It used the facilities of the AMA prior to their discontinuance because they were believed good, they were believed satisfactory. But they do not agree that they are satisfactory now for their purposes and, therefore, the college must take whatever means it has at its disposal to do the job it is charged by this Legislature to do.

Again, there was a good deal said by the leader of the Opposition about the response given over the telephone. Surely, Mr. Chairman, the hon. gentleman is intelligent enough to recognize that nobody can control absolutely what a staff member will say on the phone. Of course, this was very discourteous treatment, there is no doubt about it, and I have no way of knowing whether the girl on the switchboard or Dr. Kucherepa's secretary, if she were in this position, discussed the matter with him or not. I must agree with the hon. member that this was most discourteous treatment.

I do wonder, however, why this doctor who wanted so badly to practise in Ontario could not go down to the college's office and ask for an appointment with the registrar. Surely this business is important enough, sir, to require of the applicant a personal visit to the office. I do not think it is at all unreasonable —

**Mr. Bryden:** Does the Minister seek appointments in person?

**Hon. Mr. Dymond:** Yes, when I want to discuss business relative to my personal practice of medicine, I go to the office and seek an appointment, I do not telephone for one.

**Mr. Thompson:** What about the letters?

**Hon. Mr. Dymond:** Well, I do not know about the letters, I cannot control that.

**Mr. Thompson:** The Minister saw the letters.

**Hon. Mr. Dymond:** Yes, I saw the letters. I cannot control the words that are written in a letter and I do not want to. Dr. Dawson and Dr. Kucherepa are both very capable administrators. They are men in whom the profession has great confidence. They are men in whom the college has great confidence—

Interjections from hon. members.

**Hon. Mr. Dymond:** I have had many letters from the college and I have never had one that was insulting, even long before I occupied—

**An hon. member:** Well, we will put it on the record.

**Hon. Mr. Dymond:** I am not saying whether I would or not. As I listen to some of you I am tempted to send letters—well, I do not think—

Interjections by hon. members.

**Mr. Chairman:** Order!

**Hon. Mr. Dymond:** However, to close this, Mr. Chairman, there is a definite difference of philosophy here. Our friends on the other side, and particularly our socialist friends,

are determined that there is racial discrimination. I am just as convinced, sir, from first-hand knowledge, because I sit on this council and I listen to these things, and I pass it on to you, sir, and to the members of this House, that no racial discrimination is shown. Now, I do believe—

Interjections by hon. members.

**Hon. Mr. Dymond:** I can shout just as loudly as any of you. I believe the best way to deal with this is in the manner the government has undertaken, as announced by the hon. Prime Minister yesterday. There has been no attempt for 50 years now to look at these state register Acts, to see whether they are operating, or are framed in the best interest of the people. It may well be that they have served their usefulness and, that they should be changed, that many procedures should be changed. This is the duty given to this objective committee, and it was deliberately chosen as an objective committee. These men have no relationship to any of the professions or skills or disciplines involved whatsoever so they could look wholly objectively upon the problem and submit on the basis of the evidence they hear in their report and recommendations to the government.

Words like "arrogance," "indifference," "ineptitude," "complacency" and "discrimination" sound good, Mr. Chairman, and they catch headlines. But our concern and the concern of the college is to see to it that the health care of the people of Ontario is looked after in the best possible way, and to ensure that no doctor will be given the right or privilege to practise medicine unless he or she is capable of reaching the minimal standards believed necessary for the provision of such care.

**Mr. Chairman:** The member for Riverdale.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, I think it is about time that we clarified the issue which the Minister is trying to confuse in the House. There is no question at all in our mind that this assembly gave the responsibility, by statute, to the college of physicians and surgeons to determine who will be admitted to practise medicine in the province of Ontario. None whatsoever. We are charging here that the Ontario college of physicians and surgeons has defaulted in its obligation to admit Dr. Krishna Baichwal to practise medicine in the province of Ontario, and has done so on the grounds of racial discrimination based on colour.

There is no question, Mr. Chairman, in our minds. The Minister says this is not so; we say, all right, if the Minister is so convinced, then let him support our request for a public inquiry in the province of Ontario to determine whether or not the charge which we are making is or is not true.

Now, let me go back, Mr. Chairman, to the questions which were placed to the Minister over a period of six or seven days. Perhaps the full import of them was lost in the early part of the session.

On January 27, my colleague from Scarborough West asked of the Minister the following questions:

> 1. Are there any countries which have no university whose medical-degree-granting standards are acceptable to the Ontario college of physicians and surgeons?
>
> 2. If so, would the hon. Minister name the countries?
>
> Among those foreign students whose degrees were acceptable to the Ontario college of physicians and surgeons during the past two years, which countries were represented?

**Hon. Mr. Dymond:** Mr. Chairman, this is all in *Hansard*, why does it all have to be repeated? This is in *Hansard* during this present session, page 56 of *Hansard* if the hon. member is looking for the place.

**Mr. Renwick:** Just a moment! On page 56 of *Hansard* on January 27, the Minister stated:

> The answer to the first part of the question, Mr. Speaker, is yes. The answer to the second part is Central America, Communist China, the Republic of China, Egypt, India, Iran, Iraq, Japan, Korea, Pakistan, Philippines, Syria and Turkey. The answer to the third part is the British Isles, the Republic of Ireland, Haiti, Jamaica, United States, prinicipally, and most European countries.

On page 74 of *Hansard* on January 28, I asked the Minister of Health how many students from Jamaica and Haiti have been admitted by the Ontario college of physicians and surgeons to practise medicine in Ontario during the last two years. On February 2, the Minister replied to my question—the answer:

> One from Haiti; students from Jamaica are not identified, therefore, in substance, I do not know.

So that over the past two years, according to the answers which the Minister gave, one coloured person was admitted to practise

medicine in the province of Ontario, and he was from Haiti.

**Hon. Mr. Dymond:** Mr. Chairman, would the member answer a further question? How many applied?

**Mr. Renwick:** Mr. Chairman, I asked the question in the House: From which countries had applicants been admitted to practise medicine? The Minister answered. If he wanted to add any additional information that is fine. On the same day when he answered, I asked him the supplemental question:

> In view of the reply of the hon. Minister to my question, and to the questions of my colleague from Scarborough West, will the hon. Minister not now agree that it is with rare exception the policy of the Ontario college of physicians and surgeons to admit only qualified persons of white colour to the practice of medicine in the province of Ontario?

The Minister denied it. We say that the admission of Dr. Krishna Baichwal to practise in Ontario was denied by the college because of his colour and for no other reason.

We insist, Mr. Chairman, that there be a public inquiry to determine that issue, and the issue of the applications of other doctors who may want to have their cases reviewed by such a public inquiry. It is not sufficient for the Minister to quote other statements and other reasons; we know in this party the difficulty of establishing standards of equivalents of professional training. There is no question of that difficulty. We attempted to isolate this particular question of discrimination from any concern of the college of physicians and surgeons by moving in this House a bill which would have had the effect of specifically including professional bodies under the Ontario human rights code.

The government did not see fit to include professional bodies in that code and to make them subject to the provisions that there will be no discrimination on account of race, creed and colour.

Every party in this House, every member who spoke, supported that resolution, supported that bill, supported that idea, but it was not brought forward. We are now saying that within the very gap which exists in the human rights code Dr. Krishna Baichwal was denied his right—or privilege, if the Minister wishes to use that term—to qualify for the practice of medicine in the province of Ontario.

I simply place on the record the qualifications of Dr. Krishna Baichwal. He is a fellow of the Royal college of physicians and surgeons in Edinburgh; he has been accepted by the general medical council of the United Kingdom; he holds a specialty certificate from the Royal college of physicians and surgeons in Canada; he has recently passed the medical council of Canada examinations, having been given authority, ironically enough, to write them, not by the province of Ontario, but by the province of British Columbia.

Mr. Chairman, that is the issue; that is the point on which we stand, and we demand that that inquiry be held to set at rest once and for all the question which we have placed before the Minister.

**Mr. Chairman:** On vote 715, the member for Woodbine.

**Mr. Bryden:** Mr. Chairman, the member for Scarborough West has already made mincemeat out of the so-called argument put forth by the Minister. It would be futile, and perhaps even cruel on my part, to try to mince the meat any more. However, I think there are one or two points that still should be noted.

First of all, I was absolutely amazed at the use the Minister attempted to make of the submission of the government of India to the Commonwealth conference on medical education, or whatever it was called.

**Hon. Mr. Dymond:** Mr. Chairman, would the hon. member permit a question?

**Mr. Bryden:** Pardon?

**Hon. Mr. Dymond:** Why? This is a public paper.

**Mr. Bryden:** Oh, yes, but I was amazed at the use you made of it, in attempting to use the government of India against certain Indian nationals who believe that they are being subjected to discriminatory treatment in this country. That amazed me. It particularly amazed me since the brief of the government of India did not support the point the Minister was trying to make at all.

**Hon. Mr. Dymond:** It certainly does.

**Mr. Bryden:** I listened very carefully to the extracts he read, and I assume he read the extracts that were most favourable to his case. And what did those extracts show?

They showed, first, that in India as in every country in the world tensions are arising out of efforts to expand educational systems rapidly. This is happening in India, it is happening in Canada, and it is happening everywhere. I expect that in India the tensions would be somewhat greater than in

Canada because India has a lot of ground to make up. So in India the educational system is subject to stress because of the heavy demands upon it. Is that news?

Secondly, the brief showed very clearly, as I listened to it, that the authorities in India were most concerned to maintain standards. That came out, surely, more clearly than anything else, and in their concern to maintain standards, they even had a high failure rate. They regretted the high failure rate as I do, but it seems to me that in the situation, the high failure rate is in itself evidence of their desire to maintain standards.

So the submission from the government in India did not support the Minister's case at all. On the contrary, it made it quite clear that in India, notwithstanding all the difficulties faced, there is a real and genuine effort to maintain standards. I think that much, at least, should be said about the brief of the government of India.

However, the main point I want to deal with, Mr. Chairman, relates to the proposal of the hon. member for Scarborough West, that there should be an independent adjudication of this dispute. He has asked for an inquiry under The Public Inquiries Act, in which an impartial person could assess the conflicting claims and the evidence adduced in support of each claim, and arrive at a decision. It seems to me, Mr. Chairman, that that is a perfectly fair and reasonable proposition, and only people who are afraid to have their conduct reviewed by an impartial body would refuse it.

The Minister has suggested—and again, I was amazed at his suggestion—that the problem will be solved because the new committee on the healing arts will deal with the problem in its generalities.

How can the Minister say that that is an answer to individuals who claim that they are being discriminated against? The committee on the healing arts may very well arrive at conclusions that will prevent this type of problem arising in the future, but that is no answer to the individuals who claim that they are being discriminated against right now. In fact, that type of argument is in the line of the argument the communists usually put forward. They always say that the rights of the specific individual do not matter, that all that matters is the long-term interest, and that the individual can be sacrificed to the long term. I am surprised that the Minister of Health would use that type of argument in this House.

The committee on the healing arts will have an important job to do, and I wish them success in all their endeavours, but we still have certain individuals—one individual in particular who has been named here—who has been denied access to any sort of appeal. This man has been prevented from practising his chosen profession. I submit that that is a most severe limitation of his right as a human being. It should not take place, unless the case for it is overwhelming. There is certainly not an overwhelming case for such action at the present time.

The college of physicians and surgeons, without giving any proper accountability for its actions or without being willing to account to anybody, has simply arbitrarily decreed that this man cannot practise his chosen profession. There has been a substantial amount of evidence—not conclusive, but certainly substantial—to indicate that the reason for that arbitrary action by the college of physicians and surgeons is because the man is coloured.

There is a substantial amount of evidence to support that proposition. There is a prima facie case, as the member for Scarborough West has claimed. Since there is a prima facie case, the matter ought to be determined. Surely the man has a right to take his case somewhere. Is he to be denied access to any impartial body anywhere where he may make his case as to why he thinks he should have the privilege of practising his chosen profession in this province?

Frankly, I am flabbergasted at the absolute refusal to accept such an elementary principle of human rights; that a man has not got a right to go to an independent body to take his case and let it be adjudicated. I would say for myself that, if this goes to a genuinely independent body or person appointed under The Public Inquiries Act and if that body or person decides that the doctor's claim is not well-founded, I am prepared to accept that decision.

My friend from Scarborough West says, "Fine," indicating, I take it, that he too is prepared to accept the decision. I think that could be said of all of us in this group. All we are asking, in effect, is that the man should have his day in court—yet this has been absolutely and arbitrarily denied to him.

The Minister of Health said that his philosophy is different from the philosophy of this group. It is; we all know that. I think we can say that we have respect for him even though we disagree with his philosophy. I hope that he respects ours too, and I am sure that he does. At any rate, he would, I am sure, defend our right to hold to our particular philosophy.

But, Mr. Chairman, I did not realize until this morning how profound the difference in philosophy is. I thought there were certain matters on which we had common ground, even though there are many on which we disagree completely. The point at issue here is purely and simply the point of the human right of an individual. We say that he has rights; we say that his rghts should be protected; we say that machinery should be established for him to assert his rights.

The Minister apparently denies that. This, he says, is a difference of philosopy between him and us. Well, it certainly is a difference in philosophy. We believe in the right of an individual, of one individual, even though he he is only one in the entire universe, if he thinks with at least some sort of reasonable basis—which is certainly the case here—that he is being discriminated against on account of his colour or any other reason. We say he has certain rights, and we say that his rights take precedence over the position of any corporate body which may wish to exclude him, and we state that as an absolute principle. Apparently, the Minister does not. There certainly is a profound difference there, an even more profound difference than I had thought between his philosophy and ours.

This, Mr. Chairman, is the issue before this House today. It is an issue purely of human rights. Does this man have a right to be heard? Does he have the right to take his case to an independent body? We say he has. If he has, then this inquiry should be held under The Public Inquiries Act as the hon. member for Scarborough West suggested.

**Mr. S. Lewis:** Mr. Chairman, I should like to make two or three very brief comments on the debate as it has emerged over the period of the morning.

First, Mr. Chairman, for the benefit of the Minister, I think it should be said squarely on the floor of the House that Dr. Baichwal at no time claimed to be a university lecturer or professor. If that was an understanding on his behalf of some of us associated with the matter, and if he was, in fact, not involved, then that could easily have been indicated in reply to my question. What was true, was that Dr. Baichwal claimed, and we affirm, that he did teach at hospitals in the province of Ontario and, indeed, again in its submission to the human rights commission, the Royal college of physicians and surgeons says:

> In graduate medical education, the man in each succeeding level of training teaches the man in the level below him. The junior intern teaches the senior students, the senior intern teaches the junior, and the assistant resident or residents teach those in the training category below them. Much of postgraduate medical education is a co-operative enterprise carried on amongst the graduate students, one teaching another.

Simply to confirm that: As a senior resident of the hospital, Dr. Baichwal was involved in the teaching of his junior colleagues.

**Hon. Mr. Dymond:** Mr. Chairman, would the hon. member permit me to add that he was a teacher as part of his training, not as part of his duties. There is a great difference.

**Mr. S. Lewis:** I appreciate that, but he was involved in distributing medical information and education.

**Hon. Mr. Dymond:** Subject to correction.

**Mr. S. Lewis:** To both his peers and to his juniors and indeed, so the document said, in the course of his work, even to his seniors above him.

Now, Mr. Chairman, I want to put on the record that there are few people as highly respected in the profession of medicine as Dr. Baichwal in his chosen field. Indeed, even the Minister indicated that he was capable of performing some pretty sophisticated surgery in one instance, and perhaps surgery under supervision in another instance. I want to point out, Mr. Chairman, that those claims were not made by Dr. Baichwal, they were made on his behalf by others on the basis of the material that was available, and they were corroborated by the college in its reply to the human rights commission.

Now, the second point is, Mr. Chairman, that I find it difficult to believe that all the weight of international medical authority could be so cavalierly dismissed by the college of physicians and surgeons. That educational council for foreign medical graduates that the college dismisses, came through the combined efforts of—and I put it to the House—the association of American medical colleges, the federation of state boards of medical examiners, the American hospital association and the American medical association.

How much more reputable can you require a body in establishing an examination? The general medical council examination in the United Kingdom was acceptable to the Ontario college until 1964. It then reversed itself for reasons which are incomprehensible. Similarly, the Royal college specialties are recognized all over the world, and were recognized by the college of physicians and surgeons until it reversed itself in 1964, for reasons that cannot be understood.

In other words, Mr. Chairman, we are dealing with one individual, indeed with several individuals, of the highest possible medical calibre, and so high is the calibre — and they are listed in all the world health organization entries as well —

**Hon. Mr. Dymond:** He does not have to pay a fee.

**Mr. S. Lewis:** — that when the college comes to state its case against Dr. Baichwal — and it is the only time we have had it on record — the members state, and I will quote the phrase again: their case against him is based (1) on the fact that older schools are depleted of staff to provide for the newly established institutions and (2) insufficient funds to provide adequate facilities. In other words, they concede all the particulars and revert to an irrelevant generality because they have not got a case. That is what disturbs us so greatly.

Now Mr. Chairman, another point that should go on the record in conjunction with some of the arguments that have been made. At precisely the point in time when the college of physicians and surgeons was arbitrarily excluding India and Pakistan, it recognized the doctorate in medicine from universities in the following countries, and I want to read the countries out, to put it on the record of this House, and at the same time it excluded India and Pakistan, these countries were accepted: Austria, Belgium, Czechoslovakia, Denmark, France, Greece, Hungary, Italy, Netherlands, Norway, Poland, Portugal, Roumania, Spain, Sweden, Switzerland, West Germany.

Now, let us not kid ourselves, Mr. Chairman. Let us not make a mockery of this whole procedure. We know what these countries have in common, and we know what the countries that were excluded have in common, and if that is not a prima facie case for public inquiry, then nothing that is put before this House could make it so.

The final point, Mr. Chairman, that I want to drive home, is that if the college really felt deeply about this, if they felt strongly about the validity of their arguments, then they would marshal every fact at their disposal and put it before the public arena. Every fact. In truth, Mr. Chairman, peculiarly enough, for reasons that are inexplicable, much of the area that they claim to have investigated has never been put before the public arena. Again I ask, where is the information on medical school admission rates? Where is the information on teaching hospital beds per student? Where is the information on the failure rates discussed? Where is the documented information on the visits made by individual doctors to Indian medical colleges?

Was it more than a cup of coffee or a stay at an individual college, or was it in fact a careful survey and evaluation? I venture to suggest, Mr. Chairman, that it was done in passing, rather than in any intense and substantial way. None of the material that the college has claimed to have which relates fundamentally to this case, have they ever put before the public.

That worries us. What have they got to hide? Or do they just make the general and total claim in letters to doctors and in material in their annual report, and they never give the Minister the information? Indeed, Mr. Chairman, the greatest single irony of all—it might be construed as a paradox—is that the one piece of information they have provided in a concrete way, namely teacher-student ratios, is completely without foundation when compared to all the other colleges that are accepted by the council of physicians and surgeons. The one piece of concrete information is to be rendered invalid in the context of what they are prepared to accept from other countries. That is a very peculiar situation — that you deny the public all the information you claim to have in these other areas on which you contend your decision has been based, and the one piece of evidence you present is inadequate and irrelevant and unworthy of presentation.

So Mr. Chairman, I reiterate on behalf of our party, that for the sake of Dr. Baichwal's individual rights in this case, and all those related to him who have been involved and who would wish to appeal, we must have a public inquiry on the issue and clear the air. If everyone is so sure that colour has not been a factor, despite all that has been put on the record, then let us have the inquiry, and demonstrate it, because we in this party have become persuaded on the basis of our investigations and inquiries, that colour is at the root of this issue, and that only a public inquiry can clear it up.

**Mr. B. Newman** (Windsor-Walkerville): I have a few brief comments and questions to ask the Minister.

The problem of the payment of the Ontario hospital services commission premium is quite difficult to some individuals. The scheme adopted by the government with OMSIP, on a sort of geared to income

scheme, might be applicable to the Ontario hospital services commission. Has the department considered this, and if it has, what would the costs be to use the same policy with Ontario hospital services commission as it applied to the OMSIP scheme.

**Hon. Mr. Dymond:** We have considered this, Mr. Chairman, but we have no cost studies. It is under review, but at the present time I would not mislead the House into believing that positive action is imminent. We want to know what the costs would be.

**Mr. Newman:** I am glad to know that it it under study, Mr. Minister.

Next, the hospital bed problem in my own community is quite an acute one. The members of council and the members of the various hospitals did not know whether they should construct a new hospital, whether they should have additions to the old hospitals, or whether the hospital facilities are being used to their fullest. As a result, they asked the Ontario hospital services commission to institute a study. The study has been completed, I understand. It has been submitted to council. Now is it the intention of the Ontario hospital services commission to ask the community to implement the recommendations that the report contains?

**Hon. Mr. Dymond:** If the study showed that further facilities were necessary, the OHSC would take the initiative if it did not stem from the municipality, and would get going on the job and make plans to provide for the needs that are evident from the study. But since the community asked for the study, we would expect the initiative to stem from there.

**Mr. Newman:** The community asked for the study, so now the report has been submitted. If there is no action on the part of the committee, then the Ontario hospital services commission would step in?

**Hon. Mr. Dymond:** It would recommend to the community that there were needs and it had better do something about them.

**Mr. Newman:** Thank you, Mr. Minister.

**Mr. Chairman:** Is vote 715 carried?

Vote 715 agreed to.

On vote 716:

**Mr. Bryden:** Mr. Chairman, there is one matter that I would like to raise with the Minister under this vote. It relates to the regional school of nursing which is projected for Toronto. Some months ago I guess it is now, when the estimates for The Department of Public Works were before the House, I asked the Minister about the progress that had been made in the construction of that school. He advised me, as I recall it, that the property had been acquired last summer, and since then—that is up until the date on which he was talking—little progress had been made with the project. He gave as the reason the fact that The Department of Public Works had not received any specifications from The Department of Health.

On the other side of the coin, the Minister of Health has said on more than one occasion that the regional schools of nursing are an important part of his overall plan to deal with the nursing problem. I wonder if he could explain what the situation is now with regard to the regional school of nursing in Toronto and why progress, if any, seems to be being made at such a leisurely pace.

**Hon. Mr. Dymond:** I think that there was some misunderstanding on the part of my colleague, the Minister of Public Works. Actually, the planning was under way at the time the hon. Minister's estimates were being dealt with and we did advise him of it.

This school will not be built by the government—that is the actual work will not be undertaken by The Department of Public Works. The plans are now in the hands of the architect. The school will be directed by a board already established and—

**Mr. Bryden:** "A board," did you say?

**Hon. Mr. Dymond:** Yes, a school board, and this board has responsibility for this and it is going forward. The total cost will be paid for out of government funds and will come out of the health resources fund, roughly 50 per cent from us and 50 per cent from federal funds. This is why the confusion arose. Prior to the establishment and the understanding between the two levels of government that regional schools of nursing would be brought within the scope of the health resources fund, the government of Ontario was going to build this, and we had not withdrawn the request from The Department of Public Works because we had not had complete clarification as to whether it would be accepted by the federal government as qualifying for financing under the health resources fund. We got that assurance just about the time the hon. Minister's estimates were before the House.

While I told him, he in turn did not have time to refer it to you. It is on schedule and the chairman of the hospital board, Col.

Sifton, gave me to understand that the school would be opening at the same time as the hospital. I believe the hospital is scheduled to open in the fall of 1967.

This is not the only regional school of nursing, incidentally, in Toronto. There is one planned for Scarborough, I believe, but it is not under way yet. The one at Humber is going to open this September. A regional school will open at Humber and then, of course, the Quo Vadis has become a regional school and will greatly enlarge its scope.

**Mr. Chairman:** Vote 716 agreed to. This concludes the estimates of The Department of Health.

Hon. Mr. Robarts moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, on Monday we will continue the Budget debate and then depending upon how many speeches there are, we will proceed with the estimates of The Department of the Attorney General, which are the last estimates to come before the House. I think, too, we had better be ready to deal with the second readings, and some of these bills I believe will have to go to committee. I would like to give them second reading on Monday, and there are a few bills left in committee of the whole House which will be called within the next day or so.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.

No. 162

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Monday, July 4, 1966

**Afternoon Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, JULY 4, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Petitions.

Presenting reports by committees.

Motions.

Introduction of bills.

## SUNNYBROOK HOSPITAL

Hon. J. P. Robarts moves first reading of bill intituled, An Act to incorporate Sunnybrook hospital.

Motion agreed to; first reading of the bill.

**Hon. J. P. Robarts** (Prime Minister): In introducing this legislation today, I should like to refer to a press release made jointly by the Hon. Roger Teillet, Minister of Veterans' Affairs, and myself on January 19, 1965.

In this release it was announced that, while details of the agreement remained to be worked out, agreement in principle had been reached under which Sunnybrook hospital would become Ontario's first university teaching hospital under the aegis of a university and a key institution in the Ontario government's programme for the expansion of medical teaching facilities in the province. I think perhaps it is the first veterans' hospital too that has been treated in this fashion.

I am happy to be able to announce to the House that a mutually acceptable agreement has been developed. This agreement provides that Her Majesty in the right of Canada will turn over to the board of governors of the University of Toronto, for the sum of $1, the lands, buildings, and equipment of Sunnbrook hospital as described in the agreement. The hospital will then operate through the particulars of this legislation under the direction of a specially appointed board of trustees.

Sunnybrook hospital will thus become a university teaching hospital, capable of providing clinical, teaching and research facilities that will ultimately result in the graduation of an additional 75 doctors annually. This will represent an increase of more than 20 per cent in the total number of graduates now provided each year by the universities of Ontario. In addition, it will be possible to increase the numbers of such paramedical personnel as laboratory technicians, radiologists and nurses.

Another important provision of this agreement which is supplementary to this Act is that the board of trustees will construct a new wing suitable for at least 400 patients requiring chronic or domiciliary care. This accommodation will be primarily for veterans and will be paid for by the federal government. The total effect so far as hospital accommodation is concerned is that some 700-800 additional active treatment beds will be made available at Sunnybrook hospital.

Sunnybrook will be operated and administered for hospital purposes as well as related medical research and university teaching purposes. Veterans requiring hospitalization will be accorded the priority use of beds, a guarantee which has been incorporated in the agreement. This arrangement, insofar as the province is concerned, has been worked out by the Minister of Health and the Minister of University Affairs in consultation with the federal Department of Veterans' Affairs and the University of Toronto.

The proposed legislation will establish a corporation under the name of Sunnybrook hospital to manage and operate the hospital and to enable the board of governors of the University of Toronto to give effect to the commitments which it is making under the terms of the agreement with Her Majesty in right of Canada.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, on Saturday, July 2, at approximately 11 p.m., there was a disturbance at Mercer reformatory in connection with which the Metropolitan Toronto police were called for assistance in moving some prisoners to the Metropolitan Toronto jail. In view of this fact I wish to make a report to this House concerning this matter, even though a full investigation has not yet been completed.

The events leading up to this occurrence are as follows: One woman at Mercer, who

is disturbed and unhappy about personal matters, appeared in a somewhat depressed state for the last two weeks. She was under the care of the consultant psychiatrist who prescribed an antidepressant medication on June 22. On Friday evening last this woman cut her right wrist and was moved to the Toronto general hospital.

They had difficulty in managing her there to the extent that a number of hospital staff had to restrain her and the doctor in charge eventually requested police assistance. Subsequently she accepted surgical treatment and remained in the hospital overnight. On Saturday morning she refused to accept treatment advised by the hospital and she was returned to Mercer where she also refused prescribed medication, while at the same time demanding stronger medication.

At approximately 3 p.m. she was again taken to the Toronto general hospital. This was further evaluation because of her continuing complaints. The hospital decision was that her discomfort was within normal limits in view of the injures she had done to herself and that no surgical or other intervention was called for.

On her return to the institution she was very angry because she had not been given morphine and she claimed that she was being discriminated against and was being denied medication and treatment because of her history of drug addiction.

At about 8.15 p.m. she was seen by the institution physician who explained carefully to her the nature of her injury and the reasons for the treatment prescribed so far. She was offered an analgesic which she refused, saying it was not strong enough. Nevertheless, she appeared slightly calmer after her discussion with the physician. However, she later refused a night sedative which had been ordered for her and it was decided to have her seen again at the Toronto general hospital with a view to readmission. She left the institution for the hospital at approximately 10.50 p.m.

Throughout the day this woman's close associates became increasingly aroused in support of what they felt was her need for stronger medication. This group of sympathizers was almost entirely composed of former drug addicts. The women had been allowed the privilege of staying up until 11 p.m.—normal lock-up time is 10 p.m.—because of the holiday weekend.

At 11 p.m. 79 women in the total population of 87 went to their rooms and their corridors were locked without event. In the corridor where this woman and her sympathizers were accommodated, eight refused to go to their rooms. When their corridor door was opened they pushed past two staff members and proceeded to break windows and chairs on the second and third floor hallway areas, as well as in the Protestant chapel which adjoins their corridor. They also broke into one office on the second floor.

It was decided to transfer six of these eight women to the Metropolitan Toronto jail. As the provincial bailiff staff who normally effect transfers were not immediately available, the police were asked to effect the transfers.

The other 79 women were quiet and in general disapproving of the disturbance. There was one exception, a woman who was locked in another corridor who had cut her wrist while breaking a window. She also was one of those transferred to the Don jail following hospital treatment.

The woman around whom the difficulty arose was returned from the hospital, where she had again refused the prescribed treatment, at about midnight. It was decided to remove her to the Metropolitan Toronto jail immediately so that further unrest would not arise in relationship to her.

Upon arriving at the Metropolitan Toronto jail she reopened her arm wound and had to be moved to the Toronto general hospital and was admitted. The medical staff admitted her only on condition that a male guard was provided.

Total property damage resulting from the disturbance has been estimated at approximately $300.

Mr. Speaker, I have ordered a full investigation to be made so that we may establish not only exactly what occurred and why it occurred, but also what more can be done to ease a group through a period of tension in the future.

As I have said, the investigation is by no means complete. What it does show is that the estimate we have read in the press of 300 panes of glass was somewhat of an exaggeration; as was the estimate of damage, which ranges up to $20,000. There were some 78 panes of glass broken and our estimate of the total damage is about, as I have said, $300. What was described as wall-to-wall blood in some of the press, TV and radio reports, consisted of spots of blood which had dripped from the slashed wrists of two of the girls in various parts of the room.

Chairs were broken and used to break windows and then tossed down the stairs. This hardly presented a formidable barricade.

However, there was a disturbance which was inexcusable, even under the weather conditions of the last few days which unquestionably added to the trouble.

Discussions have already taken place with the Crown attorney, and we shall continue to work closely with him with a view to his taking such legal action against the participants as is warranted.

Those taking part in this disturbance destroyed property, broke institution regulations and defied legal authority. Even in a therapeutic community setting, in which the staff of Mercer reformatory is attempting to treat those with severe behaviour problems, we can in no way, and we will in no way, condone such disturbances. Most of those concerned with this disturbance have a long history of resorting to violence and misbehaviour. They frequently disturb the treatment programmes for other people.

It is my intention to follow the legal advice of the Crown attorney in ensuring that they are made aware of the legal responsibilities of their actions.

**Mr. F. Young** (Yorkview): Mr. Speaker, I have a question for the Minister of Reform Institutions.

Would the Minister inform the House what progress is being made in building the new Vanier institution to replace Mercer?

**Hon. Mr. Grossman:** Mr. Speaker, the Vanier institution for women has reached the detailed drawing stage. The whole project is now in the hands of The Department of Public Works, who have advised me that the detailed drawings should be completed by September 1, 1966. They then propose to call for tenders and we would expect that construction will begin before the end of the year.

**Mr. Young:** Could the Minister tell us when the terminal date will be, when the institution will be opened?

**Hon. Mr. Grossman:** Mr. Speaker, the hon. member knows perfectly well I could not possibly tell him that.

**Mr. Speaker:** The member for Bracondale.

**Mr. G. Ben** (Bracondale): Mr. Speaker, I have a number of questions to ask of the Minister of Reform Institutions, notice of which has been given. These questions arise out of the Minister's statement, as it now appears.

Will charges be laid in connection with the rioting at Mercer reformatory over the weekend? The Minister has stated that he will follow the advice of the Crown attorney. Does he or does he not know whether a breach of the criminal code has taken place in Mercer?

**Hon. Mr. Grossman:** That is not the question I have, Mr. Speaker. The question I have is merely: "Will charges be laid?" I have already referred to this in my statement, giving the hon. member an answer.

**Mr. Ben:** May I ask a supplementary question?

**Hon. Mr. Grossman:** Mr. Speaker, I would prefer, in view of the fact that this investigation has not been completely finished, that we stick to the questions which have been asked. I do not want to get involved—the hon. members know that I am always happy to answer supplementary questions—but I think there would be some danger involved here in getting into matters, information for which I may not have at my fingertips, and which may somehow, rather jeopardize the investigation that is going on now.

**Mr. Ben:** Then I would ask that the Minister give an answer to the question I have posed. He has stated that there were 70 panes of glass broken, girls slashed their wrists, chairs were broken, and two floors were entered. Are charges going to be laid?

**Mr. Speaker:** The member cannot make a speech. Just ask the questions and the Minister will try to have answers for them.

**Mr. Ben:** Would the hon. Minister answer the question I have put?

**Hon. Mr. Grossman:** Mr. Speaker, I do not want to get into supplementary questions that will serve as a precedent for getting into a long debate here on the occurrence, on which I have given a very detailed report and on which further information will come. When it arrives we may complete our investigation. Obviously, the hon. member being a lawyer knows perfectly well that knowing that windows were broken or a breach of the criminal code has been committed is one thing; to be able to find out who did it and who is responsible for it and against whom charges could be laid is sometimes another. These are the matters we are going into.

**Mr. Ben:** Mr. Speaker, perhaps I should ask how so much damage could occur without anybody knowing how it occurred.

**Mr. Speaker:** Order!

**Hon. Mr. Grossman:** Mr. Speaker, if the hon. member wants me to give him the privilege of asking me supplementary questions he has to—

**Mr. Speaker:** Order, order!

**Hon. Mr. Grossman:** —be fair about the answers.

**Mr. Speaker:** The member will proceed with his second question.

**Mr. Ben:** How many times since the first day of January, 1966, have breaches of the criminal code occurred in Ontario reform institutions and, second, in how many instances were charges laid against alleged offenders?

**Hon. Mr. Grossman:** Mr. Speaker, it is impossible to answer this question as it is phrased, as there are probably breaches of the criminal code which do not come to our attention. The hon. member has merely asked how many times have breaches of the criminal code occurred.

There is another problem, too, Mr. Speaker. There are those which come to our attention but which are of a relatively minor nature, such as incidents of fighting among inmates, and which are dealt with within the disciplinary framework of the institution, as provided by legislation.

The answer to the second section of the hon. member's question—"in how many instances were charges laid against the alleged offenders?" I presume the hon. member is referring to charges laid in the magistrates' courts. The answer to that is 149.

**Mr. Ben:** A supplementary question, Your Honour.

**Hon. Mr. Grossman:** I will not accept it.

**Mr. Ben:** I am quite aware—

**Hon. Mr. Grossman:** I will not accept that question.

**Mr. Speaker:** Order! I wonder if the Minister—

**Mr. Ben:** The Minister said that he would accept the question.

**Hon. Mr. Grossman:** He said that he would not.

**Mr. Ben:** Very well. I have a third question.

**Mr. Speaker:** Proceed with your question.

**Mr. Ben:** In view of comments made to me over the weekend and by the Minister in the House today and by members of the Minister's staff that the outbreak at Mercer reformatory was "only a disturbance," would the Minister define the difference between a disturbance and a riot at reform institutions?

**Hon. Mr. Grossman:** Mr. Speaker, this is a matter of semantics. In using the terms "riot" and "disturbance," we try to differentiate between an occurrence involving a relatively small number of people where the safety of the institution as a whole is not seriously threatened, and an occurrence in which a large number of people are involved and the safety of the institution is seriously threatened. We choose to call the former a "disturbance" and the latter a "riot."

In this instance, my staff tried to use the term which would more accurately describe the degree of seriousness of the occurrence. I happen to agree with the use of the terminology they used, but if the hon. member chooses to use the term "riot" to describe what happened that is his privilege and I have no objection to it.

**Mr. Ben:** I have another supplementary question, Mr. Speaker. Does the Minister refuse to accept it?

**Mr. Speaker:** The member should proceed with his questions only.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I have a question for the Minister of Energy and Resources Management. Has the OWRC received representations with regard to the pollution of a creek by Canada Dairies of Burgessville, and if so, what action is going to be taken to correct the situation?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, the answer is "yes." The division of industrial waste issued a report of the survey of April, 1966, on June 24, 1966, to Canada Dairies of Burgessville. The report has made definite recommendations for the elimination of the dairy waste from the creek. These include the construction of facilities for the storage of waste over the winter months when spray irrigation is not possible. Additional land has been purchased by the company to improve its spray irrigation of wastes during the summer months and the OWRC has asked that the improved waste control programme be effected during this year.

**Mr. Ben:** Mr. Speaker, I have a question for the Minister of Transport, notice of which has been given.

In view of the action by the state of New York to increase the minimum age for persons eligible to apply for drivers' licences from 16 to 18 years, would the Minister inform this House if he intends to take similar action to raise the eligibility age for drivers in Ontario?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, the answer is "no." However, the question appears to be predicated on a misunderstanding, for in recent years New York state has not increased the minimum age for a person eligible to apply for a driver's licence. A non-resident under 18 years of age is not permitted to drive in New York state, but a resident of 16 years of age can still apply for, and with his parents' consent, obtain a driver's licence in New York state, as is the case in Ontario.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, I have a question for the Minister of Public Welfare.

Is it the policy of the government to place emotionally disturbed children who are wards of the children's aid society in Ontario Hospitals in adult mental institutions, such as occurred at the Ontario Hospital, 999 Queen street west, Toronto, recently? If not, would the Minister inform the House what facilities would be made available elsewhere for these children?

**Mr. Speaker:** The Minister will take the question as notice.

**Mr. MacDonald:** Mr. Speaker, I have a question for the hon. Minister of Health. Perhaps it could be put on the record and he can reply at his convenience.

Has the government refused to pay grants for the use of measles vaccine now available and in use in other provinces and if so, why?

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, before the orders of the day I have the answer to a question which was asked on Thursday, June 30, by the hon. member for Windsor-Walkerville. I see that he is not in his seat, but I will put the answer on the record, if I may. The question reads:

> Would the Minister indicate to the House whether he will accept the views of Chief Thunderbird of the Gibson reserve in the Muskoka area and fairly compensate his band for any land that is expropriated for the proposed Highway 660?

The answer is that a section of Highway 660 passes through the Gibson Indian reserve and the department wishes to improve this highway by straightening and widening it. There is no question that compensation for any land required will be fully in keeping with the department's practice in any part of the province.

The member's question refers to expropriation, yet it is a fact that no expropriation proceedings have been contemplated. It might also be observed that the department has had no communication with Chief Thunderbird who, I am informed, is Mr. William Rennie. I have had a discussion with Chief Sidney Commandant, the chief of the Gibson Indian band, and I am hopeful that all questions related to property requirements will soon be resolved with the co-operation of the band, so that the members of this reserve will be able to enjoy the much-improved thoroughfare which the department is planning.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The ninth order.

## THE MUNICIPAL ACT

Hon. J. W. Spooner (Minister of Municipal Affairs) moves second reading of Bill 192, An Act to amend The Municipal Act.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The fifth order; committee of the whole House, Mr. L. M. Reilly in the chair.

## THE CORPORATIONS ACT

House in committee on Bill 65, An Act to amend The Corporations Act.

Sections 1 to 19, inclusive, agreed to.

Bill 65 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

That,

> where an application for registration is refused, a registration is cancelled or a receipt for a prospectus is not obtained, the director of the Ontario securities commission may recommend to the Treasurer of Ontario that a refund of the fee or of such part thereof as he deems fair and reasonable be made, and the Treasurer may make such refund from the consolidated revenue fund,

as provided in Bill 66, The Securities Act, 1966.

Resolution concurred in.

## THE SECURITIES ACT, 1966

House in committee on Bill 66, The Securities Act, 1966.

On section 1:

**Mr. Ben:** Mr. Chairman, on section 1—I am sorry, this is not the section.

Sections 1 to 20, inclusive, agreed to.

On section 21:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, on section 21 of the bill, I intend to propose an amendment.

Section 21 provides the wide-ranging power to the commission to appoint any person to make such investigation as the commission deems expedient, provided it appears probable to the commission that the person has committed an offence under the Act or under the criminal code relating to trading in securities.

Mr. Chairman, you will appreciate this preliminary power before any charge has been laid, for the commission to appoint a person with wide-ranging powers to conduct an investigation, is analogous to the power which is sometimes taken unto itself by the police who interrogate and investigate prior to laying a charge. The point which we raised in committee and which the committee saw fit not to pass was that, if an investigation preliminary to any charge being laid or an information being laid because the commission has reasonable grounds to appear that an offence has been committed, if such an investigation is to take place of any person or company, then it is our position that such a person or company about whom the investigation is made and to whom the whole tenor and purport of the investigation is directed, should be entitled to be represented by counsel.

Let me make myself perfectly clear. We are not suggesting in this type of investigation that counsel should have the right either to obstruct or to intervene in that investigation. What we are saying is that, if an investigation of a person or company is about to take place under the wide powers given under this section, the person or company about whom the investigation is to take place should have the right to have counsel present throughout the investigation and the inquiry.

If we deprive such a person or company of the right, then, while we may agree that this is what might be termed one of the scoundrel provisions and is designed to give the commission power to catch up with and deal adequately with those who are in breach of laws relating to securities in Ontario, whether they be offences or alleged offences under this Act or under the criminal code, nevertheless, I think this committee should agree that it is essential for the protection of such a person or company, always bearing in mind there may not be any charge laid, always bearing in mind that a person is entitled to be able at any trial to which he may be subsequently submitted to give a full answer, to any charge which may be laid against him, then it would appear to us that it is absolutely essential that a person or company whose affairs are going to be investigated, should have the right to be represented by counsel so that counsel can hear what transpires at the investigation.

I reiterate, not for the purpose of obstructing the investigation or the proceeding but to make certain that the person whose affairs are being investigated should have an opportunity to know exactly the extent and the scope of the investigation which has taken place, and out of which in all likelihood an endeavour will be made by the commission to lay a charge.

With that protection to the person or company in mind, I now move that subsection (5) of clause 21, Bill 66, be amended to read as follows:

> A person giving evidence at an investigation under this section and the person or company in respect of which the investigation is being made, may be represented by counsel.

I so move and would ask the committee to support this amendment.

**Mr. Chairman:** Mr. Renwick moves an amendment to subsection (5) of this clause. All those in favour of the amendment, will please say "aye."

Those opposed, will please say "nay."

In the opinion of the chair, the amendment is lost.

Call in the members.

All those in favour of Mr. Renwick's motion, will please stand.

All those opposed, please stand.

**Clerk of the House:** Mr. Chairman, the "ayes" are 7; the "nays", 47.

**Mr. Chairman:** I declare the motion lost and the section carried.

Section 21 agreed to.

Sections 22 to 112, inclusive, agreed to.

On section 113:

**Mr. Renwick:** Mr. Chairman, on section 113, the committee will recognize that under this section of the bill, so far as it goes, provision is made that if a person is an insider of a corporation or is an associate or an affiliate of such insider, and those terms insider, affiliate and associate are defined in the Act, if any such person—and the operative provision in the section is that such a person must make use of any specific confidential information for his own benefit or advantage, that if generally known might reasonably be expected to affect materially the value of such securities, then if a person does so, that is, makes use of any specific, confidential information for his own benefit, or advantage that if generally known might reasonably be expected to affect materially the value of such securities, then he is subject to the liability imposed by that section, which is twofold. One is to compensate any person or company for any direct loss suffered by such person or company, and secondly, he is also accountable to the corporation for any direct benefit or advantage received or receivable by the insider, associate or affiliate as the result of the transaction.

So far as the section goes, it is a satisfactory section. However, in the opinion of our party, it does not go as far as it should go.

An insider is defined in section 108 of the bill, which has now been passed, as any director or senior officer of a corporation; and in turn the term senior officer is defined in the Act to cover certain persons holding in substance the senior positions in that company; or any person who has a ten per cent or more equity position in another company is considered to be an insider.

In section 1 of the bill, Mr. Chairman, the term associate is defined to include a company which has a ten per cent voting interest in the company or a trust estate in which there is a substantial beneficial interest, but then it goes on to say that a person is an associate who is a relative or spouse of a person who in any such case has the same home as such person.

Now, the effect, Mr. Chairman, as I see it, of this section as it now reads, is to provide that if you come within the definition of insider or you come within the definition of associate or come within the definition of affiliate as a related company, and if you make use of the confidential information for your own benefit or advantage, you are caught by the section.

If, however, a person who is an insider as defined in the Act discloses the information to a person who is an associate or an affiliate and the associate or the affiliate is the person who makes use of that information so that the insider himself does not make use of the information, then the insider, as the senior officer or as the director, escapes liability under the Act.

It is our view, Mr. Chairman, that in addition to the liability which is imposed on an insider or on an associate or an affiliate who himself makes use of that information, the insider, if he discloses that information to a person who is an associate or an affiliate, should continue to be liable himself, even though he does not himself make use of that information for his own direct personal advantage.

With that purpose in mind, and because we think it commends itself to this committee, I therefore move that subsection 1 of clause 113 of Bill 66 be amended, by adding after the word "securities" in the sixth line, the words:

> and every insider of a corporation who discloses to any person or company any specific confidential information that if generally known might reasonably be expected to affect materially the value of such securities.

So that subsection 1 of clause 113 shall read as follows:

> Every insider of a corporation or associate or affiliate of such insider who in connection with a transaction relating to the capital securities of the corporation makes use of any specific confidential information for his own benefit or advantage that if generally known might reasonably be expected to affect materially the value of such securities, and every insider of a corporation who discloses to any person or company any specific confidential information that if generally known might reasonably be expected to affect materially the value of such securities, is liable to compensate any person or company for any direct loss suffered by such person or company as a result of such transaction; unless such information was known or ought reasonably to have been known to such person or company at the time of such transaction and is also accountable to the corporation for any direct benefit or advantage received or receivable by such insider, associate or affiliate, as the case may be, as a result of such transaction.

Mr. Chairman, the sole purpose of the bill is to make an insider responsible, in the way

outlined in section 113, not only if he makes use of confidential information for his own benefit or advantage but if he in fact is the person in an insider relationship with the corporation who discloses the information which is used by someone else for the benefit or advantage of that person.

Mr. Chairman, I would urge the committee that they would support this amendment. I think it closes a very necessary gap in the provision of protection for investors against the misuse by corporate insiders of confidential information. Indeed, I would go so far as to say that if we do not provide as this amendment states, that if an insider by the very act of disclosure to another person or company of that confidential information is made responsible, then in a very real sense I think the purpose and the object of this section will be vitiated. It is absolutely essential that the insider not only make no use for his own benefit or advantage of confidential information which will affect materially the value of the securities, but there should be an effective provision in this statute which provides a bar and a penalty against him if he is the one who discloses such information.

Mr. Chairman, this gap, I believe, must be covered in this bill, and as I stated in all likelihood the section will be considerably weakened if this amendment is not accepted.

**Mr. Ben:** Yes!

I would like to give the hon. member a couple of examples, and for simplicity I will use the names Jim and George. Suppose Jim is the president or director or an officer of company A and he meets his friend George at a restaurant. They are discussing and George says to Jim, "Well, Jim, how is business?" And Jim says, "George, it has never been better, we are going to be setting all kinds of fantastic sale records. I imagine, we are making money hand over fist at the present time, that we will probably double our profits during this current year."

And George goes out on the strength of that and he buys stock in A company. Now he will buy stock at that particular market price, it is considerably less than what the price is going to be after everybody finds out that the company is making money hand over fist and their profits are going to be doubled over the previous year. Would Jim, as the director or officer who told George that business was good, be liable both to the company and to the shareholders who sold their shares to George because of the fact that Jim passed a comment that business is so good? That is one example.

**Mr. Renwick:** To answer that question, I think the member for Bracondale knows the answer as well as I do.

The point which I make is a very simple one, Mr. Chairman, and that is that if the insider discloses the specific confidential information that if generally known might reasonably be expected to affect materially the value of such securities, then in those circumstances which are not covered by this bill, it is our view that the insider should be responsible and liable to the penalty set out in clause 113.

**Mr. Ben:** The hon. member has not answered the question I put—

**Mr. K. Bryden** (Woodbine): It is a silly question.

**Mr. Ben:** It is not a silly question, it is a situation that could very well arise; in fact would be most apt to arise as a casual comment passed between what is called an insider and a friend in answer to a question, "How is business?"

As a matter of fact, it is probably the most common greeting on Bay street today, "How's business, Joe?" Now, giving a simple answer to that and saying business is good or business is bad could be revealing confidential information. And if somebody acted on the strength of the information and either bought or sold stocks, if this amendment were carried out, the insider would be liable.

Now it is one thing to make an insider liable if he deliberately passes on secret information to a third party who does not come within the scope of this for the purpose of enabling that third party to reap a profit. But just to simply make him liable for giving away information with no intention on his part that the information may be used and perhaps not even knowing that it is confidential information, is creating a very dangerous precedent.

For instance, if a person is interested in the operation of a company, he could very well go to a supplier and engage him in a conversation and say, "Say, how are your sales to A company?" And they could say "My goodness, our sales have been about tripled over the last six months, they must have tripled their production." That is also confidential information. Is this particular individual going to be liable because he is an insider? You might say he is an insider because he is supplying material to this company and knows how much material it is buying and how much it has bought in the past.

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, I would just like to speak very briefly to the amendment as proposed.

I must say that in considering the Act we were careful to define the term insider in I think wide terms; also the word associate. We have put in this section a double liability, as the hon. member for Riverdale has pointed out: Liability to the corporation to restore any profit made by the use of the insider information and the liability to be sued, the possibility there of being sued by any member of the public who is affected. If one were to widen this any further I feel that the effect would be such that it would have, I think, a crippling effect upon getting people to serve on boards of corporations. I think we have gone very far in that double liability, which is not found in many jurisdictions.

Then I would further point out that in our committee discussions this bill was at least seven times before the committee on legal bills with a very full and very wide discussion with the assistance of the bar association, the investment dealers, chartered accountants, actuaries, people who are knowledgeable in the business world; and we come back reporting this bill with the section as it stands.

I would certainly have to speak against the amendment.

**Mr. J. B. Trotter** (Parkdale): Mr. Chairman, I would just like to ask the Attorney General a question and this involves what is inside information. For example, one company recently, a well-known tea firm, held its annual meeting and did not release the annual sales. They just said the annual sales had gone up.

Now if a director of that company was to tell offhand to anyone that the sales had gone up 10 per cent this last year, even though it does not appear in the annual statement of the company, is this considered inside information?

I ask this question because I could agree with what the Attorney General said, that any man who is a director of a firm could get into serious trouble without having any intention whatsoever of giving out the information or trying to give out inside information. So I would like to ask the Attorney General if it is the practice of a company not to release its annual sales, and yet when a director inadvertently says it has gone up 10 per cent, is this inside information and would it be an offence under the amendment?

**Hon. Mr. Wishart:** Mr. Chairman, the best answer I can give at the moment is that this section which we are considering uses the expression "specific confidential information." Now, I do not think we have any definition of what is inside information. As I say, the term here is specific confidential information, and as we are aware the section goes on to say it is the use of specific confidential information for one's own benefit which injures some shareholder who does not have that information, who perhaps would have sold or would have bought had he had it. I think, in the case the hon. member gives, that of gross annual sales, and I can hardly conceive of the company treating that as a confidential thing; most companies now publish it.

**Mr. Trotter:** This company did, it is well known.

**Hon. Mr. Wishart:** Most companies today publish that as a matter of course. I believe, although I cannot recall, it seems to me that the Act requires that the statement contain the information. I believe in The Corporations Act, as well as in The Securities Act, this is one of the features that now must be published, so probably the matter will not arise.

There might be a period of time before the statement is gotten out when the information is not known to the public, but I would not call that insider information. That is certainly not confidential any more, because we are, I am certain, requiring it; so is The Corporations Act. I do not think that is insider information.

**Mr. Trotter:** Mr. Chairman, we on this side of the House have been very much in favour of checking up and stopping the sale of stocks and the operation of stock options based on inside information. At the same time you have to be practical in dealing with business; and being fair to those who are in business. In any change in the law you can go overboard. We would agree with what the Attorney General has said in defence of this section, and we will oppose the amendment.

**Mr. Bryden:** Mr. Chairman, I would like to suggest to the committee that if the amendment, or something the same in principle, is not accepted, then the clause will for all practical purposes be meaningless.

As it stands now, anybody with even a modicum of ingenuity can drive a truck through it. I may say that I am not going entirely on my own amateur opinion in stating that. I would call to your attention the views, for example, of the editorial writers of the Toronto *Globe and Mail*, who have made

exactly the same point; and many other people who are pretty close to the financial world and whose opinions generally are far from radical.

Just take a case in point. A man has inside information. He has a married son who lives at a different address, as married sons usually do. He gives the inside information to the married son. The married son makes a clean-up on the market, on the basis of that inside information. Under the section, as it now stands, there is nothing, absolutely nothing against that, and yet surely this is a straight insider deal. Somebody on the inside makes a killing at the expense of the public and, indeed, in the course of time, the man who gave the information to his son may very well indirectly get substantial benefit without the possibility ever arising that it could be proved that he used the information to his own benefit.

When that sort of possibility is right there staring the hon. Attorney General in the face, I would suggest he ought to be considering ways and means of blocking such a loophole. It will make a mockery of his section. If he does not like the wording my friend from Riverdale has proposed, then let him consider some other wording. As we have always stated when we put forward amendments, we are not wedded to the precise wording, it is the principle we are trying to enunciate. There are behind the Speaker's chair people who are much more skilled than any of us in drafting sections, once the principle has been communicated to them.

It seems to me the principle of the amendment proposed by my friend from Riverdale is absolutely essential. Otherwise we have not done anything apart from window-dressing in correcting what is a serious abuse.

As to the point raised by my friend from Bracondale, frankly, I cannot see any merit in it at all. The amendment proposed does not change the meaning of "inside information" in any way from the way it is set forth in the bill. It merely provides that you cannot make your son, for example, a beneficiary of insider information any more than you can make yourself a beneficiary. I would assume that the way the bill is now drafted it would not include, within the meaning of the term insider information, mere general knowledge that business is good. If it does, then the difficulty that my friend from Bracondale purports to see in the amendment also exists in the section as it now stands. However, I have assumed that the draftsmen have been successful in making a more specific definition than that.

Therefore, I simply cannot see what the objections are to the amendment proposed by my friend from Riverdale. As far as I can see, it is merely an amendment designed to achieve the purpose which ostensibly the bill itself is trying to achieve, but which it obviously will not achieve unless it is amended in this section.

**Mr. Trotter:** One item on this, Mr. Chairman, that I would like to emphasize. In making my observations, and probably this is the difference between theory and practice, there are still large, respected firms—I mentioned a large tea firm—there was a large tea firm that did not report its gross annual sales. There is a large grocery chain here in the province of Ontario, actually operating from Toronto and in parts of the United States, that keeps its information very closely held.

Our difficulty here would be to make criminals of men who are shrewd businessmen, but who are not necessarily pulling off inside deals in respect of operating on stock deals. I feel, and I am sure everyone probably in this House feels, that the government possibly has been slow in going after what has been known as insider deals, but if we accept the amendment, as proposed by the new party, we would be, in many respects, irresponsible. Such a section as this affects untold hundreds of millions of dollars, and to suddenly pass this amendment would be, in my opinion, irresponsible.

If this Act still allows the gaping holes that a truck can drive through, as the hon. member for Woodbine has said, then we will certainly have to change the section. But I feel as it stands today, that the Attorney General's department, if it makes up its mind it is going to employ the necessary staff to enforce this section, can stop the worst type of insider stock deals without affecting legitimate business transactions.

Let us be fair. The vast majority of business carried on in the province of Ontario is legitimate. That is what makes this province one of the most prosperous jurisdictions in all the world. I advise caution in using responsibility. Therefore we oppose the amendment.

**Mr. D. C. MacDonald** (York South): No better speech could be made from the Tory benches in the next election campaign. All they need to do is quote what has been said by the hon. member for Parkdale, both in the substance of the issue before the House and in his general comments in regard to the government.

Mr. Chairman, I just want to draw to your attention an analogous situation. I have not had the benefits of all the debate in the committee and discussion of these fine points. But within a certain township in the Metropolitan area, in the last few years, there was a certain reeve who had inside information about land that was available. He did not move himself. He told a friend, and the friend bought the land. Subsequently he bought the land from the friend. A violation of the spirit of the Act. And he suffered the consequences before the court, though I believe it still may be a matter for appeal. I have forgotten at what stage it is.

Precisely the same thing will happen here with impunity. You need to be pretty close to a moron, if not below it, not to pass the information on to somebody else, rather than use it yourself. Yet once you have passed it on to somebody else, the inside information can be used with impunity.

My hon. friend from Parkdale says to vote for this amendment would be irresponsible. My judgment would be that, if we are serious about the intent of this section, not to vote for the amendment would be irresponsible. Therefore I am forced to the conclusion that we are not really serious, either on the government side, or the hon. member for Parkdale.

**Mr. Ben:** The hon. member who has just sat down, the leader of the ND Party, is quite right. Even a moron could see there are loopholes in this section. But I would suggest that it takes men of some intelligence to see the risk inherent in the amendment being proposed on that party's side. It may be lack of that insight which causes them to pursue it so strongly.

For instance, it is our belief on this side of the House—and perhaps the same thoughts motivated the other side of the House—that we are not going to advocate putting 99 innocent people to the proof of their innocence to create a wall to stop the 1 per cent who would be guilty. There are many fathers and sons in this world who independently buy stocks and simultaneously buy stocks in the same company and who have not spoken to each other for years and months.

If this amendment went through, the fact that a son happened to buy stocks in a company with which his father is associated would put the father in a position of having two lawsuits launched against him, although the son used his independent judgment to purchase stocks in a company wherein his father was an insider.

We are not prepared to put every innocent person to the necessity of proving his innocence just to catch perhaps one or two per cent who, as the party to our left has pointed out, with a little bit of ingenuity could even circumvent the amendment, as even a moron could see. So under the circumstances we are not going to use the certain part of the continental system where you are presumed to be guilty until proven innocent; we would much rather subscribe to the British system where you are innocent until proven guilty.

**Mr. Chairman:** The member for Riverdale.

**Mr. Renwick:** Only because the hon. member for Bracondale obviously has not understood the amendment and does not appear to desire to do so do I rise again to emphasize the point which I make. Under the section as presently drafted, if an insider or an associate or an affiliate makes use of any specific confidential information for his own benefit or advantage, then he is subject to the penalties which are provided. It does not apply to the situation where a married son independently makes an investment without having had disclosed to him information of a confidential nature.

The essential point, and the point which we are simply trying to make, is that the insider alone should be responsible first of all, not only if he makes use for his own benefit and advantage of the confidential information, but that the insider should be responsible if he does not make use of it, but if he, in fact, is the one who discloses it regardless of whether or not anyone else is liable under the section or not, depending on the relationship of that person to the insider.

I say it is not unreasonable and it is not irresponsible to suggest that the insider must suffer the penalties that are provided in this section if he does one of two things: make use, for his own benefit or advantage of that information, or if he does not make use of it for his own benefit or information, he discloses it to someone who does, then we think that whether or not that other person is responsible, depending upon whether he is an associate or an affiliate, the insider should be responsible under this Act for the mere fact of having disclosed that information which someone else has used.

This is our view of how the problem which has been raised by a number of people can be dealt with and the hon. member for Woodbine has given the simple, obvious example. That is, a married son is living elsewhere—in other words, he is not an associate, and he is not an affiliate—but the father,

being an insider of the company, has confidential information which the father does not use himself for his own advantage but which he, the father, discloses to that son. The son uses it, and, as the member for Woodbine has said, makes a killing, and within the family, the family unit as a whole has benefitted.

The fact of the matter is that the father is not responsible because he has not made use of it. The son is not responsible because he is not included in the definition of "associate" and yet what more likely combination of circumstances could occur if someone is going to misuse confidential information. The sole and only point of our amendment is that the insider who discloses, whether he uses it to his own advantage or not, is not relevant to the amendment that we are speaking about—if he discloses to another person that information, and that information is used by that other person, then we think the insider should be responsible as set out in the Act.

We think that by providing the provision that is set out in this amendment, it will indefinitely strengthen the provision of the Act which everybody is concerned about and which we think the hon. Attorney General should give consideration to.

**Hon. Mr. Wishart:** Mr. Chairman, one could go on all day and half the night conceiving examples where such and so could happen. The hon. member for Woodbine used the example of a son; why not take the sisters and the cousins and the aunts, and so on?

**Mr. Bryden:** Why not? It is just a matter of whether you are serious or not in stopping insider—

**Hon. Mr. Wishart:** The point is that inside information will not be given out generally for the benefit of other people unless the person is going to be interested in some benefit or advantage. As I say, you must somewhere have a reasonable line; you must have some regard for the practical in the business world, and for the integrity and general good character of the people who manage it, as the hon. member for Bracondale has pointed out.

We could go on conceiving examples where a specific situation could occur that could perhaps go round this section. We have to be reasonable men. We have studied it and worked it over, considered the language and the business practices and the frequency of this type of thing and I think that we have covered it in a pretty satisfactory way.

I will say one further thing, this Act is a new venture in many of its sections. Certainly the penalties provided here, such as double liability, are new, and we have, as I mentioned before, enlarged the definition of "insider" and the definition of "associate." I suggest that the section be passed as it stands and let us see how it may work.

**Mr. Chairman:** Those in favour of Mr. Renwick's motion will please say "aye."

Those opposed will please say "nay."

I declare the motion lost.

Would it be convenient to the members of the committee if we take the previous count?

Sections 113 to 124, inclusive, agreed to.

On section 125:

**Mr. Renwick:** Mr. Chairman, on item 10 of section 125, we are concerned that the provision with respect to the disclosure of remuneration by directors and senior officers of corporations is a provision requiring disclosure only of the aggregate remuneration of the group of officers. We think that it is a significant piece of financial information in assessing, among all the many other pieces of information which should be available to the public, that the direct remuneration paid to the chief officer of the company as an individual should be disclosed and it should not be entirely grouped within the aggregate remuneration of the five senior officers of the company.

The present provision as set out in clause 125 provides that there shall be included by way of note to the financial statement "the aggregate direct remuneration paid or payable by the corporation and its subsidiaries whose financial statements are consolidated with those of the corporation, to the directors and the senior officers of the corporation." Mr. Chairman, you will readily see that the only item of information about remuneration which is required under this clause of the bill to be disclosed by way of note to the financial statements is the aggregate remuneration of that group of the senior officials and directors of the company.

I think it is true to say that in the United States, they consider both under the securities and exchange commission and under the New York stock exchange, so that in addition to the amount of money which is being paid to the top management of the company, it is important that there be disclosure of

the remuneration paid to the senior executive of the corporation. With that in mind and to urge the consideration of the committee, I move that item 10 of subsection 3 of clause 125 of Bill 66 be amended by adding thereto the words:

> And as a separate amount the direct remuneration paid or payable by the corporation and its subsidiaries whose financial statements are consolidated with those of the corporation, to the director or senior officer of the corporation receiving the highest remuneration, and as a separate amount the direct remuneration paid or payable to such director or senior officer by the subsidiaries of the corporation whose financial statements are not consolidated with those of the corporation.

So that item 10 shall read as follows:

> 10. The aggregate direct remuneration paid or payable by the corporation and its subsidiaries whose financial statements are consolidated with those of the corporation to the directors and the senior officers of the corporation; and as a separate amount the aggregate direct remuneration paid or payable to such directors and senior officers by the subsidiaries of the corporation whose financial statements are not consolidated with those of the corporation; and as a separate amount the direct remuneration paid or payable, by the corporation and its subsidiaries whose financial statements are consolidated with those of the corporation, to the director or senior officer of the corporation receiving the highest remuneration; and as a separate amount the direct remuneration paid or payable to such director or senior officer by the subsidiaries of the corporation whose financial statements are not consolidated with those of the corporation.

Mr. Chairman, within the ambit of all that extraneous language dealing with subsidiaries which are consolidated and those which are not, the substance of our amendment is that the direct remuneration of the senior officer, that is the officer receiving the highest remuneration within the company or the group of companies, should be an item of disclosure by way of note to the financial statement in addition to the aggregate remuneration of the top management which is now provided in item 10 of the bill. And we would so move, Mr. Chairman.

**Mr. Ben:** Mr. Chairman, these legal bills have enough verbiage as it is and I am afraid we are adding more here. Now we are in agreement with the principle enunciated by the member for Riverdale, but not necessarily his method of proceeding.

First of all, if you are going to have an addendum which gives the aggregate direct remuneration paid to the directors and senior officers, it means that in order to arrive at the aggregate you must have the individual sums. Therefore, why not simply publish the individual sums?

And I think what my friend is trying to accomplish here could be accomplished by striking out the words "aggregate direct" in the first line and putting an "s" after the word "remuneration" in the first line and doing the same in lines 2, 4 and 6, instead of having all that verbiage in there.

It is too difficult to follow him reading his amendment, but if he is interested in having the amount paid to the senior directors or senior officers disclosed, as I stated they have to have the figures in order to arrive at the aggregate, so why not simply make it compulsory to publish those figures and just have it read "the remuneration paid or payable by the corporation and subsidiaries whose financial statements are consolidated" and so on, and as a separate amount the remunerations paid or payable.

Now, we are not interested whether it be direct or indirect, we are interested in the remunerations paid to them. If the hon. member will amend—

**Mr. Bryden:** Let us not quibble about this.

**Mr. Ben:** It is not a question of quibbling about it, let us make it clear and concise. Let us not confuse direct or indirect, we are interested in remuneration.

**Hon. Mr. Wishart:** Mr. Chairman, if the hon. member has completed his remarks? I do not want to speak until he has finished.

**Mr. Ben:** Well, I will sit down. I am anxious to hear what the Attorney General has to say.

**Hon. Mr. Wishart:** The section in the bill as reprinted, Mr. Chairman, subsection 10 of 125, indicates that it was amended from the bill as originally printed, so we did consider this very point.

I do not know whether both hon. members were present on the discussion but it was discussed at some length I would just say that what we arrived at here represents the sense of the committee and those drafting the legislation, and our advice was that it was not really reasonable to set out the detail of

salaries of officials of companies in their annual statements. To show what the cost of management is—that is the principle; that is why we worded it "aggregate" direct remuneration.

This shows to the shareholder, to the public, to the members of the public who are contemplating becoming shareholders or wondering how the company is being managed, if they should sell their shares; what that company is paying for its cost of management. That is the principle that we followed. It is not a case of finding out how much Mr. Jones is paid because he is president of the company.

**Mr. Ben:** Mr. Chairman, if that is the attitude I am afraid we would have, as much as we dislike it, to accept the wordage of the hon. member's amendment, accept the amendment. Because if we follow the reasoning of the Attorney General, if the statement were to show a million dollars as being the cost of management and there were nine men whom you would call management, it is quite conceivable that one of them would receive $800,000 and the other eight would divide the $200,000 among them.

Now surely under those circumstances shareholders are entitled to know that one man is receiving 80 per cent of the management cost, which would not be revealed under this particular section. We would simply have to support the amendment proposed by the member for Riverdale.

**Hon. Mr. Wishart:** Again Mr. Chairman, we could go on with wild conceivable and inconceivable examples from now till the day is out. The principle is to show the cost of management.

**Mr. Ben:** Mr. Chairman, to the Attorney General, there are only so many directors and senior officials in a company. It cannot go beyond the directors and the officers of the company. If they are not officials they are employees, so surely it is not asking too much that the indemnities, the remunerations paid to the directors and the senior officers or the officer should be disclosed. There are only so many, you cannot go beyond that, and the Attorney General cannot say that we could go too far afield with this proposed amendment.

**Mr. Chairman:** The Attorney General has indicated that this particular point has been brought up in committee, had been discussed by the members and had been voted on. I just question whether the amendment is in order at this time.

**Mr. Renwick:** Mr. Chairman, my understanding is that it is in order in committee of the whole House. If there is a new item which perhaps—

**Mr. Chairman:** I am prepared to put the amendment, but I understood from what the Attorney General has said, that this particular item was discussed in committee.

**Mr. Renwick:** Well, Mr. Chairman, I moved the amendment in committee, as you may well recall at that time, but if there is a new item which perhaps requires comment, that may lead the committee to change its view from what the committee on legal bills held. I think it is interesting that since that time even the London stock exchange has decided that it would be in the interests of the investors in Great Britain if the direct remuneration of the senior officer of companies listed on the London stock exchange were disclosed. I think even in the United Kingdom, which is a conservative financial area—

**Mr. Chairman:** I would say to the member for Riverdale that if it will expedite the work of the House, I will certainly put the amendment now.

**Mr. Renwick:** —and you add that to the requirement in the United States that this information be disclosed, then I see no particular reason why the province of Ontario, being up to date on so many other aspects of its securities legislation, should not be up to date on this particular aspect.

**Mr. Chairman:** All those in favour of Mr. Renwick's motion, will please say "aye."

All those opposed, will please say "nay."

In the opinion of the Chair, the motion is lost.

Call in the members.

All those in favour of Mr. Renwick's motion, will please stand.

All those opposed, please stand.

**Clerk of the House:** Mr. Chairman, the "ayes" are 17, the "nays" 38.

**Mr. Chairman:** I declare the motion lost and the section carried.

Section 125 agreed to.

Sections 126 to 138, inclusive, agreed to.

On section 139:

**Mr. Renwick:** Mr. Chairman, on section 139, I would like to ask for your advice. I

have a rather lengthy amendment; and rather than have me read it as well as yourself, I would ask to expedite the work of the committee, if perhaps it could be moved in the first instance and read and then it would not have to be read a second time. Would that be agreeable?

**Mr. Chairman:** If the member would like to read the amendment, I will merely indicate that the amendment has been placed before the House. I will not read it a second time.

**Mr. Renwick:** All right, Mr. Chairman.

The amendment which we have to clause 139 of the bill is directed to the urgent necessity, as we see it, for the Ontario securities commission to have and exercise a regulatory function over the Toronto stock exchange.

You will note, Mr. Chairman, that there is provision now in subsection 2 of clause 139 that the commission may, where it appears to be in the public interest, make any direction, order, determination or ruling; but there is no real power of regulation reserved to the commission over the Toronto stock exchange.

You will also note, Mr. Chairman, in subsection 1 of clause 139, that to carry on business as a stock exchange in the province of Ontario you must be recognized in writing by the commission.

We have three matters in mind in the amendment which we propose to this section. That is: To set out first of all the statutory requirements under which any group of people could, if they wished to do so, be recognized in writing, as a stock exchange; second, to deal with the general power in certain areas for the Ontario securities commission to more effectively deal with the Toronto stock exchange than as set out in this particular section of the bill; and third, to deal with the other item of concern to us, and that is the basic separation which we believe to be necessary between the functions of a broker and a dealer and his disclosure of his interest as either a broker or a dealer to the person with whom he is dealing.

Mr. Chairman, without any further ado, and because the resolution is somewhat lengthy, I move that subsection 2 of section 139 be struck out and the following substituted therefor:

> 139a (1)—In section 139, this section, and sections 139b to 139g (a) "facility," when used with respect to a stock exchange, includes its premises, tangible or intangible property whether on the premises or not, any right to the use of such premises or property or any service thereof for the purpose of effecting or reporting a transaction on the exchange, including among other things any system of communication to or from the exchange by ticker or otherwise maintained by or with the consent of the exchange and any right of the exchange to the use of any property or service—

You will appreciate, Mr. Chairman, that I have to give certain definitions in order to give meaning to the substance of the proposed amendment:

> Item (b) "member," when used with respect to a stock exchange, means any person who is permitted either to effect transactions on the exchange without the services of another person acting as broker, or to make use of the facilities of the exchange for transactions thereon without payment of a commission or fee or with the payment of a commission or fee which is less than that charged the general public, and includes any firm carrying on a business as a broker or a broker-dealer of which a member is a partner, and any partner of any such firm.
>
> (c) "stock exchange" means any organization, association or group of persons, whether incorporated or unincorporated, which constitutes, maintains or provides a market place or facilities for bringing together purchasers and sellers of securities, or for otherwise performing with respect to securities, the functions commonly performed by a stock exchange as that term is generally understood, and includes the market place and market facilities maintained by such exchange.
>
> (2) the commission may define technical trade and accounting terms used in this section and in sections 139b to 139g insofar as such definitions are not inconsistent with this Act.
>
> 139b. No broker, broker-dealer or stock exchange shall directly or indirectly use any facility of a stock exchange to effect any transaction in a security or to report any such transaction unless such exchange is recognized as a stock exchange under this Act.
>
> 139c (1) Any stock exchange may be recognized by the commission in the manner provided in this section by filing a statement in such form as the commission may prescribe containing:
>
> (a) an agreement to comply and to enforce, so far as is within its powers, compliance by its members with this Act in any rule or regulation thereunder;

(b) Such data as to its organization, rules or procedure in memberships and such other information as the commission may by rules and regulations require as being necessary or appropriate in the public interest or for the protection of investors;

(c) copies of its constitution, articles of incorporation with all amendments thereto and of its existing bylaws, rules or instruments corresponding thereto whatever the name, which are hereinafter collectively referred to as the rules of the exchange, and

(d) an undertaking to furnish the commission copies of any future amendments to any of the documents mentioned in clause (c) forthwith upon their making.

(2) No stock exchange shall be recognized unless the rules of the exchange including provisions for the expulsion, suspension or disciplining of a member for conduct or proceedings inconsistent with just and equitable principles of trade, and declare that the wilful violation of any provision of this Act or any rule or regulation thereunder shall be considered conduct or proceeding inconsistent with just and equitable principles of trade.

(3) If it appears to the commission that the stock exchange applying for recognition is so organized as to be able to comply with this Act and the rules and regulations thereunder, and that the rules of the exchange are just and adequate to ensure fair dealing and to protect the investors, the commission shall recognize such exchange.

(4) Within 30 days after the filing of the application the commission shall make an order either granting or, after appropriate notice and opportunity for hearing, denying recognition, unless the applicant withdraws his application or consents to the commission's deferring action on his application for a stated longer period after the date of filing.

(5) The filing with the commission of an application for recognition shall be deemed to have taken place upon the receipt thereof.

(6) Amendments to an application to be made upon such terms as the commission may prescribe.

(7) A stock exchange may, upon appropriate application in accordance with the rules and regulations of the commission, upon such terms as the commission may deem necessary for the protection of investors, withdraw its recognition.

139d (1) No person shall directly or indirectly:

(a) for the purpose of creating a false or misleading appearance of active trading in any security listed on a stock exchange or a false or misleading appearance with respect to the market for any such security,

(1) effect any transaction in such security which involves no change in the beneficial ownership thereof or

(2) enter an order for the purchase of such security with the knowledge that an order of substantially the same size and substantially the same time and substantially the same price for the sale of any such security has been or will be entered by or for the same or different parties, or

(3) (a) enter any order for the sale of such securities with the knowledge that an order of substantially the same size at substantially the same price and at substantially the same time for the purchase of such security has been or will be entered by or for the same or different parties,

(b) effect a loan with, or with one or other persons, a series of transactions in any security listed on a stock exchange creating actual or apparent active trading in such security or raising or depressing the price of such security for the purpose of inducing the purchase or sale of such security by others,

(c) if a broker dealer or broker or other person selling or offering for sale or purchasing or offering to purchase the security induce the purchase or sale of any security listed on a stock exchange by the circulation or dissemination in the ordinary course of business of information to the effect that the price of any such security will or is likely to rise or fall because of market operations of any one or more persons conducted for the purpose of raising or depressing the prices of such security,

(d) if a broker dealer or broker or other persons selling or offering for sale or purchasing or offering to purchase the security to make regarding any security listed on the stock exchange for the purpose of inducing the purchase or sale of such security any statement which was at the time and in the light of the circumstances under it was made false or misleading

with respect to any material fact and which he knew or had reasonable grounds to believe was so false or misleading,

(e) for a consideration receive directly or indirectly from a broker dealer or broker or other persons selling or offering for sale or purchasing or offering to purchase the security induce the purchase or sale of any security listed on a stock exchange by the circulation or dissemination of information to the effect that the price of any such security will or is likely to rise or fall because of the market operations of any one or more persons conducting for the purpose of raising or depressing the price of such security or,

(f) effect a loan or with one or more other persons a series of transactions for the purchase or sale of any security listed on a stock exchange for the purpose of pegging, fixing or stabilizing the price of such security in contravention of such rules and regulations as the commission may prescribe as necessary or appropriate in the public interest or for the protection of its investors.

2. No person shall effect by use of any facility of a stock exchange in contravention of such rules and regulations as the commission may prescribe as necessary or appropriate in the public interest for the protection of investors,

(a) any transaction in connection with any security whereby any party to such transaction acquires put call straddle or other option or privilege of buying the security from or selling the security to another without being bound to do so,

(b) any transaction in connection with any security with relation to which he has directly or indirectly any interest in any such put call straddle option or privilege,

(c) any transaction in any security for the account of any person who he has reason to believe has and who actually has directly or indirectly any interest in any such put call straddle option or privilege in relation to such security.

3. No member of a stock exchange shall directly or indirectly endorse or guarantee the performance of any put call straddle option or privilege in relation to any security listed on a stock exchange in contravention of such rules and regulations as the commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

4. Any person who wilfully participates in any act or violation or transaction in violation of subsection 1, 2 or 3 is liable to any person who purchases or sells any security at a price which was affected by such act or transaction and the person so injured may sue in any court of competent jurisdiction to recover the damages sustained as the result of any such act or transaction and in any such suit the court may in its discretion require an undertaking for the payment of the costs of such suit and assess reasonable costs including reasonable solicitors' fees against either party litigant and every person who becomes liable to make any payment under this contract from any person who has joined in the original suit would have been liable to make the same payment and no action will be maintained to enforce any liability created under this section unless brought within one year after the discovery of the facts constituting the violation and within three years after such violation.

5. This section does not apply to an exempted security.

6. The terms put call straddle option or privilege as used in this section do not include any registered warrant right or convertible security.

139e. No person shall directly or indirectly by the use of any facility of a stock exchange: (a) effect a short sale or use or employ any stop loss order in connection with the purchase or sale of any security listed on the stock exchange in contravention of such rules and regulations as the commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, or (b) use or employ in connection with the purchase or sale of any security listed on the stock exchange or any security not so listed, any manipulative or deceptive device or contrivance in contravention of such rules and regulations as the commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

139f 1. The commission shall prescribe such rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors: (a) to regulate or prevent floor trading by members of stock exchanges directly or indirectly for their own account or for discretionary accounts and (b) to prevent such excessive trading on the exchange but off the floor by members directly or indirectly for their own account as the commission may deem detrimental to the maintenance of a fair and orderly market and no member

shall effect any transaction in the security in contravention of such rules and regulations, but such rules and regulations may make such exemptions for arbitrage transactions for transactions in exempt of securities and within the limitations of subsection 2 for transactions by odd lot dealers and specialists as the commission may deem necessary or appropriate in the public interest or for the protection of investors.

2. When not in contravention of such rules and regulations as the commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, the rules of a stock exchange may permit (a) a member to be an odd lot dealer and as such to buy and sell for his own account so far as may be reasonably necessary to carry on such odd lot transactions, or (b) a member to be a specialist.

3. If under the rules and regulations of the commission a specialist is permitted to act as a broker-dealer or is limited to acting as a broker-dealer, such rules and regulations shall restrict his dealings so far as practicable to those reasonably necessary to permit him to maintain a fair and orderly market, or to those necessary to permit him to act as an odd lot dealer if the rules of the exchange permit him to act as an odd lot dealer.

4. No specialist or official of a stock exchange shall disclose information in regard to orders placed with such specialist which is not available to all members of the exchange, to any person other than an official of the exchange, a representative of the commission or a specialist who may be acting for such specialist, but the commission may require disclosure to all members of the exchange of all orders placed with the specialist under such rules and regulations as the commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

5. No specialist acting as a broker shall effect on a stock exchange any transaction except upon a market or limited price order.

6. If, because of the limited volume of transactions effected on the stock exchange, it is in the opinion of the commission impracticable and not necessary or appropriate in the public interest or for the protection of investors to apply any of the foregoing provisions of this section or the rules and regulations thereunder, the commission may upon application of the exchange and on a showing that the rules of such exchange are otherwise adequate for the protection of investors, exempt such exchange and its members from any such provision or rules and regulations.

7. No member of a stock exchange who is both a broker-dealer and a broker and no person who both as a broker and a broker-dealer carries on a business in securities through the medium of a member or otherwise shall effect by the use of any facility of a stock exchange (a) any transaction in connection with which directly or indirectly extends or maintains or arranges for the extension or maintenance of credit to or for a customer on any security other than an exempted security which was a part of a new issue in the distribution of which he participated as a member of a selling syndicate or group within 30 days prior to such transaction, but credit shall not be deemed extended by reason of a bona fide delayed delivery of any such security against full payment of the entire purchase price thereof upon such delivery within 35 days after such purchase, or

(b) any transaction with respect to any security other than an exempted security, unless if the transaction is with a customer he discloses to such customer in writing at or before the completion of the transaction whether he is acting as a broker-dealer for his own account as a broker for such customer or as a broker for some other person.

8. The commission shall make a study of the feasibility and advisability of the complete segregation of the functions of broker and broker-dealer and report the result of its studies and its recommendations to the Minister.

139g 1. The commission may if in its opinion such action is necessary or appropriate for the protection of investors (a) after appropriate notice and opportunity for hearing by order suspend for a period not exceeding 12 months or withdraw the recognition of a stock exchange if the commission finds that such exchange has violated any provision of this Act or of the rules and regulations thereunder or has failed to enforce so far as is within its power compliance therewith by a member or by an issuer of a security listed thereon;

(b) after appropriate notice and opportunity for hearing by order deny or suspend the effective date, or suspend for a period not exceeding 12 months or withdraw the listing of a security if the com-

mission finds that the issuer of such security has failed to comply with any provision of this Act or the rules and regulations thereunder;

(c) after appropriate notice and opportunity for hearing by order suspend for a period not exceeding 12 months or expel from a stock exchange any member or officer thereof whom the commission finds has violated any provision of this Act or the rules and regulations thereunder or has effected any transaction for any other person who he has reason to believe is violating, in respect of such transaction, any provision of this Act or the rules and regulations thereunder;

(d) if in the opinion of the commission the public interest so requires, summarily suspend trading in any listed security on any stock exchange for a period not exceeding 10 days or summarily suspend all trading on any stock exchange for a period not exceeding 90 days.

2. The commission may, if after making an appropriate request in writing to a stock exchange that the exchange effect on its own behalf specific changes in its rules and practices and after appropriate notice and opportunity for a hearing the commission determines that the exchange has not made the changes so requested and that such changes are necessary or appropriate for the protection of investors or to ensure fair dealing in securities listed upon the exchange or to ensure fair administration of the exchange, by rules or regulations or by order alter or supplement the rules of the exchange insofar as necessary or appropriate to effect such changes in respect of such matters as

(a) safeguards in respect of the financial responsibilities of members and adequate provision against the evasion of financial responsibility through the use of corporate forms or special partnerships;

(b) the limitation or prohibition of the listing of, or trading in, any security within a specified period after the issuance of primary distribution thereof;

(c) the listing or striking from listing of any security;

(d) hours of trading;

(e) the manner, method and place of soliciting business;

(f) fictitious or numbered accounts;

(g) the time and method of making settlements, payments and deliveries and of closing accounts;

(h) the reporting of transactions on the exchange and upon tickers maintained by or with the consent of the exchange, including the method of reporting short sales, stop sales, sales of securities of issuers in default and sales involving other special circumstances;

(i) the fixing of reasonable rates of commission, interest, listing and other charges;

(j) minimum units of trading;

(k) odd lot purchases and sales;

(l) minimum deposits on margin accounts;

(m) similar matters.

3. The commission shall make a study and investigation of the internal organization and operation of stock exchanges and securities associations and report the results of its study and investigation together with its recommendations to the Minister.

Mr. Chairman, in moving that lengthy amendment to section 139 of the bill, you will readily see the extent and degree to which the commission should, if this government had seen fit to properly arrange for the regulation of the Toronto stock exchange, the extent to which that regulation would have taken place to ensure the protection of the public, to ensure the protection of investors and to make certain, without hesitation and without equivocation of any kind, that the Toronto stock exchange is subject to the overall supervision and direction of the commission. You will readily appreciate that such an amendment is a far cry from the simple provision which this government has seen fit to insert in this bill that a stock exchange must be recognized in writing by the commission and that the commission may make directions, orders, determinations or rulings.

Mr. Chairman, there is no indication by the government that it wishes to fulfil its responsibilities to the economy of the province of Ontario and, indeed, of Canada, by making certain that the Toronto stock exchange, which has operated for so long as this private organization with its own rules and with at least a minimum of concern for the needs of investors and the public, should be subject to the supervision, specifically and without equivocation, of the Ontario securities commission. It is for the purpose of elaborating on those very cursory and succinct statements in this bill that we have introduced this rather lengthy amendment, and I would ask the support of the committee for that amendment.

**Mr. MacDonald:** If the Attorney General is going to comment, I want to make one brief

observation. For some eight or nine years now we in this House have argued with growing intensity the problem of the relationship between the securities commission and the Toronto stock exchange. I recall distinctly that the kind of doubts and questionings that were going on in the business world finally found some formulation in a complete issue of *Saturday Night*. I believe it was back in the year 1958, which would be some eight years ago, that some very sharp criticism was made of the Toronto stock exchange, and more particularly of its relationship to the securities commission.

Mr. Chairman, the thing that strikes me as a layman as being almost incomprehensible is that it is our right as members of this Legislature to delegate authority of this Legislature to some agency of the government which is to exercise that authority. It is incomprehensible that we should tolerate a situation in which that body, having been granted delegated authority, should in effect delegate that authority on again to a body which is in effect a private club.

Now this accusation has been made many times down through the years. It might be possible to construe the amendment that the government has introduced here as placing some minor restrictions or prohibitions or disciplines on this private club, to be exercised by the commission, but in fact it still remains a private club. What my colleague has done is to spell out the kind of relationship, which I think is the only tolerable relationship, in which this stock exchange, or any other stock exchange, would be subject to the discipline and restrictions that the securities commission should exercise on our behalf.

I am not going to speak to the substance of the thing beyond that, Mr. Chairman. It is something we have been talking about for ever so long, and if there ever was an instance in which the government has laboured and brought forth a mouse, this is it.

**Mr. Trotter:** Mr. Chairman, before the Attorney General speaks on this: We have listened to an amendment that took 25 minutes to read, Now in principle we in this party agree that there should be stringent rules in the control of stock exchanges. In principle we would agree with what the member for Riverdale has said, but it is hardly fair for any of us to give any detailed commentary on what he has said, as it was so involved and involved so many regulations. I know if the government brought in a bill or an amendment of such length and we did not have an opportunity to study it in some detail we would all be complaining about what the government did. I am sure if we did the same thing we could be justifiably criticized.

I only regret that the member for Riverdale did not present this to the committee as a group when we had more time to study the whole change. But in listening to him and what he had to say, we do agree with what he is saying in principle. If we sat down and analyzed the entire statement there might be many things with which we disagree. But again I emphasize that, in principle only, we are supporting what he says because we know that for a great number of years there have been many criticisms levelled at our stock exchanges—and of course here in Ontario particularly the Toronto stock exchange—in that the investor is not getting a fair deal.

There have been too many instances in the past number of years where we think the average investor has not had a fair run for his money. Admittedly it is risk capital. Anyone who goes into the stock exchange should know there is always a danger of losing everything he invests. But at the same time there seem to be those who have more opportunity of making money than Mr. Average Investor.

If we are going to have confidence in our financial institutions, and believe me, Mr. Chairman, we are not going to have a strong economy unless we have confidence in our financial institutions, we are simply going to have to have stringent rules and to see that they are obeyed.

I realize this is what the member for Riverdale is trying to emphasize, and with that in mind we support his amendment.

**Hon. Mr. Wishart:** Mr. Chairman, the bill that we are discussing today was presented to this House and introduced on March 16 of this year, as I recall. It was, as I mentioned before, seven times at least before the committee on legal bills, and those were long studies lasting through the morning in each case. I think the hon. member for Riverdale did say when we came to this section 139 that he was not offering any amendment at the time but that he would have something to say on a later occasion in the House.

Now as it has been pointed out, it has taken 25 minutes to read an amendment which none of us here have ever heard, at least none of us on this side of the House have ever heard, before. Since March 16 he has had this in mind. Had I been presenting anything of this nature on behalf of the

government I think hon. members would have expected the courtesy of the submission of a copy at least some little time in advance. It is quite patent and quite apparent that nobody could even listen to the reading of that long an amendment and make any sense out of it.

Maybe there is a lot of sense in it, and perhaps if one studied it one might find something in it, but so far, sitting here today and listening to it, all it amounts to, as I am sure any hon. member in this House would say, is a lot of words.

It may make some sense, but there is a further consideration. Surely on such a comprehensive document as the hon. member has read, he cannot be serious that it should be accepted today, because anyone who knows anything about drafting legislation and the effect of one amendment in a bill such as this Securities Act, knows that an amendment of that kind would affect probably a dozen or perhaps three dozen other sections in this bill, which runs to some 149 or 150 sections. There is no possibility of knowing how to even consider that amendment at this time in the committee of the whole without restudying the whole Act and assessing its effect upon the other sections of the Act. Even if one were to concede that the amendment might have merit, it is impossible to weigh it or evaluate it at all.

If we had had it in committee, or even since the committee rose, we might have been able to talk intelligently about it; but all one can say at the moment is that it makes no intelligence. When one reads for 25 minutes very erudite legal language it is very hard for anyone to follow on such an occasion as this.

It is interesting to note, Mr. Chairman, that there were presented to The Department of the Attorney General and before the committee ten submissions made with respect to this bill, and all of the organizations making those submissions appeared almost on every occasion on which the committee met.

Those organizations were: The Canadian manufacturers association, the investment dealers association, the institute of chartered accountants, the board of trade of Metropolitan Toronto, the Canadian bar association, the Canadian mutual funds association, the broker dealers association, the prospectors and developers association, the Toronto stock exchange and the Toronto society of financial analysts. With one exception, not one of those ten briefs contained any reference or any comment on this particular section.

**Mr. MacDonald:** Is that surprising to you?

**Hon. Mr. Wishart:** No, I would not say that. I had the briefs extracted, along with the comments made with respect to each section. I submit to the House that many sections were commented on by many of those organizations and all of their comments were considered. With respect to this section 139 and I have read the names of those very responsible people who studied it, there was only one comment and that was with respect to subsection 2d. That was made by the Canadian manufacturers association and all that comment amounted to was that by the language of d, perhaps what the commission was attempting to do with companies which had to subscribe to its rules and to have their securities registered was something that might be ultra vires, that perhaps the province could not do directly what this agency, this securities commission could do by regulating it. That was the only comment on this whole section.

So I think this whole section is very significant in that those most responsible organizations, made up of the most capable and responsible people, had no comment whatever on this section.

The hon. member for York South said that this is a "delegation." He says: "Why should you be delegating?" There is nothing in section 139 that has reference to delegation. It is true that we have a stock exchange operating in this province and what this section does is to lay down rules to govern —

**Mr. MacDonald:** On a point of order, Mr. Chairman. I did not say that this was a delegation. I said — and I could quote the comment of the late chairman of the securities commission — that many of the powers that were being exercised by the Toronto stock exchange were powers that in effect were powers granted to the securities commission by this Legislature and they did not feel that they should exercise them in a duplicating fashion; that the stock exchange could look after its own business, so to speak.

**Hon. Mr. Wishart:** I thank the hon. member for the correction. I apparently did not understand him when he made the remark, but I think it is fair to comment that we have

a stock exchange which carries on the very important business of a market place for the sale and exchange of securities. Granted, it has not been ruled or governed as properly or as strictly as it should have been under past legislation. Section 139 lays down rules by which it will be governed and by which it will be controlled and if I may direct the attention of hon. members to the language of 139, they will see that the language is very wide;

(2) The commission may make any direction, order, determination or ruling:

(a) with respect to the manner in which any stock exchange in Ontario carries on business;

So that is pretty wide language. I continue:

(b) with respect to any bylaw, ruling, instruction or regulation of any such stock exchange;

(c) with respect to trading on or through the facilities of any such stock exchange or with respect to any security listed and posted for trading on any such stock exchange; or

(d) to ensure that companies whose securities are listed and posted for trading on any such stock exchange comply with this Act and the regulations.

Now certainly this is not delegation, whatever may have existed before. This section provides rules by which the Ontario securities commission may govern in the widest and in the very narrowest manner the operations of the Toronto stock exchange and any company whose securities are listed and traded thereon.

The very procedures of the exchange, its bylaws and its regulations, the securities commission may insist on their being formulated as it sees fit and the stock exchange must comply.

I think it is significant that those people who are knowledgeable, responsible, and if I may use the word sophisticated, in the financial world have looked at this section and certainly have not criticized it, except one who said that we were going too far, because we were going to do things which were perhaps out of our authority or ultra vires of this province. That is the only criticism that we have had.

I submit that it is good, and I certainly cannot follow the 25-minute address which we received by way of amendment. Perhaps that may go on record as something that may be useful for study, but that is the only comment that I can possibly make on it, having received it in the manner in which we did receive it today.

**Mr. Chairman:** Those in favour of the amendment—

**Mr. Renwick:** Mr. Chairman, just before you put the amendment which I proposed, I would point out to the Attorney General, as he obviously knows, that the government had decided that it was not going to take unto itself through the Ontario securities commission the right to supervise or to regulate the Toronto stock exchange. Therefore it deliberately eliminated from the bill any provision that did not insert in the bill any provision for a supervisory and regulatory function of the securities commission over the Toronto stock exchange.

The Attorney General knows full well that the intrusion in the bill of the words "direction," "order," "determination" or "ruling" does not give it the power to supervise in a general way and to regulate the Toronto stock exchange.

Mr. Chairman, the government, having made up its mind on that part of the bill, we did not see fit to take up the time of the committee on this matter. We saw fit during this particular committee of the whole House to put our amendment on the record so that the House would understand the degree and extent of the supervision and regulation which the Ontario securities commission should have over the Toronto stock exchange, and to forcibly point out that despite all the history of the Toronto stock exchange, this government is content to permit it to perpetuate its self-government subject only to this miscellaneous right on occasion to give directions, orders, determinations or rulings.

This was the reason. If we had thought for one single moment that the actual language of the amendment would have been studied with a view to implementing it, we naturally would have made it available. It is now available and next year, who knows, perhaps the Attorney General will see fit to amend the bill.

**Mr. E. W. Sopha** (Sudbury): Perhaps I may be permitted to add a word.

In the debate on the second reading of the bill, both my colleague, the member for Downsview, and I made it abundantly clear that this party was far from satisfied with this section so far as it purported to make changes in the securities legislation in respect of the Toronto stock exchange. In the former Act, indeed, I think there were only two sections of the bill that in any way related to the

stock exchanges at all. One was the requirement that all stock exchanges operating in Ontario shall be licensed by the commission, and the other was an equally innocuous section which required an annual audited financial statement of the operations of the stock exchanges.

On reading the legislation carefully, it goes little further in the way of control of what has become and what in fact is operated in this province as a very sophisticated and well heeled private club.

I thought myself, and a scrutiny of the report will reveal to even the most obtuse that Mr. Justice Kelly was indeed charitable to certain officials, high officials, of the Toronto stock exchange in the Windfall matter and indeed it would not have stretched credulity a great deal had some of the officials of the stock exchange been charged in the courts. I think a good prima facie case could have been made out for hauling them before the bar of justice with one of the Queen's writs. However, one looks with alarm at recent history of the Ontario securities commission in the courts, and one indeed begins to wonder if they ever win a case, they have such a series of defeats behind them. But I am sure it is not the fault of the very able counsel from the Attorney General's department.

However, they pick and choose who they would charge. The latest individual to escape the snare of justice in that grand debacle is Angus, who recently escaped at Timmins, although I am told that the Crown is going to appeal that case. One is reminded of the comment of the late George Walsh, when he appeared before Chief Justice Robertson, who bespake to him by saying, "Do you appeal all your cases, Mr. Walsh?" and he said, "No, just the ones I lose." Well, the same goes for the securities commission, they lose them one after another and apparently they appeal them all. One can wish them success in the higher appellant tribunals, more success than they have had in the inferior ones.

Second, it ought to be interpolated somewhere in the interstice here, to be fair, and we try to be fair and reasonable men, and it ought to be pointed out to the other members of the House that in the 21 or 24 or 27 hours, I forget which it was because I was not there for one group of three hours that we took in discussing the bill in the legal and labour bills committee, that the Attorney General was immensely fair and reasonable. I think that ought to be said. And he accepted many amendments from the Opposition members.

Now, history will never record that—that he did, except in the minds of those who were there, because I watch the press of the province and for that many I will not be telling any secrets because there are not many up in the junior Valhalla right now, but the press showed a monumental disinterest in the affairs of that committee. Not that the incumbents of the chairs up here were disinterested in that they stayed away, they manfully came to each meeting and they appeared to scribble furiously during the proceedings, but the downtown editors did not reiterate what they said in their famous prose, that they sent down over the telephone or by messenger.

The fact remains that it ought to be said by anyone who wants to be fair about such things that many amendments to the bill were offered by the Attorney General himself and his officials to the committee, several amendments were accepted by the Attorney General. I might say in that regard that often the political head of the department was more willing to accept amendments than the paid civil service was willing to accept them. Indeed it ought to be put on the record that many people who came with briefs were representing very respectable organizations—and I might say in that regard that sometimes when the committee went on to 1 o'clock, I think the National club and the York club must have lost some business at lunch because they were all down here. No doubt the head of the house used to complain that the noontime revenue was going down, but they were listened to with great interest throughout and had every opportunity to be heard and to present their briefs.

I might say that some of their suggestions —well, I just refer to the one about the powers of investment in bonds, we changed the figure for a representative from the commercial law section of the Canadian bar association. The rest of the Canadian bar association brief did not get the same favourable treatment and I think people ought to be informed that they were rather late in presenting their brief. Other groups had their briefs in for perhaps a month or two before, but the Canadian bar association were late in presenting their official brief.

But I come back to where I began and I say this section as it stands cannot satisfy us. The day of the Toronto stock exchange is ending in this province. It is the going down of the sun in regard to that organization, and it cannot withstand for long the valid public criticism that has been directed toward it. It

exists in my mind, in the mind of people who think about it, for one reason only, and that is to raise money for investment in our basic industries, that is its raison d'etre, that is the rational basis for it and that alone.

I said to the Kimber committee—the stock exchange left a spy behind to watch what I was going to say, they were there presenting their brief ahead of me, they left the vice-president behind to see what Sopha would say this day—I said to the Kimber committee: "I am not interested in herds of Aberdeen Angus cattle on fat and lush farmland of brokers on Bay street, I am not interested in fast racehorses that some of them march to the track; that franchise is not given to them to wax wealthy, it is given for one reason only and that is to raise investment capital, principally in our mining industry and for that alone."

Mr. Justice Kelly exposed them and exposed the weaknesses of their organization, exposed the mathematical gymnastics that they go through. Had they had the public interest in their heart, they would have stopped the trading of Windfall Oils long before they did. But, nay, Mr. Justice Kelly showed that some of the board of governors of the Toronto stock exchange had an interest in the underwriting of that company. Time after time after time they demonstrated conflict of interest within the workings of that private club.

I read the Posluns case with grief and sorrow in my heart, and I say among this, the body of lawmakers, that I will always believe they took the action they did against Posluns because he was a Jew and they do not want any of the sons of Jacob or Abraham among them.

**Mr. Chairman:** Would the member get back to the amendement, please?

**Mr. Sopha:** I am talking about the Toronto stock exchange, which deals with section 139—an attempt to control. Oh yes, they window-dress. They allow a Jewish firm to have a seat on the Toronto stock exchange. Window-dressing. I have come from the north and have seen the decline of the mining town before my very eyes. I know that for half a century that private club down there has been peopled by individuals, I do not know how many, influential individuals, who have been far more interested in mining the public than they have in mining the ground in northern Ontario.

And, of course, my final comment, I also know in my heart that they are the very marrow of the establishment. That is the establishment—from one end of Bay street to the other, or at least as far as Queen street—that is the establishment and the establishment exercises profound influence on this government. Their voice is listened to; I dare say, in respect of this government it is listened to with a great deal more respect than the—

**Mr. MacDonald:** No more than Mitchell Sharp does!

**Mr. Sopha:** Well all right. He will have to fight his own battles elsewhere. I am only dealing with the things, I say to my friend from York South, that concern this Legislature. I am for Martin, myself—will you mark that down? And after him Hellyer. Sharp will have to recruit his supporters where he can and may. I hope you will not tell that.

**Mr. Chairman:** Section 139, please.

**Mr. Sopha:** Well that was a delightful digression.

**Mr. Chairman:** Section 139.

**Mr. Sopha:** Did you ask me, Mr. Chairman, who after Hellyer?

**Mr. Chairman:** Was there someone?

**Mr. Sopha:** I think I will vote for myself after that.

I have made my point and I can see the Attorney General's mind is made up about this. He is unwilling to take further steps, but I might comment that in regard to the stock exchange we gained what I conceive to be a major victory in the committee, that we might reveal to the Prime Minister—he was not there—that the Attorney General accepted the principle that all prospectuses, or if you like prospecti, filed with the Toronto stock exchange must now be filed with the securities commission. I said to the chairman, does that mean that a stock exchange desk will be opened at the commission, and the member for St. George quipped. He said no, it means a commission desk will be opened at the exchange.

**Mr. Chairman:** Those in favour of Mr. Renwick's amendment to section 139, will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Call in the members, please.

Is the same vote as the last time acceptable to the hon. members?

The amendment to section 139 is defeated. I declare section 139 carried.

Section 139 agreed to.

Sections 140 to 147, inclusive, agreed to.

On section 148:

**Mr. Sopha:** We expect, if we may, that this Act will be proclaimed?

**Hon. Mr. Wishart:** Mr. Chairman, it says a a day to be named. One would hardly expect me to know the date, on this day.

Sections 148 and 149 agreed to.

Bill 66 reported.

## THE REPRESENTATION ACT, 1966

House in committee on Bill 92, The Representation Act, 1966.

On section 1:

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, on section 1, would that come under the schedule at all, the boundaries, or should we deal with this under section 1?

**Hon. J. P. Robarts** (Prime Minister): Mr. Chairman, I think there have been some changes made in the boundaries in the easterly and southwesterly limits of the city of Windsor prior to its recent annexation where imaginary lines meet. This bill, I might say, is the reprint, and there have been some changes made in the descriptions, which are not changes in the areas within the boundaries but they are technical changes in the descriptions of the boundaries.

Now, if the hon. member is speaking about Windsor, the easterly and southwesterly limits of the city of Windsor prior to its recent annexation were imaginary lines. The boundaries of the electoral districts have therefore been moved a few yards to the nearest street lines so that they would correspond with streets.

While I am on my feet, I would say also the boundary between the village of Forest Hill and the city of Toronto is an imaginary line which will, of course, disappear when Forest Hill becomes part of the city of Toronto.

For this reason in this bill in the amended description, the boundary between the electoral district of York, Forest Hill and the city of Toronto electoral districts abutting that portion of it, consisting of the village, have been moved to the nearest street line, namely Hillhurst boulevard, Avenue road, Chaplin crescent, Oriole parkway, Lonsdale road, and Spadina road. I am informed these changes make no difference other than in a purely technical sense.

**Mr. Newman:** Mr. Chairman, if I may reply to the Prime Minister, the change in the west boundary using Westminister boulevard is a substantial change, because prior to this—

**Hon. Mr. Robarts:** What riding is this?

**Mr. Newman:** That is the Windsor-Walkerville riding. There is an area of undeveloped property between the town of Windsor and the addition to Windsor, which in one portion of this riding was Sandwich East and another portion was the town of Riverside. Now, by adding Westminster boulevard, what you have done is you have taken one-half of the street, because this goes down the centre of the street, and you have isolated it from the previous area. People that would vote would have to cross over into the former Windsor area—this is all Windsor under annexation—the former Windsor area, there are not many crossroads in the area and it would be a real disadvantage to the voter coming from the Westminster side of the road. He would be, in some instances, inconvenienced to the extent of maybe one mile of travel. Had the boundary been left where it had been originally intended on the eastern extremity of the Windsor-Walkerville area, it would have been to the ease and the betterment of the individuals on Westminster boulevard. They could have voted a lot easier going to the eastern end of town, rather than having to cross over four or five blocks and trying to find a crossroad and trying to find a polling station.

That is the one area that I find a change could have been made.

**Mr. Chairman:** I wonder would the member mind deferring his remarks until we deal with the schedule itself?

**Mr. Newman:** I have only a few more remarks and then I could complete my comments on this.

**Mr. Chairman:** There may be some other remarks regarding the schedule.

**Mr. Newman:** All right.

**Mr. MacDonald:** Mr. Chairman, may I ask the Prime Minister, do his comments with

regard to technical tidying up in a case like the boundary between Forest Hill and the city, when Forest Hill has disappeared, also apply to other circumstances, such as, for example, Weston, where Weston is now disappearing?

**Hon. Mr. Robarts:** Well, I would have to put it this way: The changes I am referring to are changes in the bill as it was originally introduced on first reading.

In other words, when it was introduced on first reading, there were certain matters brought to my attention which I referred to the commission on the understanding that we were not going to—I mean there are many things in this bill which many people like and dislike. Once you start changing one, there are a whole series of them that would automatically follow. And it is the feeling of the government that, having this done by an independent commission, whether it suits or whether it does not, it has to be accepted—

**Mr. MacDonald:** We are not arguing that—

**Hon. Mr. Robarts:** It has to have finality. Against that background, when the bill was introduced there were some changes, some difficulties in the descriptions as a result, for instance, of annexation, and the question about Windsor. These were brought to the attention of the commission and there were some changes made in the descriptions. Now, these do not affect the riding as such, they affect only the descriptions of them. Excuse me, I will have to ask whether there is anything about Weston involved—

**Mr. MacDonald:** I am sorry, Mr. Chairman, I was not looking at the reprinted bill. The reprinted bill does make the necessary changes.

**Hon. Mr. Robarts:** It is in line with what will happen now that the Metro bill has finally passed this House. Now, that is the type of change made since first reading.

**Mr. MacDonald:** If I could strike my query from the record, I would.

**Mr. J. P. Spence** (Kent East): Mr. Chairman, may I ask the Prime Minister? I would like to discuss the name of the electoral district of Kent. Would it be under clause 1 or clause—?

**Mr. Chairman:** This will be described in the schedule. We will put the schedule to the House for discussion.

Sections 1 to 11, inclusive, agreed to.

On the schedule:

**Mr. Newman:** Mr. Chairman, in talking on the schedule, the change that had been made by putting the dividing line between Windsor-Walkerville and the riding of Sandwich-Riverside, were it left as it had been before would have been better than the new change because it incorporates one-half of a street. Now, had the dividing line been to the west of Westminister boulevard or behind the homes on Westminister boulevard, there would have been a clear break at that point.

Referring to the division between Windsor West and Windsor-Walkerville there is a jagged line, there is a natural break in there following McDougall avenue straight ahead. This would eliminate all confusion to the electors living in the two pockets that have been created as a result of the jagged line. So the bounds should have started on the western extremity of Windsor-Walkerville with McDougall avenue from the river straight to the C.P.R. tracks and on the eastern boundary they should have been left the same as they had been originally designated.

**Hon. Mr. Robarts:** Mr. Chairman, I am informed that the submission the member is making now has not been made to the commission. This bill was referred to a committee before. I gathered that the member's objection really is that as it was in the first place it was probably more convenient to the people living there than it presently is. I can only repeat what I said before, I am quite certain that practically any one of us whose riding has been affected by this can find some changes which would make it more convenient.

The commission was given certain terms of reference and came to certain conclusions. Their second report, in fact, was sent to the committee on privileges and elections where these representations were made, and it is my own opinion and the opinion of the government that difficult as these things may be—and I am quite certain there are some difficulties in every riding that has been changed—if we are to have finality, we have to simply accept what was done by the commission with the various processes that I have pointed out where various representations were made both by the public and by any members who had opinions. While it may be that in individual spots it could be more convenient if something different were done than is done, we really have to live with it sooner or later.

**Mr. Newman:** Mr. Chairman, if I may continue. I have no qualms at all with the jagged line, I will run the election on any division set up between the two ridings. The thing I

look at solely is the convenience of the electorate. To me, by using straight lines on the west boundary and east boundary of the riding, would have simply made it that much more easy for the individual when it comes to voting.

I discussed the extreme west boundary of my riding with the hon. member for Windsor-Sandwich. We had agreed to McDougall being the dividing line and I would not have broached this at all except that when the bill had been reprinted I had noticed the east boundary was changed to the centre of Westminster boulevard, which seemed to me to be an odd place to put the dividing line, where if it was behind the properties it would have been a natural break.

**Mr. Spence:** Mr. Chairman, I certainly have no objection to the new boundary lines drawn up by the commission for the electoral district of Kent. I must say it adds a very fine area to it, but I have a small grievance or small objection. That is the name that has been given to this electoral district of Kent, as our neighbouring electoral districts have two counties or city and county which has been given names like Chatham-Kent electoral district, also Essex-Kent, and the electoral district of Kent is made up of two counties, part of Elgin and part of Kent. Now these people in the riding of the electoral district of Kent—there are 8,260 citizens of the county of Elgin in this riding—when they saw other adjoining districts with the two names, they brought it to my attention many times. It is unusual that this riding of the electoral district of Kent could not be given the name of Kent-Elgin. These people of Elgin are very proud of their county, they are very fine people, and of course this county produced a premier for this province. I would like to bring this to the attention of the committee. If there is any way that they can remedy this, I know the people of Elgin will certainly appreciate it and I would certainly appreciate it also.

**Mr. G. Bukator** (Niagara Falls): Mr. Chairman, the Prime Minister has said we have to draw the line somewhere, but I would like to draw to the attention of the House that the new riding that will be called Welland South consists of Bertie township, the town of Fort Erie—on page 19—you have the electoral district of Welland, which is quite good because that is where the county seat is, and you have the riding that I represent, Niagara Falls, which in my opinion is properly named, but in the opinion of many of the citizens of that new riding called Welland South that borders along Lake Erie, Bertie township along the Niagara river to Fort Erie, Erie Beach, Crystal Beach and up to the hon. Provincial Treasurer's riding, I believe, but all along Lake Erie, with Fort Erie being a very historic name, I would like to have seen that called Erie rather than Welland South. I think it would signify something more than it does in its present form.

But I understand the Prime Minister's comments, Mr. Chairman, that if you change one, there are many little things that perhaps should be changed and eventually will be. If it was possible, in perhaps another year, that it could be changed, that would sound much better to the people of the area because it would have a historic touch to it and Welland South does not indicate anything really.

**Mr. Chairman:** Shall the schedule form part of the bill?

**Mr. Bryden:** Mr. Chairman, I would like to revert to the point raised by the hon. member for Windsor-Walkerville. I am not quite sure what is involved here but if it is what is seems to be from what I have heard so far, he has a point. If we can review the history of this thing, there was an original draft bill that the commission brought in and this was referred back to the commission to reconsider in the light of any representation it might hear. It brought in at this session a new recommendation which became a bill presented to this House. Then subsequently without any further action from this House, that bill was adjusted in technical terms and reprinted.

What I would like to know is: did the change that the member for Windsor-Walkerville is talking about occur between stage 1 and stage 2 or was that one of these technical changes that occurred between the bill as it first came into this House and the reprinting of it? I understand that it was in the second category. In other words, it was one of those technical changes. It was not really a basic part of the commission's work. The basic finding of the commission as it was presented to this House early in the session was, as I take it, satisfactory to the member for Windsor-Walkerville.

The commission made certain technical changes which it thought would result in greater clarity and convenience to the people concerned. There have been a number made around the Toronto area and they sound reasonable to me. They were of a purely technical character. However, I would

judge from what the member for Windsor-Walkerville has said that the technical change made in the case of his riding will likely have the exact opposite effect — instead of making for greater clarity and convenience, it will make for confusion.

Since it was only a technical change in any case, and since the matter has now been brought to the attention of the House, either it should be changed back to the way it was in the bill originally presented in this session or at the very least the matter should stand for a day. This one section of the schedule only should stand for a day so that the member for Windsor-Walkerville can talk it over with the Clerk of the House who, of course, is one of the members of the commission.

I would hate to think that a technical change was made with a view to making for greater clarity and convenience if, in fact, it will have the exact opposite effect. It seems to me that the representation that the member for Windsor-Walkerville has put before the House is in a totally different category from the kind that we have all agreed should not be made. We have all agreed that we do not want to change the commission's basic work whether we like it or not. But he is not suggesting that the basic work be changed, he is just making a suggestion on what everyone agrees is a purely technical matter. I am inclined to believe that the man who lives in the area and knows the street is in a very good position to understand the effect of a technical change.

**Hon. Mr. Robarts:** Mr. Chairman, as I understand it, I think that this technical change came about for the same reason that the change did in the Forest Hill matter, that is, the original description referred to the boundaries of the city of Windsor. The city of Windsor then had an annexation which altered the boundaries of the city. We then had in the description of this riding, reference to an imaginary line, because that boundary in the city of Windsor had ceased to exist as a boundary. Therefore it just passed out of the picture and what the commission then did was to look to see, this line having disappeared, where was the nearest definable line, where was the nearest spot to the original line which was the boundary of the city, where was the nearest completely identifiable boundary which could be picked, and this turned out to be the street referred to as Westminster.

If I am wrong in my facts I am quite certain that the hon. member will correct me, but I think that I am right. I have no objection to leaving this over for a day but I think it is perfectly clear what happened; I do not think that there is any doubt about it at all.

**An hon. member:** Does the dividing line run down the centre of the street?

**Hon. Mr. Robarts:** In any municipality the identifiable lines are streets. It is all very well to say it would make for more convenience to run it down behind houses. This might be true of any one of a number of circumstances, but how do you identify a line running behind a series of houses? You have to bring your boundary to a line that is definable and this, of course, is a street, and when you get to a street, it is the centre line of the street that is the definable boundary.

Undoubtedly, this will cause all kinds of difficulty. Those of us who have been in municipal politics know the difficulty that this causes when you have a township on one side of the street and a city on the other side of the same street and one municipality proposes to maintain a road and the other one does not, and these are difficulties that occur. But I do not see that there is any misunderstanding in this particular instance.

I understand the point made by the hon. member, that it might be more convenient if we were able to find a line down behind these houses so that everybody on the same street would vote in the same riding. This would be true, in fact, in every riding of the province where there is a riding boundary which goes down the centre of a street.

I presume that it is true in my riding. I have added a certain amount of territory to my own riding that is described by streets, and down the middle of the street. One half is going to be in one riding and the other half in another. We recognize these difficulties but I do not think that there is very much one can do about it.

**Mr. Newman:** Mr. Chairman, if I may speak once again on this. The fact that the dividing line goes down the centre of Westminster boulevard means that all of the people on one side belong to the Windsor-Walkerville riding and the others to the Sandwich-Riverside riding.

**Hon. Mr. Robarts:** What is wrong with that?

**Mr. Newman:** This is quite all right; the only thing is that immediately behind these

people on Westminster boulevard in the Windsor-Walkerville riding is a large tract of undeveloped land. This is the whole point: These people would have to have a poll approximately a mile and a half long and all on the one side of the street. That is all, and for their sake, not for mine, it will make the poll about a mile and a half long and only on one side of the street because there are no properties behind them that are developed. It would have been better if you had taken this dividing line immediately behind the properties on Westminster boulevard so that both sides of the street would be in the Riverside-Sandwich riding for convenience sake.

**Hon. Mr. Robarts:** How would you define where you want to put that boundary?

**Mr. Newman:** I would have left the boundary as the boundary of the old town of Windsor, as it had been originally designated. I would not have changed it at all.

**Hon. Mr. Robarts:** But that disappeared. With annexation that line ceased to exist. This was the reason for the change.

**Mr. Newman:** But there is still some designated area there, though. There is a definition of the area.

I do not want this for myself; I want it only for the convenience of the voters. To ask the individuals to travel maybe a mile and a half or even three-quarters of a mile to vote would certainly be defeating the purpose of asking people to take a greater interest in provincial affairs, by not making it as convenient as it possibly could be for them.

**Hon. Mr. Robarts:** The only thing I do not want to get into and I do not think that we can afford to get into, frankly, is, that if we start changing this boundary, every member here will come forward with some change in his riding that is going to be more convenient. This is the whole problem. It may be that we can find a change here. I do not think you can refer to a line that formerly was the boundary of the city of Windsor. However, perhaps there is a change that could be made but I would like this committee—and I do not consider this necessarily to be a government matter, I think it is a matter for the whole Legislature when we start dealing with redistribution—to consider what the effect will be if we are to get into—

**Mr. Bryden:** But is this not different?

**Hon. Mr. Robarts:** I do not know. I am quite prepared to refer this back. I am just suggesting that this not be the prelude to a rash of proposed changes from some 80- or 90-odd ridings—

**Mr. MacDonald:** Can it not be designated as the border of the old city of Windsor, as of such a date?

**Mr. Bryden:** Use the description that was used for that.

**Hon. Mr. Robarts:** This may be possible. Standing on my feet here in this House this afternoon I could not tell you whether this is possible or not. I would be quite prepared to leave the balance of the bill with the exception of this one description, if this is agreeable to the House.

This is not a government decision, in my opinion. It is something that should be decided by this Legislature because it affects every single member here, and if this is agreeable to the House I would be quite happy if this bill were to be reported all except this one description, this one riding. Then I would ask the hon. member and perhaps the Clerk of the House to get together to see if they can find an alteration which will be satisfactory.

**Mr. Chairman:** Would that be agreeable to the member?

**Mr. Newman:** Mr. Chairman, I would never have brought this up had the change not been put in the reprinted bill. The old boundary was good enough.

**Mr. Chairman:** Shall the schedule pass with the exception of the lines pertaining to the east boundary of Windsor-Walkerville?

Schedule agreed to, with the exception of the line pertaining to the east boundary of Windsor-Walkerville.

Bill 92 otherwise reported.

## THE COUNTY JUDGES ACT

House in committee on Bill 184, An Act to amend The County Judges Act.

Bill 184 reported.

## THE PUBLIC SERVICE SUPERANNUATION ACT

House in committee on Bill 185, An Act to amend The Public Service Superannuation Act.

Sections 1 to 24, inclusive, agreed to.

Bill 185 reported.

## THE TEACHERS' SUPERANNUATION ACT

House in committee on Bill 186, An Act to amend The Teachers' Superannuation Act.

Sections 1 to 33, inclusive, agreed to.

Bill 186 reported.

## RELOCATION OF MULHOLLAND CAIRN

House in committee on Bill 187, An Act to provide for the relocation of the Mulholland cairn.

Bill 187 reported.

## THE ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 1961-1962

House in committee on Bill 188, An Act to amend The Ontario Municipal Employees Retirement System Act, 1961-1962.

Bill 188 reported.

Hon. Mr. Rowntree moves that the committee rise and report a certain resolution and certain bills without amendment and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report a certain resolution and certain bills without amendment and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The 1st order; resuming the debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into the committee on ways and means.

## ON THE BUDGET

**Mr. J. Renwick** (Riverdale): Mr. Speaker, I want to deal briefly with a matter which is of immediate concern to me; and then at some length with a further matter, the question of injunctions in labour disputes.

The first matter I would like to deal with is an incident which occurred in my riding of Riverdale, to a constituent of mine, in the last several days.

On Thursday, June 23 of this year, a constituent of mine was working in the garden at the rear of his home and he came around to the front to do some work on the front lawn when he saw that there were two men on the verandah of his home. He naturally asked who they were and he was informed that they were members of the Royal Canadian mounted police. He went onto the verandah to discuss with them why they were there and what they were doing and what authority they had to be there when a third member of the trio appeared.

He had entered the house and he came out of the house and they then intimated that they were going to search the house—made it very clear to him that he had no alternative but to submit to his home being entered and searched.

He went into the kitchen of his home with the three Royal Canadian mounted police constables and while he stayed in the kitchen—one of the members of the trio stayed with him—the other two then proceeded to search his home.

The search was made with great thoroughness and in great detail. No charge was laid. The three police officers then left his home.

Needless to say, my constituent and his wife were very much upset, as the husband is a Canadian citizen of Greek origin, in this country for about 12 years, and his wife is not yet a Canadian citizen even though they have been in the country this length of time. They are not all that familiar with the procedures that are followed in Canada and the police to them, particularly the Royal Canadian mounted police, have a significance which they probably do not have for us.

In any event on Monday, June 27, he received a call from the Royal Canadian mounted police requesting, or suggesting, or in his opinion leaving it in no uncertain terms that he was to comply with their request, to appear at the Royal Canadian mounted police headquarters on Sullivan street in Toronto the next morning at 8.30. He pleaded that he would miss a day's work and indeed might lose his job if he did not have an opportunity to advise his foreman that he would be away for a day. It was then agreed that if he would appear at the Royal Canadian mounted police headquarters on Wednesday, June 29, this would be satisfactory.

In the meantime another constituent of mine was in touch with me about this particular man's case and I went and spoke with

him about it, and agreed to go to the mounted police headquarters on the morning of last Wednesday with him. I am satisfied, Mr. Speaker, that the man has had no record of any kind either for infractions of any law in which the Royal Canadian mounted police might be interested, or in any other breach since the time of his arrival in Canada.

On Wednesday morning at 8.30 I went to the Royal Canadian mounted police headquarters. I had asked this constituent of mine to remain outside until I arrived and he was waiting on the street when I arrived. In the few minutes between the time he arrived and I arrived a constable of the Royal Canadian mounted police had come out and served him with a summons to appear in court for an alleged breach of the provision of The Excise Act of Canada. I will not deal with that aspect of the matter because, of course, it is before the courts and will be dealt with in due course.

I then accompanied him into the Royal Canadian mounted police headquarters and spoke with the constable who was one of the trio who had been at his home, and who was the constable who telephoned him requesting him to come to the Royal Canadian mounted police headquarters. I asked the constable why this constituent of mine was requested to attend at the Royal Canadian mounted police headquarters, and I was advised, much to my shock and horror, that he had been requested to come down so that he could be photographed and fingerprinted. The constable then quickly made it apparent to me, indeed he told me, that this was purely voluntary on the part of my constituent.

I said to him that if it was purely voluntary that he appear to be photographed and fingerprinted, he was not going to be photographed and fingerprinted, and he was going to leave immediately, which he did do and go to work.

I then asked to see the document under the authority of which his home had been entered on the previous Thursday evening, because I was curious and I am not all that versed in the provisions of The Excise Tax Act. I was interested to know under what authority three members of the Royal Canadian mounted police did enter his home that evening and conduct the search to which I have referred.

After some discussion I was shown the order and to my surprise the date of the order, and it is an open order, was March 18, 1963. It was a writ of assistance served out of the Exchequer Court of Canada to one Luciano Nave who was one of the three officers who made the search of the house. There was no indication on it that it had ever been updated. It was not directed to any specific premises at all. It was an open warrant, a writ of assistance under The Excise Tax Act which has been in force for over three years, which permits a member of the Royal Canadian mounted police to go into any building or other place for the purpose of making a search that he wishes to make. That is sufficient authority for him to do so.

Now I say, Mr. Speaker, I am not versed in that particular branch of criminal law. Indeed, I am not versed in criminal law, but I was shocked and concerned to find that the Royal Canadian mounted police were able under an open warrant, an open writ of assistance under that Act with no limitations on its authority at all, to appear apparently at anyone's home and to enter and to make such search as they wished to make for any of the multitudinous purposes which are under The Excise Tax Act. You will appreciate, Mr. Speaker, that for practical purposes this is an open sesame to invade anyone's home in the province of Ontario for this purpose. There is no need for them, with this kind of a document, to appear before a justice of the peace and show that they have a reasonable and probable cause to believe that an offence has been committed or is being committed under The Excise Tax Act, and none of the usual protective procedures are available.

Whether or not it is in order for such a writ to be available after such a length of time, and to be an open writ, I leave it for others to deal with. I would like to record my grave concern that a constituent of mine, of Greek extraction, who is now a Canadian citizen, who is not versed in all the affairs of how our society operates, who is employed, who owns his own home, should have been suddenly subjected to this kind of a search of his premises under this kind of a writ of assistance, and then should have been invited by telephone—and you can imagine whether it was an invitation or whether it would be interpreted by my constitutent as an order—to appear at the Royal Canadian mounted police headquarters, and then to find that the purpose of his visit was to submit to being photographed and fingerprinted, if he wished to be photographed and fingerprinted.

I leave that topic. The matter is now before the court, but I can assure you, any member of this House, if a constituent of his were placed in those circumstances, he would feel the same sense of indignation and

concern that I feel about it. During the Attorney General's estimates I, for one, will insist that we now know under what arrangements, if any, and by what authority and under what jurisdiction the Royal Canadian mounted police exercise rights of police officers within the province. It may be that there is an arrangement.

It may be that it has just grown up over a period of time, that there is a certain division of authority between the Attorney General or the Ontario provincial police on the one hand and the Royal Canadian mounted police on the other, but I insist, and we will insist in the estimates, that the Attorney General will advise us as to what the clear-cut arrangements are that permit the Royal Canadian mounted police to operate in this manner in the province of Ontario, what their authority is and what is the jurisdiction exercised by the Attorney General over that force in the city of Toronto.

I need only say that over a period of time now, from the reports in the newspapers and from incidents which have occurred, certainly the reputation of the Royal Canadian mounted police, in my opinion, has dropped considerably. I think it now behooves the Attorney General of this province to make absolutely certain that we clearly understand under what authority, by what arrangements, and for what purposes, the Royal Canadian mounted police operate to enforce federal statutes in the province of Ontario, and why this cannot be done adequately and effectively by the Ontario provincial police.

Mr. Speaker, I would like to turn to the question of injunctions in labour disputes in the province of Ontario. I have been concerned, as I am certain many others have been concerned, about the distortion which has taken place in any discussion of the question of labour injunctions. It is very rarely that one reads an article, reads an editorial, or sees any comment made about the place of injunctions in labour disputes in the last few weeks, that the editorial or the article is not couched in terms that we are concerned about violence or mob rule or some such terms.

Indeed, the Prime Minister (Mr. Robarts) when he met with the leaders of the labour movement in the province of Ontario last week intoned in very much the same language that the Attorney General used last February in this House.

The Prime Minister is reported as having said:

> Our position as a government can only be that the law must be upheld. This is fundamental to our absolute society. Every one of us, every organization and every individual has protection of the law, has rights and privileges under the law. We can look to the law to protect our rights, and I think if we ever get to the position where the law can be deliberately flouted then, of course, this is the destruction of the very fabric of our civilization.

Mr. Speaker, I would like to try and restore something of the perspective within which injunctions in labour disputes are issued, why they are issued and the purposes which they serve in the system of the administration of justice in the province of Ontario.

I might recall, for the benefit of the members of the government, that in 1901 in the United Kingdom a case known as the Taff Vale case went through all the courts of the United Kingdom and it had to deal with injunctions. The trade union lost the Taff Vale case in the House of Lords in England and I think it is nothing more than a coincidence, but one which I think has application in the province of Ontario, that immediately thereafter at the next general election in the United Kingdom there were 50 members of the Labour Party returned for the first time in the House of Commons in England.

The trade union movement in the United Kingdom at that point realized that having lost on a crucial issue in the House of Lords on a matter related to injunctions and the position of trade unions in society, it should then turn its attention in the direction of thoughts of political action. It returned 50 members in the next general election in the United Kingdom. I might say at the first session of that Legislature the decision of the House of Lords in the Taff Vale case was overruled by legislation in The Trades Disputes Act of 1906, which now for practical purposes forms a substantial basis for the laws that exist in this province as part of the common law of England.

Mr. Speaker, the Attorney General took it upon himself in the course of dealing with injunctions in this province to proceed by way of an extraordinary procedure. He may not consider it to be an extraordinary procedure. He proceeded by way of originating notice of motion before the Chief Justice of the high court, for the purpose of charging 27 people with criminal contempt of court. I would simply point out to the House that the Attorney General had an alternative. He could have proceeded by way of indictment under the criminal code for criminal contempt against these men. Indeed, at the original hearing of the trial of the matter,

the counsel for the defendants asked that he do so proceed by way of indictment under the criminal code for criminal contempt, and not by way of summary procedure.

The effect of having proceeded by way of summary procedure was to accomplish one thing—whether the Attorney General realized what he was doing or not—for a government which prides itself on upholding the traditions of British law. And as I have just quoted from the Prime Minister and as was said by the Attorney General, if we respect the law we need not fear anything. But the one effect, the one significant effect of the choice by the Attorney General as to the method by which he would proceed in that case, was to deprive 27 men of the right of trial by jury.

If he had proceeded by way of indictment under the criminal code there would have been no question whatsoever that those men, had they chosen to be so tried, could have been tried by a judge and a jury. There is reference in the judgment, and the Chief Justice makes reference in his judgment, to the fact that what they were deprived of by this procedure meant that although they had all the other benefits of British justice, they did not have the benefit of trial by jury.

But, Mr. Speaker, I was in the court throughout the time it was held, with rare exceptions, and what was lost was not just trial by jury, but in a very real sense it was the very impartiality of a criminal trial on which we pride ourselves. It is trite to say that in an ordinary criminal case before the courts, the Crown neither wins nor loses; the Crown's job is to place before the court the evidence. They are not protagonists for one view or the other, they are not out to win a conviction.

Mr. Speaker, unfortunately in this case the Attorney General, represented in that court, lost that impartiality. I think there was no one who was in attendance in that court-room who would not say that because of the atmosphere within which this case was tried, and this matter was heard, that that very real degree of impartiality which is such an important and vital part of our criminal procedure was lost to the men who were tried.

Let me point out one other result then. The Chief Justice went on to spend a considerable amount of time in his judgment explaining how perfectly correct it was for the Attorney General to have taken the procedure he did and not to have proceeded by way of indictment under the criminal code. A number of the pages in his judgment are devoted to this purpose. The strange thing is that the very authority on which he comes to the conclusion that by law—not by statute law, but by custom of the court inherited in Canada from the United Kingdom – his was a very proper procedure, is a case which he cites for the proposition that he could proceed by way of an originating notice of motion, by way of this summary procedure. This case states in the body of it that the reason for permitting this procedure to be followed in the case of contempt of court was because the criminal law was slow and was cumbersome and would not provide the speedy answer to the problem with which the court was faced in the case of criminal contempt.

On the basis of that reasoning, the decision was made that it was quite open to the Attorney General to proceed in this manner. But look at the result.

As compared with a criminal trial, had the Attorney General proceeded by way of indictment, the men would have appeared, they would have been charged, they would have had a trial by jury, they would have had judgment rendered against them and had they been convicted – rather than acquitted, and they might very well have been acquitted by a jury – then they would have immediately received sentence.

I would suggest that the elapsed time during which that kind of criminal trial would take place in the province of Ontario, using the general knowledge which is available to all of us, would not have exceeded at the very most, a month from the time which the information was laid, the indictment was tried, and placed before the court. Had everyone wished to proceed and get the matter dealt with in the court, a month would have elapsed. Instead of that, the trial was held in the first week of March and it was some three months later, after the trial was ordered, that a judgment was rendered by the Chief Justice. It was some two weeks later still that the actual punishments were meted out.

The result of the Attorney General selecting a procedure which in olden times was designed to provide a summary way, because of the cumbrousness and the slowness and the delays of the criminal law, was used by the Attorney General this time to maintain 26 men, because one was acquitted during the course of the trial, in jeopardy from the day that trial concluded until three months later when the Chief Justice saw fit to give judgment.

Mr. Speaker, I only go back for the sake of summarizing, clarifying and setting to one side the debate which took place in this assembly on May 5 about a bill to amend section 17 of The Judicature Act which I introduced and which was debated during the private members' hour. In that debate I think I established to my satisfaction, and I believe to the satisfaction of anyone who would take the time and the care to read it, certain propositions. One is that trade unions are lawful organizations in Ontario; secondly, that the right to strike has never at any time under common law in the province of Ontario been prohibited, it is the right of a citizen to strike; thirdly, it is a right under the common law of the province of Ontario to picket. The only limitation on the right of a person to picket in the province of Ontario is contained in the criminal code, and in the cases which we have been discussing there has been no breach of the criminal code. No information, no charges were ever laid under the criminal code.

The only curtailment which is involved in the right of people in the province of Ontario to exercise those three rights is the provision and the acceptance by the trade union movement and the community at large of The Labour Relations Act as the procedure under which parties in an economic dispute as between the trade union and management will so attempt to reconcile their differences as to find a solution for them without resorting to a strike, and therefore of necessity not resort to picketing.

But all that the trade union ever got in the province of Ontario was the assurance that the statute would require that the parties to it bargain in good faith, including the management. In return for that it accepted all the procedures that are set out in The Labour Relations Act.

The other point which I believe was clearly established in that debate, is that section 17 of The Judicature Act deals with four-day or less injunctions. It deals with nothing else, there is no power to continue an injunction granted under section 17 of The Judicature Act. At the end of a four-day period at the very maximum, that injunction is simply dead, it has no further place in any discussion of what might take place in a labour dispute in the province of Ontario.

It is sometimes colloquially said that it is that injunction which is continued, but I suggest that in a court of law dealing with important and significant rights of individuals in our society, there is no place for such sloppy language as would indicate that the injunction under section 17 of The Judicature Act of the province of Ontario can be continued or renewed or varied or extended or any such sloppy language—it is simply at an end.

In the case of the Tilco Plastics dispute, an ex parte injunction—one of these four-day injunctions which need not be granted ex parte but can never extend beyond the four days—was in fact granted ex parte on the afternoon of December 17 last and was in force until Monday afternoon, December 20. On December 20 counsel appeared and they did not extend or vary that injunction or continue it in any way; that injunction died that afternoon. It could have been extended for another 24 hours to make it the full four days. It was not.

Another injunction was granted and the injunction that was granted was granted under a section of The Judicature Act which was never at any time referred to in the judgment of the Chief Justice in the Tilco Plastics judgment. That is the authority and the only authority under which the injunction was granted, under which the incidents took place on February 23 and 24 by which resulted this extraordinary procedure to which I have referred, of the Attorney General being instituted and the charges being laid and the men being finally convicted and sentenced by the court.

It was that injunction granted on December 20 that was outstanding at that time, and that injunction, Mr. Speaker, could only have been granted under the terms of the section of The Judicature Act which simply says this:

> An injunction may be granted by an interlocutory order of the court in all cases in which it appears to the court to be just or convenient that the order should be made and any such order may be made either unconditionally or upon such terms and conditions as the court deems just.

Mr. Speaker, I reiterate there is no reference to that section in the judgment of the Chief Justice of the high court.

But on December 20—and he emphasizes in his judgment that it was by consent—counsel for the textile workers and counsel for the company consented to the terms of an injunction. That meant that the two parties said it was convenient to accept this injunction and the terms of it and they consented to it.

Mr. Speaker, I ask you whether or not 27 people, 25 of them definitely, who were never represented by counsel at any hearing of any kind, could possibly have their rights as citi-

zens affected by the consent of counsel for either the company or for the Textile Workers of America. The other two men who were named in that injunction, and those two men under the judgment of the Chief Justice were not held to have been engaged in the demonstration on February 23 and 24.

He found on the evidence—and I would suggest that it may well be upset on appeal—that those two men, the only two who were named in the injunction, were found guilty of contempt of court for counselling, not for participating in the picketing or the demonstration before that plant.

I am simply saying, Mr. Speaker, that at least for the 25 men who were charged, they were never represented in a court by anyone who could have consented on their behalf because it was not their counsel—either counsel was for the company or for the Textile Workers of America. I leave it to the members of this House as to whether or not that is a significant factor in the case which was built up in the judgment against these men.

Mr. Speaker, what in fact was taking place in Peterborough at that time? What was taking place where the people were exercising a right of public demonstration, a right to assemble in public? Was there any reference by the Attorney General in anything which he said other than to pay the briefest lip service to the possibility that of course the right of public assembly existed and he would be the first one to deny that that might possibly be infringed upon in any way, shape or form?

Well, that was being infringed and that was the right, and if the Attorney General under the procedure which he chose to follow was going to abridge the right of those men to make a demonstration in the way in which they did, it was up to the Attorney General represented in that court to make absolutely certain that the argument was put on both sides, because the obligation of impartiality was on the Attorney General.

The impartiality was essential in that court—that the right of individuals to take part in demonstrations for the purpose of furthering things which they believed in should have put in an argument before the court and the counter side of the argument should have been placed as well to indicate that this temporary injunction, which was not an adjudication of anybody's rights, was simply a holding order issued by the court in a private dispute between two people, with the language of that injunction, which happened to say that it was good against all the people who had notice of that order.

Was that little temporary injunction granted in a private dispute between two parties in a court in the province of Ontario, to infringe and to override,, without any argument by the Attorney General in court, the public right of people to assemble and to demonstrate in the province of Ontario?

Let us come to just exactly what this injunction is that people talk about. It can only be issued if it is just or convenient—that means there is a lawsuit in the court between two persons, in this case Tilco Plastics Company and the Textile Workers. The Tilco Plastics Company was suing for a permanent injunction.

Let us be the first to say here in this House, as everybody will agree, that had there been a permanent order of the court after a proper and fair adjudication of the rights of the parties, there is no question whatsoever that that injunction, that order of the court, deserved the automatic and instantaneous obedience of the people throughout the province of Ontario and would so receive it, both from the trade union and from others.

**Hon. A. A. Wishart** (Attorney General): Would not any order of the court?

**Mr. Renwick:** I am speaking, Mr. Speaker, of the permanent injunction, had there been an adjudication of the rights as between the parties and a final determination of those rights. There was no such decision in this case. As a matter of convenience, and to repeat what I said, counsel for both parties said: "In this particular matter and lawsuit which is going on, until this matter can come to trial we will agree to this particular limitation of the right to picket." And the order of the court—all people having notice of it in that wording—went forth and was used by the Attorney General to indicate that that in some way could abridge the right of people to assemble in the province of Ontario.

Let us remember, Mr. Speaker, that an injunction was an equitable remedy issued out of the equity courts in England. It was a remedy designed for the purpose of alleviating the hardships and the rigidity of the common law. In the two chains of courts—the common law courts and the courts of equity—and the competition between them for jurisdiction, the courts of equity devised the theory of the injunction. The injunction was to maintain the position of parties to disputes until they could be finally adjudicated upon and a final decision made. But the court of equity has come down into the commonplace of the language of people in common

law countries and means exactly what it says —that to get equity you had to do equity. To come into an equity court you had to come with clean hands. You had to satisfy the court that you were entitled to get an injunction, and in the province of Ontario when the two systems of court were joined together, The Judicature Act specifically provided that if there is any conflict at any time between the rules of equity and the rules of common law, the rules of equity will prevail. Section 22 of The Judicature Act says:

> Generally in all matters in which there is any conflict or variance between the rules of equity and the rules of the common law with reference to the same matter the rules of equity prevail.

Mr. Speaker, the court, when it was granting the injunction on December 20, was exercising the equitable jurisdiction of the court and could only grant that injunction if the applicant for that injunction came into the court with clean hands.

I am not making any excuses for arguments for counsel or anybody else. I do not know who the counsel were. I do not know what arguments were put forward. I am simply saying that it was incumbent upon that court to have questioned as to whether or not the Tilco Plastics Company had bargained in good faith or whether the union had bargained in good faith.

This is the nub of the argument. Why I am so distressed about the lack of perspective shown by the Attorney General and the Prime Minister in dealing with this matter and about the intemperate language that is used throughout the majority of the newspapers in the province of Ontario is that very point that there was no inquiry. To my knowledge, at no time on any application for an injunction, be it an ex parte injunction, an interim injunction or an injunction granted under section 16 has the court ever taken upon itself in the exercise of its equitable jurisdiction the responsibility of questioning and finding out whether or not the applicant for the injunction has bargained in good faith.

Mr. Speaker, one can say that the Chief Justice in the Tilco Plastics case was in the position where one of his judges had issued an order of the court and he could say that this was disobeyed. He could say that right or wrong, that order had to be obeyed, temporary or not. Whatever kind of order it was, that had to be obeyed.

I do not buy that particular argument but let us assume for the moment that one can accept that. Then I think, where a trial was being held for criminal contempt, it was incumbent on the Attorney General represented in that court to have placed before that court all the mitigating circumstances which were surrounding that particular trial. Because the Attorney General chose deliberately to take this method of procedure in the court, he destroyed—as I have indicated to the House—the impartiality which is the hallmark of the criminal trial in this province, and that argument was never put.

Even if these men were in breach of that order, it was never indicated whatsoever that what they were attempting to do was to get the court to deal with the matter and to take it unto themselves to resolve this problem. This is what has been eating at the trade union movement so far as injunctions are concerned, and no one will see it. The Attorney General did not see it. The Attorney General was not prepared to put the argument that before such an injunction could possibly have been granted it was incumbent on the court to have found, as a matter of fact, whether or not the Tilco Plastics Company had or had not bargained in good faith.

It was open at the actual trial, even though the injunction was granted away back in December, for the Attorney General to have adduced that evidence, because in my view it was his bounden duty and obligation even if he took the view that the order of the court must be obeyed right or wrong. It was up to him to have taken the view that these men were entitled to the benefit of the mitigating circumstances which led to this particular demonstration. Whether it was a demonstration, whether it was picketing, whether it was in support of the Tilco plant or whether it was a demonstration against injunctions generally, I do not think is terribly material. The fact of the matter is that what these men were doing—and I cannot emphasize this any greater than this—is to simply say that the trade union leaders in the city of Peterborough found themselves in a difficult position as members of the community of citizens of the province of Ontario.

There had just been the problem at the Oshawa *Times*. Their strike had been in operation. The leaders of that trade union movement in the city of Peterborough provided a service to the community throughout the province of Ontario for which they deserved commendation by this government, not prosecution. What those men said is, "We will look after this matter ourselves. We in the city of Peterborough will conduct a peaceable and orderly demonstration to register our concern about the law of injunctions in the province of Ontario. We

will do it in complete co-operation with the chief of police. We will ourselves make certain, as the chief of police said at the trial, that no violence took place, that no intimidation took place, that no molestation took place, and that none of these words that are bandied about in the case of injunctions would take place.

So what happens? The president of the Peterborough and district labour council is involved in this because he wants to see two things happen. He wants the reputation of his trade union movement in Peterborough to be preserved as a peaceable, orderly union movement. He wants this and he wants the government to bring before the courts the question of whether or not this injunction was properly granted or whether there is in the larger picture a place for this kind of injunction in the province of Ontario.

Because they do not happen to be able to put the same fear into the government of the province of Ontario as happened in the Oshawa *Times* situation—in which the government directly intervened and forced a settlement of the strike in the city of Oshawa — and because the men in Peterborough in charge of the trade union movement tried to be fair and reasonable about what they were trying to do, what happens? The Attorney General having neglected to do whatever he should have done in Oshawa and no one now knows because the matter has never been tried, but the Chief Justice refers to it as "lawlessness". The matter was not before him in the courts but he dealt with it as a matter of lawlessness. The Attorney General takes this unprecedented action of charging these 28 men, and I say, Mr. Speaker, he was not charging 28 men, he was charging between 250 and 400. That is the number of people who were engaged in the demonstration in the city of Peterborough, and those men he charged with criminal contempt of court. I say that if anyone reading this bulletin — and this is the bulletin which was handed out on the streets of Peterborough on February 23 or 24, sir — can see anything wrong in what was done, then I say to him that I think that he should seriously consider the whole substance of the picture that we are talking about. This was the bulletin that was handed out by the Peterborough and district labour council on February 23 and 24:

> Why are the working citizens of Peterborough demonstrating? To point out the injustice of injunctions in labour-management disputes. When a worker has a dispute with his employer the only weapon he has is the removal of his services. When a group of workers band together to remove their services en masse this becomes a strike. Strikes are not called unless the workers feel strongly about their position in a dispute. Once on strike it is in the interest of the workers to peacefully deter others from entering the premises of the employer to fill the striking workers' jobs.
>
> Where an employer desires the continuance of his operation he may resort to hiring strike breakers, and to help them enter his premises he attempts to clear the path of picketers by asking the courts to grant him a restraining order limiting the pickets to two or six persons at each entrance. This is known as an injunction. Often it is necessary for the employer to state that violence has taken place on the picket line, whether or not any has occurred.
>
> On these occasions the employer requests an ex parte injunction which is obtainable without the prior knowledge of strikers and thus cannot be defended by the workers. That the employer has refused to bargain in good faith or has rejected all peace-making efforts seems to merit no legal consideration by the courts.
>
> Even if the employer comes into the courts with unclean hands the courts grant the restraining order or injunction as a matter of course, as though it were his inalienable right. This is why the working citizens of Peterborough are protesting the injustice of injunctions when used in labour-management disputes as strike-breaking weapons. If you think this injunction law should be changed why not join us? Issued by Peterborough labour council injunctions committee February 23, 1966.

Now I doubt any fair-minded man in this House, after reading that document would have said this about that document. The Chief Justice of the high court said this. "It imputes to the court an unholy and biased approach to the granting of labour injunctions, and indeed it is a document which, in my view, is scandalous to the courts."

Mr. Speaker, in no clearer way could I demonstrate to this assembly the complete divergence of attitude taken by the courts to the question of labour injunctions. This is why at this time the courts are irrelevant in matters dealing with trade disputes. This matter should never have come before the courts in the way it did come before the courts. To

have suggested that because the Attorney General charged these men that there was something dreadfully wrong, because they called off the demonstration, is again to do an injustice to the English language, because the Chief Justice goes on to say:

> In exhibit 11, the press release of February 24—

This was a press release on the 24th when the Attorney General had commenced the proceedings—

> —the community was told that Mr. Rouse thanked all trade unionists of Peterborough for their support in bringing the "unjust use of the injunction as a strike breaking tool" before the courts. It is a bad law and it must be changed.

The same exhibit attributes to Mr. William Mulders, president of the Peterborough labour council, the following declaration:

> 28 demonstrators have been served with subpoenas. We have accomplished what we set out to do, and there is no point in continuing the demonstration.

And further on Mr. Mulders is reported to have said:

> It is now up to the courts.

I ask anyone in this House if that is the language of defiance of the courts of Ontario? It was a desperate and concerted effort by reasonable men in the city of Peterborough, respected citizens, to get before the courts for adjudication, the basic question as to why injunctions are granted in labour disputes when the employers do not bargain in good faith.

The obligation was upon the Attorney General, having chosen the summary procedure which he chose, having ruled out trial by jury for these men, it was even more incumbent on him to have made certain that the presentation made in the court was a full and accurate impartial presentation to that court. Instead of that I say what everyone who was in that court could feel in the electric atmosphere of the early days of that trial, that the Attorney General was a protagonist in the trial. He was out to get a conviction, and he got the conviction and I say he did so at a terrible price to the administration of justice in this province.

Mr. R. A. Eagleson (Lakeshore) moves the adjournment of this debate.

It being 6 o'clock, p.m., the House took recess.

No. 163




# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Monday, July 4, 1966

**Evening Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, JULY 4, 1966

The House resumed at 8 o'clock, p.m.

## ON THE BUDGET

**Mr. R. A. Eagleson** (Lakeshore): Mr. Speaker, I had intended to speak on a resolution proposed by the member for Brant (Mr. Nixon) two or three weeks ago with reference to children and the Ontario association for children with learning disabilities. I listened with interest to the comments made by the member at that time and immediately after him the member for Scarborough West (Mr. S. Lewis) and the member for Kingston (Mr. Apps). All of these comments spurred me on, but time was not sufficient and as such I have been required to postpone my remarks in reference to this association until this evening.

This association was formed in 1963 by parents who were frustrated by the lack of diagnostic treatment and educational facilities for their children in this province, and who were required to seek aid and assistance in the city of Montreal and in certain states of the United States. Their experiences in these other centres led them to the view that they should request of our government to enact legislation which would solve their problems in this province.

More than 60,000 children in our province are in our various schools, struggling to achieve adequacy, failing in their classes, and finding themselves completely inadequate in the regular curriculum. They represent a waste of time and a waste of talent as our educational structure is presently set up. The economic cost of their disability is great, as is the personal tragedy in each and every family that suffers with the problems of a child with these disabilities. I suggest to this House that both the economic tragedy and the personal tragedy can be removed by action by our government.

Children with learning disabilities should not be confused with those children who have clinical categorization, such as emotionally disturbed children, mentally retarded children and psychotic children. Children are described as perceptually handicapped because of their inability to discriminate and co-ordinate information that is received through their various senses. In some cases, brain damage is present, in other cases it is not.

Children in this category are capable of being educated, rather than merely trained as is prevalent in other clinical categories. They require firstly, the diagnosis to determine what ails them and secondly, treatment to overcome the disability and thirdly education given by proper instructors.

With a total programme built on these terms perceptually handicapped children can be rehabilitated in society and become participants in society rather than just bystanders.

Children with learning disabilities are described by a variety of terms—brain damaged, perceptually handicapped and neurologically impaired. To avoid confusion, and to keep the wording to something that laymen can understand, the one term "perceptually handicapped" is most often used.

The people with whom I met representing this association supplied me with legislation that had been enacted in the state of Illinois in the United States. Bill 1407 was passed in April, 1965. The legislation covered maladjusted children, which in turn covers perceptually handicapped children, emotionally disturbed and culturally deprived children. It is used to describe children who are not adjusted socially, emotionally or intellectually. It is very common for such children to be handicapped in many ways. A perceptual handicap or emotional disorder can happen to a child of any IQ. In some cases, the other handicaps are as serious as perceptual handicap. The legislation in Illinois is quite acceptable to the association in Ontario, because it covers handicapped children and their education. It covers speech defectives and trainable mentally handicapped as well.

Another feature of the legislation—and this is most important—is the provision for education of professional instructors. In Ontario, our universities at the present time do not have special departments or special education and language pathology. Nor are the psychology departments directing their efforts towards this serious need of the community.

A most significant feature in the American legislation is that they require the individual boards of education to provide education for children up to and including the age of 21, rather than the normal age of 16. This is a far more constructive outlook since it avoids any serious number of drop-outs and continues the education of these children. It then means that they avoid the drop-outs and the placement on the labour market of children who are unemployable to all intents and purposes. Some children have partial defects in the areas of perception, co-ordination and concept formation, often accompanied by distractability and interference with their learning capacity. An impaired learning capacity can, of course, be due to many other causes.

Therefore, the first thing to do, the most important thing, is to have a qualified psychologist assess the child to determine what in fact is wrong with him. This psychologist can, with an extensive battery of tests at his disposal, determine the amount and the type of defects with which this child is confronted. He will determine the child's present level of function and his future capacity of functioning. He can determine how far he is behind other children in normal school grades.

A training programme will try to develop fundamental skills whose current defects prevent the child from absorbing normal educational instruction. Many of the training activities are related to school readiness activities, and a great effort is placed on promoting these activities as play activities. They feel in this way they can avoid the child's original disgust and dislike for the ordinary wear and tear of practical ordinary education. The child who is introduced to educational activities along a play activity line will react to these much better, Mr. Speaker, than he could be anticipated to react to normal school day routine.

The attitude of the person who deals with the child in these circumstances is almost as important as the psychological analysis of the child's impairment itself. Patience and a calm, relaxed, attending attitude with an understanding of the child's basic problem are indispensable. Excitement must be avoided at all times since the child cannot react in normal circumstances. A good example of the problem faced by the parents of these children was enunciated to me by one father. He indicated that his child was having difficulty adjusting to the regular routine of everyday life and one of the major problems they faced was in keeping the child from being distracted.

It turned out that after installing a special room in the basement for his child to help her attain some degree of educational accomplishment they found that the child was unable to concentrate because of the sharp hum of fluorescent lights in the basement. This is the type of thing a parent is faced with, and I suggest that our government should step in with the assistance required for this group. A training programme intended to help these children with their special problems concentrates on five particular areas:

1. motor co-ordination; 2. Visual perception; 3. Perceptual-motor-co-ordination; 4. Auditory perception and verbal expression; 5. Number concepts.

Each of these skills functions in some way as a preparation for the regular routine in schooling of reading, writing and arithmetic.

In conjunction with my remarks on this particular association, I would like to comment on emotionally disturbed children in our province. In this regard I would specifically like to mention two organizations, namely Boy's Village and Warrendale.

At Boy's Village, which is in North York, in the municipality of Metropolitan Toronto, a three-service programme is conducted. There is a child guidance clinic staffed with a psychiatrist, a psychologist and a staff of social workers. There is a day school with teachers provided by the North York board of education, and there is also a residence programme. In conjunction with this last programme, they have now commenced a new group home approach, which will have its first graduates in the latter part of the summer.

In discussing this with the psychologist and one of the psychiatrists at Boy's Village, they were looking forward to the graduation with a great deal of anticipation since they feel that ultimately this is where emotionally disturbed children must be treated to the best satisfaction, namely in a group home. In this way the child will become familiar with natural surroundings and obtain the love and benefit of love from parents who would be keeping him for a short period of time.

Warrendale is a school responsible for the education of more than 100 emotionally disturbed children and it has two positions, one of which is in the township of Etobicoke and the other near Oak Ridges, Ontario.

They have requested recently that The Department of Education in our province meet the cost of sending their children to

public schools rather than the cost that they are now confronted with in their normal budget. Approximately $100,000 or one-eighth of the annual budget of Warrendale is directed to educating their children.

Many of the children are unable to function in the normal public and high schools in the community. Since 1954 Warrendale has provided school facilities for all of their children.

The main problem confronted by all children and parents of these children, who are handicapped in many areas, is the lack of assessment facilities in our province. I would hope that a new system of children's psychiatric services will be set up in the near future. It is my understanding that if the children are not diagnosed and assisted by the time they reach 12 years of age, any help after that date would not be of any assistance at all.

I would like now to spend a few moments discussing the problems facing amateur athletes in our province and in our country. It seems that every Canadian and every Ontarian swells with pride when a gold medal is won at the Olympics or on a world championship level. Similarly it seems that we all frown when our athletes are unfortunate enough not to attain these heights.

I would refer specifically to the figure skating champions of the world in 1965, at which time Petra Burka of our city was happy enough to be chosen as the first prize winner in the world's championship. One year later when she was placed third and our figure skating team did not do as well as others had anticipated they would, there were cries of concern from all parts of the community, but particularly from the sports writers, condemning our approach at the international skating level.

I suggest that this is not the answer. I feel that we as Canadians should take our losses as gracefully as we take the gains in international competition.

The Canadian national hockey team, has in the past few years, been an excellent emissary, I would suggest, for our country, and yet there has been some contradiction of the approach taken by Father Bauer and his group at that level. Many people have indicated that a far better team should represent the country.

There are many young men who have given up a great deal of their time and interest to participate at this international level and I suggest that our complete support should be given to them.

On the international yachting scene, the 1967 yachting championships of the world will be held in Toronto and I would like to commend The Department of Tourism and Information for the assistance they supplied to the Royal Canadian yacht club in their request that the championships be held in this province. A booklet was provided in conjunction with the department, which was instrumental, I am advised, in Toronto being awarded the world's championships. I have spoken to two or three of the top yachtsmen in our country. One young man, Paul Henderson, who has competed on the international level with a great deal of success for our province and country, indicated to me that the basic problem with which they were faced on the yachting level was that of financial support. It seems that each yachtsman is required to provide at least one-half the fare for his boat to take it to the competition. There would be a great financial loss for each participant in the yachting events. If we are having the events in Ontario in 1967, many members from other countries will be obliged to pay the costs involved with transporting their boats here for the competition.

I would hope that the federal government in Canada would do the same for the foreign participants as was done at the last world championship, when Greece supplied the bulk of the fare and participated by giving a special railway car from each seaport to the place that the competition was held.

I would suggest that donations to international teams, such as yachting, figure skating and track, should be made tax deductible. This would create a greater degree of participation by the public in these teams. In this way the competitors would have the financial support they require to participate on a proper level in the international sphere.

I would also suggest that scholarships should be set up across our country for university students and for athletes contemplating entering university. I see no reason why a person should be prevented from progressing academically as well as participating and functioning to greater heights in athletic prowess. I am certain that there would be many athletes representing our country on higher levels if this assistance was forthcoming at an early date.

At the present time, most American colleges have hockey scouts in the Toronto area and throughout the province of Ontario. There is an annual drain of hockey talent. Several young men in my riding, who are quite proficient at the game of

hockey, have deemed it fit to attend Cornell University. This is strictly as the result of the financial assistance given them by the university in the form of athletic scholarships.

**Mr. E. W. Sopha** (Sudbury): What is Carl Brewer going to do?

**Mr. Eagleson:** Well, perhaps if we had the athletic scholarships that are available in the United States, Carl Brewer might be functioning at full scale with the Canadian national scheme.

**Mr. Sopha:** Brewer is on an Imlach scholarship.

**Mr. Eagleson:** It is interesting to note the following figures—400 Canadians are attending U.S. colleges and universities on track scholarships; 150 football scholarships are awarded annually to Canadians. Canadian hockey players are so numerous in the United States college leagues, that special rules have been instituted to restrict the number of Canadians on each team. On one United States team that won a conference championship, all but one of the players was a Canadian. If we can keep the athletes in Canada, there is a far greater possibility that they will use their athletic prowess and abilities to our country's advantage at a later date.

A good example of the scholarship programme and the effect it is having on Toronto athletes in particular was set out recently in the Toronto *Globe and Mail.* The article is headed: "U.S. College Scholarships Boon to Canadian Athletes" and it goes on to tell how two young men, two brothers, are examples of the athletic scholarship programme.

It refers to Frank and Peter Wodzicki. Frank, who is 23 and a year younger than Peter, said: "I am not complaining about Canada, it is our home and we are citizens of the country, but we just could not afford a university education unless we had some assistance, and the athletic scholarship proved the answer."

He is critical of those who sneer at athletes getting their way paid through university because of their sports ability. "As far as I am concerned," he said, "hockey and tennis are a means towards an end for me. I love to play sports, but I pay strict attention to my studies. If I didn't have a bit of hockey and tennis ability, then I possibly wouldn't have been able to go to university." He said he has met many young Canadians studying in the United States on athletic scholarships and all of them are paying as much if not more attention to their classroom work than the art of sports.

I feel, Mr. Speaker, that the time has come for our province and our country to take steps along these lines, and to recommend that athletic scholarships be given, if not on a university basis, perhaps then through a public council or body.

**Mr. J. P. Spence** (Kent East): Mr. Speaker, in rising to take part in the Budget debate, I would like to begin by saying that I am of the opinion that you fill your honourable position with great dignity, and as the sessions come and go you continue to demonstrate that same dignified quality.

Since the Budget debate was first introduced, many members of this assembly have taken part in it. They have made great contributions thereto, members not only from the ranks of our party but also other parties which make up this assembly.

Some of them have excelled themselves. I know by these debates much new legislation will be introduced in the future that will be no doubt of great benefit to the citizens of the province of Ontario. I must add that I have gained much knowledge by listening to these debates and by taking a small part in them.

Mr. Speaker, I would like to refer to the members' hour, which was agreed to by the Prime Minister (Mr. Robarts), my leader (Mr. Thompson), and the leader of the NDP (Mr. MacDonald) which set aside an hour between five and six o'clock every Tuesday and Thursday in order to debate resolutions on the order paper. This has made it possible for many more members to discuss all points of resolutions and the stands of all parties as far as important resolutions are concerned. This hour has also made it possible to have resolutions brought more clearly to the attention of the man in the street when he reads about such matters in the press.

The Provincial Treasurer (Mr. Allan), presented his Budget in February, Mr. Speaker, and this was considered by the people of Ontario to be no "sunshine" budget. Newspapers headlined it as a bad news budget in that it dipped into the pockets of the taxpayers of the province of Ontario for an additional $200 million in new taxes. It certainly is not fiction to say that this has added much to the growing inflation in the province and in the country as a whole. Needless to say, the taxpayers were shocked at the increased cost of living thus brought about. Such comments from men and women from every walk of life as "outrageous," "it

will hurt badly," "we must pay for what we get," "where is this going to end?" and many other comments were heard over and over again.

Even the Consumer's Association of Canada commented when the Ontario Budget was brought down that this would bring about above average increases in the consumer price index. The president of the association called for action; for a strong national consumers' organization. He asked to keep prices down.

This government brought out these new taxes at a time when inflation was booming and the economy greatly unbalanced. This has been the largest increase in taxes in the history of this province.

At the present time we hear and read of certain segments of our economy protesting and demonstrating about prices received in the production field, such as those in agriculture, for instance. These people receive only as much for their products as they received ten years ago, and in some instances even less. Thos in the fishing industry do not receive enough to earn a decent living. In other words, prices that the farmers and fishermen receive constitute, Mr. Speaker, a cheap food policy. This means that more is produced for less money, yet the cost of groceries is up 25 to 50 per cent from the 1961 price list. The Dominion bureau of statistics' figures show the consumers' price index has risen 14 points to 143.2 since the year 1961. This, along with the increase in the Ontario sales tax, have been the major factors in increased costs. The housewife complains continually about the rising costs of living and wonders how much higher the cost of food will go.

Mr. Speaker, the consumers and the farmers are being exploited by the food producers and the packaging and distributing companies of the province and of Canada. We learn that profits to the processing companies have increased 43 per cent in four years, while the farmers' prices remain static. Consumers are forced to pay these excessive prices and the producers are not receiving their fair prices for their products. The processors and the packaging companies are the profiteers.

The time is long past when this government should investigate and expose the increase in food prices which do seem to be unwarranted. Those who produce—the farmers—are amazed and confused why the consumers have to pay so much for their food. On the other hand, the consumers say the farmers must be rich and we are subsidizing him also. Even in my own party, Mr. Speaker, members from city ridings just do not believe us when we say prices of agricultural products to the farmers are the same generally as they were six years ago. I am proud of the members in my party from the city ridings, but the information in regard to prices for products to the farmer certainly have my colleagues in the dark.

I have every confidence that if any human being could understand the information that comes from The Department of Agriculture, my colleagues would grasp it first. The Department of Agriculture did a great job of confusing, and I ask for a public inquiry into every aspect of the agricultural industry as to why the producers are not receiving more of the consumers' dollars, and why the consumers have to pay such amount in dollars for their food?

The time has come for the province to set an example in economic efficiency. Those of us who are in the Opposition to the government would say the government has failed to plan properly and efficiently in running the biggest business in the province, the government itself. The Ontario civil service has grown 433 per cent in 20 years. The government has undertaken to build projects—the present $50 million complex which was begun in the year 1964, and during this present period when the costs and labour shortages are at their very highest. This year The Department of Public Works will spend $41 million erecting new buildings, including the Ryerson institute expansion, which should have been built two years ago before more than 1,000 students had been turned away due to lack of space for them.

Water pollution is another big issue, Mr. Speaker. The government has chosen to begin house cleaning at this late date in respect to water pollution. Again this job is a costly affair. They have stalled for years in this connection and the municipalities are now forced to build seweage systems at a time in our history when the cost for such things has heached an all-time high; at a time, too, when the debenture debt of municipalities has reached the saturation point.

Besides the need for water and sewage systems, there is a growing need for an important addition to our schools. Mr. Speaker, we have heard the Minister of Energy and Resources Management (Mr. Simonett) promise to build water water pump lines to the edge of municipalities, and the municipalities are faced with having to build feeder systems within the towns. Municipalities are greatly in need of these sewerage systems, and although the government will finance a portion of these, the municipalities feel that they have

reached and surpassed taxing of the home owner.

Municipal debentures are financed through the Ontario water resources commission, or the commission charges rental for these services. According to the remarks of the Minister of Energy and Resources Management in his estimates, Mr. Speaker, progress has been made in combating pollution of the waters of Ontario, but he left the impression that while legislation respecting pollution and sewage control is very comprehensive and complex, and while it is not the intention of the department to take advantage of such legislation to enforce control programmes, they would not fail to use it whenever co-operative action could not be reached.

Amendments to The Water Resources Commission Act which gives authority to designate municipalities which are in need of sewage works, are to the effect the government can step in over the head of the little municipality, build these services and then assess the municpality for the cost.

Municipalities, Mr. Speaker, are very concerned over this great power which is given to the Ontario water resources commission, and I would venture to say that with the financial condition of the towns and villages and the high cost of building new and additional sewage systems in an effort to control this great increasing menace, this is becoming an increasing problem. Pollution is surely dangerous and the need for clean water in the future is becoming very necessary.

Already financially overburdened municipalities are asking that more financial assistance should come from the province in connection with building of sewage systems in order that our lakes and rivers may be cleaned up.

Since the government has increased taxation this session, I think the time has come when the government should start to put its house in order itself; to set an example by cutting the cost of administration. This government remains unimpressed by the Glassco commission's report on government efficiency. There is no centralized buying in spite of the recommendations by the Johnston report. Legal advice is sought on a piecemeal fashion, and 1,000 expropriating authorities in the province cost us dearly. Mr. Speaker, Medicare will cost us half a million dollars, just to get customers.

We have three departments of government which have their own geologists. If they were under one branch of government it would be more efficient and less costly, Mr. Speaker. We have 100 boards and commissions in the province. If combined they could be made more efficient and also less costly. Mr. Speaker, education costs are increasing. Education has become a burden to many segments of our economy. It is the duty of every one of us to educate this future generation with the best education that is possible, but we find the home owner and the land owner are bearing a great share of the cost.

Now Mr. Speaker, I have a letter here from one of my constituents which I think I should read without trying to explain the conditions that exist in towns and villages across the province.

> Some of our thinking in respect to the problem of small towns in respect to the changing province, we naturally as citizens, taxpayers and elected officials of the town, our thinking naturally reflects many of the problems faced in our community as well as other towns of a similar size. We think it is only proper that first one must look at the basis of assessment in some of these communities. A community that can boast that their assessment is split evenly three ways, that is residential, commercial and manufacture, has an ideal tax arrangement for its citizens. The following table demonstrates a situation that exists in our urban areas.

Now, the residential assessment, Mr. Speaker, is 64.14 in one municipality and the commercial and manufacturing is 35.86. In another town the residential assessment is 65.1 and the commercial and manufacturing is 34.99.

From the above table it is obvious that the residential taxpayer is carrying most of the load in these communities. Unfortunately for the small town, there is not enough future for the young people, and after they are educated in the local public and secondary schools they move on to larger centres. It is one of the reasons why the province must pick up more of the cost of education of these young people who seek their business opportunities in larger centres.

During the past few years, the small town has had repeated pressures placed upon it by the Ontario water resources commission for proper sewage. However, the most frequent has been the refusal to approve of subdivision plans. If the community has not a proper sewage treatment plant and has not taken the necessary steps to acquire adequate facilities—actually these communities desire

proper treatment centres, but the lack of assessment taxes makes it almost impossible for the small communities concerned—a total sewage programme is impossible unless the community is attempting to instal a system that will only permit partial treatment to the community. This is not enough. The citizens want this service, but the town is not able to provide it due to the lack of funds.

This year our town had to raise its mill rate 12 mills or $12 per thousand assessment. Yet our school rate remains the same and we have not as yet started a sewage programme. Our mill rate for residential is almost 87 mills. If our schools continue their expansion plans—and they must be undertaken if we are to give our young people the advantages that they can expect elsewhere—it will not be long before the annual mill rate has exceeded 100 mills and it will be climbing to the 125 mills.

I might add that this county does boast of an equalized assessment and thus our assessing practices in this town are not antiquated as apparently those in many communities in the province. In respect to higher mill rates, it is not alone. All small towns in this area found it necessary for many reasons to increase their mill rate as high, if not higher, than our town. Frankly, unless the small community receives relief from the federal or provincial sources in the form of additional grants, or I might say, Mr. Speaker, 75 per cent take-over of the educational programme, the small community is doomed within the next few years. We are already noticing signs that the people are thinking about settling in larger centres where the services are more adequate and the cost of these services are no higher than the small community.

This is the thinking of some of the elected officials in our towns and villages in southwestern Ontario, Mr. Speaker.

I might say that now, as this government has increased taxes, the time has come for this government to absorb 75 per cent of the cost of education to give relief to the home owner, the land owner, the towns and villages, so that they may build the services that are so desperately needed.

Mr. Speaker, the time has come to economize in the cost of the administration of this government. I feel that we are living in a time of inflation, and I also feel that the government should take the lead and set an example to combat inflation in this period in which we live.

**Some hon. members.** Hear, hear.

**Mr. L. M. Reilly** (Eglinton): Mr. Speaker, first of all I should like to say a word of congratulation to you, sir, on the magnificent job that you are doing as the Speaker of this House. As your Deputy of course I have had a grandstand view of your performances and I have been able to appraise the work that you have been doing. I want to congratulate you on the way in which you have been handling the affairs of the House.

I would also like to say a word to the new hon. members who have been elected to this House and give them a word of welcome.

I was delighted, of course, to hear my friend, the hon. member for Kent East (Mr. Spence) speak about the land owners and the home owners and the fact that they are paying perhaps more than their share of costs. I share his view and I would like to tell the House about an experience that I have had here recently.

I sent to my constituents in Eglinton riding a pamphlet telling them about the work of the House, and in this report to my constituents when I reviewed the things that have been accomplished during this session of the Legislature, I explained to them that the local option bylaw that was passed by the old town of North Toronto was being contested in the courts, and that in the fall of this year North Toronto would learn whether it is possible to establish liquor outlets in Eglinton riding, I attached a questionnaire asking them to let me know if they approved of liquor outlets being established in the area, and if so, to state the type of licensed outlet they preferred.

This questionnaire elicited a large response, and many of the answered questionnaires returned to me were accompanied by personal letters on both sides of the issue. It is my intention to tabulate these replies, Mr. Speaker, and to send submissions to the officials of the liquor license board of Ontario.

Several of the constituents when answering the questionnaire on liquor, indicated that there were other matters equally important to them. The two most important matters in the minds of many constituents were inflation and taxes.

One person wrote: "Every time one turns around, some supposedly responsible person is granting or demanding subsidies, additional payments, and so on."

Another one said: "We could do without liquor, but we cannot get along without

food," and then went on to explain: "It is mighty hard to live on $75 —" and then inquired about an increase in the old age pension.

"I have answered your questionnaire," wrote another constituent, "but this is a secondary consideration to me. Education tax is more important. When is the government going to relieve property owners from this responsibility?"

**Mr. V. M. Singer** (Downsview): You are a member of that government, why do you not do something about it?

**Mr. Reilly:** I am going to. If the hon. member for Downsview will wait, I will tell him about it.

Of course, I could answer my friend by saying that the federal government has refused to give further help to the old age pensioners. This refusal, of course, is adding a problem to the pensioner who is a home owner living on a fixed income and caught in the inflation squeeze.

**Mr. Singer:** The 5 per cent sales tax.

**Mr. Reilly:** Instead of discouraging inflation, the federal government is encouraging it, as we see here, by improving the longshoremen's demands and by granting huge increases to the seaway workers and others, which result in further inflationary pressure and even higher prices to the consumer, particularly the old age pensioner and others on fixed incomes.

It appears that the old age pensioner is going to have to hold the line with no increase from the federal government — except on their terms, as I read in the weekend papers.

The attitude that is adopted by many of these homeowners is that the government can find money to raise their own salaries; it can recommend a 30 per cent increase to longshoremen; it can find money for the seaway workers and for the transportation workers; yet it cannot find $25 a month for a man who is trying to maintain his own home.

**Some hon. members:** Hear, hear.

**Mr. Reilly:** Now last month, the June 24 edition of *Time* magazine said:

> Labour peace was purchased at a price which will surely present an irresistible challenge for every union leader in the land.

It was referring to the dock workers' elegant raise of 80 cents per hour over two years, added to the average hourly base of $2.63. In the same article, it pointed out that the seaway workers were to receive a 20 per cent increase as of January 1, 1966, and a 10 per cent further increase as of January 1, 1967, on top of an hourly wage of $2.36.

**Mr. E. W. Sopha** (Sudbury): They always speak well of you.

**Mr. Reilly:** Air Canada has negotiated a more modest 15 per cent raise over 26 months, plus a retroactive cash settlement. Railway and transport workers who earn an average of $2.21 an hour are demanding raises from 55 cents to $1.32 an hour.

Listen to the hon. member for Kent East who has just left the room — some of his farmers do not receive $1.32 an hour, and here is a request for increases up to $1.32.

Federal negotiations and settlements will trigger increases across a whole round of industries. These huge increases will have a multiplying effect — a spiralling effect that others will want to match. These terms of settlement were not in the public interest. Actually, the inflation problem has been rendered more acute by federal action. There is no virtue in a quick settlement at any price. Governments must not do the popular thing, regardless of consequences; they must contend with inflationary changes.

In my opinion, Mr. Speaker, all governments have a responsibility to try to control inflation. Under our constitution and our current practices, the federal government has a prime responsibility to control inflation, particularly in the field of taxation and money supplies.

The failure of the federal government to cope with this matter is very obvious. In fact, the Minister of Finance appears to be determined to aggravate the already difficult situation by raising interest rates.

**Mr. Singer:** When are you taking action in Ontario?

**Mr. Reilly:** In this particular case, I would say that I would support my colleague, the hon. member for Dovercourt, rather than my colleague from Eglinton.

**Mr. Sopha:** That makes two of us.

**Mr. Reilly:** The pressure on the pensioner is being increased by growing costs, and yet no extra provision is being made for him. Yet government permits increases which have ill

effects upon the pensioner. How much more of this inflation can we expect? How bad will it get?

It could be argued that we have had inflation for years, that is, we have had a creeping type of inflation and most people have been able to stay abreast of it. But now we are having a stronger dose of it and wages go chasing after prices and prices go up to meet higher wages, and so on. But the pensioner and the fixed income person is left to work out his own problems. This is a real danger to our society.

The ill effect of inflation is further demonstrated by a pensioner who writes: "Not a day passes but we find in the daily papers and periodicals, evidence of the fact that month by month, inroads are being made on the stationary incomes of pensioners by inflation. Month by month, the margin between expenses and income narrows frighteningly."

He goes on to say: "Look at the demands of labour which are the strongest reasons for inflation. Everybody who is working is demanding, and is getting, increased income, but the pensioners' incomes are remaining stationary, with no way open to them to keep up with the trend." The writer asks: "Is it not reasonable for those in Canada who have been among our best citizens and who have tried to provide for themselves, to expect the government to do some thinking on their behalf?"

Another constituent writes to me saying: "Have you shopped for food lately?" And this was before the two-cent increase last Friday or Monday on milk.

**Mr. Singer:** Mr. Speaker, I wonder if the hon. member would permit a question?

**Mr. Reilly:** Subsequently; maybe I will cover it.

**Mr. Singer:** Well, will the member permit a question?

**Mr. Reilly:** Perhaps I will cover it—

**Mr. Singer:** Oh, dear!

**Mr. Reilly:** —but it is difficult to anticipate the hon. member's questions. Perhaps I will cover it as time goes on.

**Mr. Singer:** Shame, shame!

**Mr. Reilly:** As she went on to write about the spiralling food costs and the ever-increasing taxation, she concluded her note by saying that she thought it was my duty at this point to try to hold the line if I was really interested in my constituents' welfare.

Interjections by hon. members.

**Mr. Reilly:** Again, another constituent writes saying that he is concerned about the accelerated rate of government spending, and hopes that some way will be found to control the galloping inflation that is engulfing all of us before it is too late. Still another constituent says that taxes are becoming intolerable, and that with the cost of living increasing daily, politicians should be giving more thought to saving money rather than dreaming up new ways of spending it. Thus, it is clear that as the pressure on the old age pensioner and others on fixed incomes is steadily increasing, this important segment of our community is becoming alarmed and requires our help.

Let me tell you about a constituent of mine who has lived in North Toronto as a homeowner and a taxpayer for many years. He had faith in his country, he worked diligently at his job, he planned his future wisely and bought his pension with his own money. Now, what is his position today? He is receiving a pension for his old age. As yet his wife does not qualify for one, so both of them are entitled to the usual exemptions which have been in effect for many years.

Instead of being contented and happy and enjoying his retirement, he is now worrying about whether or not he can remain in Toronto—the place where he was born and raised. He feels he cannot afford to continue to pay all the increases that are imposed on him as a property owner. He has reminded me that while everybody else gets increases, those on fixed incomes are squeezed with inflation and increased taxes. He pointed out to me that at one time, on his modest home, he paid $180.50 in realty tax. Today he pays $533.10, which brings me to the second point that I want to stress.

Out of the $533.10, the latest increase of $40 was for educational costs. In other words, out of a total of $533.10, he pays a city tax of $181.54, a Metro tax of $121.85 and an education cost $229.71. Why should a man, a property owner and a taxpayer who has saved all his life to have a home for retirement, be forced out that home because his nest egg disappears under the twin pressures of inflation and rising taxes? Why must the property owner carry the burden of education?

Interjections by hon. members.

**Mr. Reilly:** Mr. Speaker, rhetorically I ask, why must the property owner carry the burden of education?

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Reilly:** I received another letter from a constituent of mine who lives in a very modest home in the northwestern part of the riding which has 26.5 feet of frontage. The width of the frontage alone indicates that there is nothing pretentious about this dwelling, and yet over the recent years he has had an increase of 100 per cent in realty taxes—I repeat—26.5 foot frontage on which he pays $430.

Let me give you another brief example from a responsible and thoughtful constituent. "My sister and I are joint owners of a bungalow at the above address. We are both single, in our sixties and retired on a small pension. Each year our taxes have risen so much that we have been forced to do temporary work in order to keep our home. As I understand it, approximately 44 per cent of the tax dollar goes for education, and to me this seems an unfair way of raising money for educational purposes. I think this money should be raised by individual taxation. I think if this were done, people over 60 should have a higher exemption rate to compensate for these taxes. There should be a time when older people faced with fixed incomes and inflation are allowed some leeway."

Another homeowner from Eglinton wrote me tersely: "My taxes are up $55 this year. How is an elderly widow expected to hang on to her home at this rate?" She enclosed a small newspaper clipping announcing that the state of Connecticut enacted The Tax Freeze Act, giving municipalities the authority to exempt all homeowners over 65 years of age from further tax increases. Upon death or disposal of the property, the municipality would collect back taxes owing.

Now, I realize that Ontario is not the only jurisdiction struggling with these inflationary problems. However, the point that I am making is that education should not be a charge on real estate.

**Several hon. members:** Hear! Hear!

**Mr. Reilly:** I realize that it is almost impossible for the province to absorb the entire cost of education immediately. It is my submission that a gradual decrease in educational cost to the homeowner is not only desirable, but essential. We as a government cannot justify placing all this burden on the homeowner, and we should start a programme gradually reducing the amount of tax so that the province of Ontario assumes a greater portion of the cost of education each year.

I will admit that grants by the provincial government on behalf of education have steadily increased, in fact that is one thing that the province of Ontario has kept abreast with as far as its contribution is concerned—the grants on behalf of education have steadily increased. This year's budget has been increased substantially. Last year, $331 million were included in the estimates for school grants alone, and this year the sum is being increased to $383 million, which indicates an increase of some $52 million.

But surely we do not want to encourage an attitude that appears to be growing in popularity today, where people say, well what is the use of saving? What is the use of a personal pension? Why not let the federal government or the provincial government take care of us? Surely we do not want to continue to discourage those who have a stake in our community.

**Mr. Singer:** What does Ontario's government do about this?

**Mr. Reilly:** The man who owns his own home has a real stake in his community, and in these confused and troubled times it is clearly against public good to further weaken community ties by driving such a man out of his own home by unwarranted taxes. Unless we do something to relieve this burden, we will likely add greater deprivation, and possibly allow the homes to become in disrepair, to a point where slum conditions may be created. If the homeowner is squeezed to the point where he does not have enough money to maintain his own home, he loses interest in the community and his responsibility to the community. The property owner is carrying the brunt of educational costs which is not only dangerous, but unfair. Education is the legitimate charge on the whole community, because the whole community benefits from it. If the federal government is not going to do anything about it, what can we here in Ontario do about it?

**Mr. Singer:** That is a very good question.

**Mr. Reilly:** One suggestion that I would make is that a fixed portion of the sales tax be specifically allocated to the local school boards, reducing their dependence on the property owner as the prime support for educational costs.

**Mr. Sopha:** I do not see the Provincial Treasurer (Mr. Allan), making a note of that.

**Mr. Reilly:** This would guarantee additional funds for the reduction of school tax on the homeowner.

Another possibility, Mr. Speaker, would be to consider what New York city has done.

Interjections by hon. members.

**Mr. Reilly:** I understand that it has obtained permission to impose its own income tax. While this might appear merely to substitute one tax for another, at least income tax would be more equitable by spreading education costs over all the people and not just the homeowner. As I pointed out earlier, the homeowner is caught in the inflationary squeeze, plus the load of education costs. This load should be spread across the whole community.

Interjections by hon. members.

**Mr. Reilly:** Thirdly, I understand that a form of direct relief is given to the homeowner in British Columbia and also in Alberta. Manitoba has been making a $50 direct gift, and according to the *Globe and Mail* of June 27, Premier Duff Roblin is expected to increase this annual tax rebate to homeowners from $50 to $100. The government of Ontario should give consideration to a similar rebate direct to the homeowner.

In addition to these suggestions, Mr. Speaker, every effort should be made by all governments to save the taxpayer's money by keeping up to date with improved methods of doing business. Governments must enter the computer age and must modernize and keep abreast of current methods and procedures.

**Mr. Singer:** Why do you not speak to your Tory friends?

**Mr. Reilly:** Nor should we ignore the role of the federal government.

A fifth suggestion would be for the Ontario government to have some guide lines.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Reilly:** I was being heckled good-naturedly from the rear, Mr. Speaker.

The fifth suggestion was for the Ontario government to meet with the federal government and have some guide lines on which they would urge the federal government to establish priorities. It must be remembered that no country can do everything at once and that the taxpayer is being squeezed. Priorities must be established. It is imperative for all levels of government to agree on priorities. In the interest of the Canadian public, the two senior levels of government must get together and decide how our resources are going to be channelled.

In my view, Mr. Speaker, somebody has to start telling the public that we cannot afford all of their requests. We have to start saying "no" to some of their demands.

Finally, the federal government should be encouraged to review the long outdated basic exemptions to income tax. These exemptions have been in effect for many years and do not reflect the changes that have taken place in the cost of living and in the reduced value of the purchasing dollar. Surely there is no one in this House who would compare $1,000 exemption in 1950, on the same basis as $1,000 in 1966. These exemptions should be reviewed and updated to meet the existing conditions today.

It is my hope, Mr. Speaker, that when we receive the report of the taxation committee, we will be able to implement many suggestions to relieve the taxpayer, particularly the two groups of whom I made reference—the homeowner who is a pensioner and the homeowner who is living on a fixed income. This vicious impact of inflation and unfair pressure of educational costs are forms of cruelty to these two forgotten groups. Let us remember that the homeowner pays the ever-increasing cost of garbage clearance, fire protection, police protection, street cleaning and other municipal requirements. We cannot justify continuing to place the additional burden of educational costs on him.

**Mr. F. Young** (Yorkview): Mr. Speaker, I stand here tonight in awe and amazement because as I listened to the Chairman of the House (Mr. Reilly) make a speech which came right out of the last century, I could not quite square it with his very great ability, which is only matched by the ability of the Speaker himself, in controlling this House and conducting the business of the House in 1966.

I am not going to spend any great length of time in answering the member for Eglinton tonight, because his arguments have been refuted time after time in this House. I just want to point out to him one or two little matters.

One, he objects strenuously to the longshoremen and others getting increased wages, but what he ignores is the fact that last year, the gross national product of this country increased by four to five billion dollars a year. That is at least $1,000 for every Canadian family, extra wealth created by the work of

the Canadian people over this past 12 months. How does the hon. member for Eglinton propose to divide this extra wealth? Is it all going into dividends? Into capital gain? Or is some of it going, Mr. Speaker, into increased wages of the very people who created this wealth. Some of it should go to the longshoremen. Some of it should go to the farmers, and they are in dire need of it today. Some of it should even go to lawyers, I suppose, and the school teachers, Mr. Speaker.

But in any case, I think we have to bring our thinking up to date and realize that in 1966, as this nation increases its wealth, it should be spreading around its purchasing power so that people can buy back the increased wealth that they are creating. I think this is a very simple lesson in economics that my hon. friend ought to learn in 1966.

When he talks about a gift from the provincial Treasury to all the homeowners in Ontario—

**Hon. G. C. Wardrope** (Minister of Mines): In Eglinton.

**Mr. Young:** Just in Eglinton? No, I think he meant all Ontario, even the north was to get this and Port Arthur, I think, Mr. Minister But all he is saying is, let us do what some other provinces have done, let us tax the general taxpayer across the province in order to give back to the people $50, or $100 a year which then they can apply to their municipal taxes, so they will not have to pay this at the municipal tax level. It is six of one and half a dozen of the other. It is juggling for political purposes to get votes, that is all it amounts to. So this kind of financial juggling is out, I would hope as far as this government is concerned.

Now, when he talks about exemptions to income tax, I am right with him. I think that we ought to bring this whole matter up to date. But—

Interjections by hon. members.

**Mr. Young:** Exemptions on income tax I think was, if I am not mistaken, the final text.

**Mr. Speaker:** The members must not speak to each other; they should always address the Chair.

**Mr. Young:** Does the hon. member for Bracondale hear this?

**Mr. G. Ben** (Bracondale): Right.

**Mr. Young:** But how can he square this with other parts of his speech a little earlier? I am not going to enter into details in this regard, because I have another matter of very great urgency that I want to bring before the House and at this time of the session I do not think we have patience for long speeches I understand there is some enthusiasm for that remark. But, I do want to point out, Mr. Speaker, that in Metropolitan Toronto, and across this province, a danger is building up along our valleys, particularly right here.

Years ago when land was comparatively cheap, people built homes along the top river valleys; they set them well back, and they had nice deep lots behind them, where they could enjoy the view and could enjoy an adequate garden.

But, in recent years, land has become extremely valuable. Ravine lots command premium prices so the developer, all too often, has pushed fill over the top of a ravine bank and levelled it out. This way he gets more valuable ravine lots from his subdivision. Sometimes the bulldozers have given him literally hundreds of thousands of extra dollars. He sold the lots and got out with his added profit. But his bulldozers destroyed the natural stability of the banks built up over the centuries. They killed the grass and the tree coverage, and they made the banks far steeper than they originally were. Moreover, the fill added unstable weight to the bank as it perched precariously on the old slope with a thin layer of slippery top soil and rotting vegetation between the two masses of earth.

Now, the damaged banks, unable to support the extra weight for long, are giving way. But they are taking with them the back yards of homes and are destroying the biggest investment the families concerned ever made.

When the backyards of Voldemars Berkis and John Hunter, 28 and 30 Stanwood Crescent, in my riding, dropped ten feet below the door sill and the rear sections of the lots tumbled into the valley, no one would accept responsibility. Fortunately, the foundations were on solid ground and the houses stood—and are still standing as of tonight. I just checked by telephone and for a good reason which I will come to later.

The families wonder what will happen when the rest of the earth gives way, as it certainly will in spite of their efforts to hold it.

Meantime, three other families further along the street from 54 to 58 Stanwood watch a wide crack develop right across their lots about 15 feet behind the houses. Beyond the crack the land has dropped a couple of feet, and further down the slope other cracks tell of certain disaster in the making. The banks are steep—much steeper than nature

made them, and they are not going to stay that way.

Now, on Notley Place in East York, a life has been lost as five backyards roared down into Massey creek and the families concerned are forbidden to live in the houses. The Notley Place subdivision was created in part by moving earth from the valley slope, pushing it across what is now the street to make wider lots on the south. Part of that fill kept on going a couple of weeks ago.

Other similar situations are building up in Metro and elsewhere throughout the province, where mistakes of the past are beginning to catch up, and innocent people, for the most part, are paying the cost of these errors.

The Stanwood Crescent people have been trying for a long time now to pinpoint responsibility. The Notley Place residents are not embarking on the same fruitless exercise. The fact is that they, and many more to come, are helpless victims of past mistakes not of their own making, but no one, from the original landowner to the provincial government, seems inclined to accept any part of the blame.

What is needed, and I stress this fact, Mr. Speaker; what is needed now is not litigation or assessment of what part of the responsibility should be pinned on what authority, but rather what is needed is a practical human solution to these and other similar disasters which are bound to come in the years ahead. What we want is a clear-cut policy which will prevent future dangers of this sort, and then a policy to meet the needs of these people who are now, and in the future, finding themselves in this kind of trouble.

At the provincial level we must face the fact that this government is ultimately responsible for subdivision plans. The subdivider files his proposed plan with the Minister of Municipal Affairs; he then sends it to the interested parties for their comments. The party most vitally concerned, of course, is the municipality in which the plan is to be situated. This municipality goes through the plan to make sure that services can be provided and that street patterns, parks, lot sizes and other amenities conform with municipal standards. It then returns the plan to the Minister with its recommendations. The Minister finally approves it.

The Planning Act provides that:

> When land is to be subdivided for the purpose of being sold, conveyed or leased in lots by reference to registered plan of subdivision, the owner of the land, or someone authorized by him in writing, shall forward at least eight, or as many as may be required, copies of a draft plan thereof drawn to scale, together with an application for approval to the Minister.

He sends them out. But finally in considering the draft plan, section 28 says:

> Regard shall be had among other matters to the health, the safety, convenience and welfare of future inhabitants, and to the following—

and among them are listed the suitability of the land for the purposes for which it is to be subdivided; the dimensions and shape of the lot; the restrictions, or proposed restrictions, if any, on the land, buildings and structure proposed to be erected thereon.

There is no question that the Minister has always relied heavily on the advice of the municipality in respect to the plan. I think this is just one of the facts of life. His department has not been too concerned with contours of the lots. If the planners and engineers of the municipality allowed the proposed lot plan along ravines, it generally went through the Minister's hands without too many questions asked. And too often municipal authorities have been careless along the ravines. Too often they have allowed the bulldozers to build up trouble for the future, rather than take issue with land-hungry developers.

Often, too, there has been very little realization of the danger inherent in changing ravine contours. What has been done, has often been done in good faith as far as municipalities are concerned, and the Minister has accepted their recommendations in the same good faith.

While the Minister is finally responsible for approving plans, there have been mistakes at the municipal level where cautionary steps should have been taken long ago. But, again, in fairness, there has been no legislation to enable municipalities to prohibit the alteration by landowners of ravine slopes. The conservation authorities may now prohibit such alteration without a permit, but this is not easy to enforce.

For future protection, therefore, legislation should be enacted forbidding the changing of ravine contours without specific permission of the municipality concerned. Moreover, the Minister should demand contour maps of subdivisions and approve ravine lots only when he is satisfied that buildings will be set back far enough from the top of the bank to ensure safety of future inhabitants. The Planning Act gives him that power and the responsibility now. He should be exercising

it and legislation, where necessary, should be passed.

This will take care of the future. But there are many desperate families who right now are looking to some public authority to assist them. It is not their fault that they are in trouble. Perhaps they should have known something about ravine banks and their nature when they bought, but they did not. The trouble is real. They now know the danger. Their backyards have moved, and are moving slowly, but inexorably, down the slopes. They are not sure of what might happen to those yards and to their homes, and to those inside them at any time. But they are economically locked in. They cannot sell; nobody is going to buy those homes. They must keep up the payments on them, and since they cannot sell, they cannot buy somewhere else and move. None of these families can afford the luxury of two homes —one of them sitting vacant.

The answer to this problem, Mr. Speaker, should be very clear. The lots affected are really part of the valley slopes. Nature is now demonstrating that fact. The conservation authority is buying land up to the top of the slope. Half the money to accomplish this is provided by the provincial government; the other half by the municipalities. The machinery is there and in some cases the land and the houses, both, should be bought by the conservation authority concerned; the houses demolished, and the land incorporated into conservation holdings.

This will be costly, but not as costly as installing retaining walls, filling and restoring the lots to stability in that way. The houses are there because of a mistake by public authority at both levels. The present owners should not be saddled with the material and possibly the human cost of those mistakes.

I, therefore, urge this government to take the lead in setting policy in this situation. There is nobody else who is going to take that lead and this government should be doing it. It should immediately make extra funds available to the conservation authority to buy homes affected and to call on the municipalities to match these funds in the usual way so that the conservation authority can act, and act now, without delay, before more lives are sacrificed to past errors.

In other cases where homes are simply threatened, and where engineering advice says that the back of lots can be saved at a lower cost than buying out those homes and lots, then remedial work ought to be undertaken. I wrote to the Metropolitan Toronto conservation authority recently regarding the situation on Stanwood Crescent, and a letter I received just this morning says this:

> On Friday, June 24, Dr. Lord and the writer visited the site and inspected the bank in the vicinity of 54 to 58 Stanwood. The slumping which has occurred would appear to be due to an old filling condition at the rear of the houses, and partially to erosion of the toe of the bank due to action of the Humber river.
>
> Although our staff are concerned with the development and wish to construct protective work at some time in the future, we have no scheme which covers the affected area at the present time and no funds available that we could apply to protective measures of the nature which would be required in order to correct the toe of the flow.
>
> Your very truly,
>
> R. Cunnington.

In other words, that situation is developing and threatening, and remedial action is now needed, but the funds are not there. The provincial government, at this point, should expand its present policy to meet this situation in both regards.

Just tonight in talking to the people on Stanwood whose homes have already been threatened by the drop of a backyard by some ten feet, I learned that a letter was received today. This letter is to Mr. and Mrs. B. R. Burkis, 30 Stanwood Crescent, Weston, Ontario.

> Dear Mr. and Mrs. Burkis:

It is dated June 30, and just arrived—

> A recent inspection of your property conducted by the undersigned, in company with Mr. W. A. Trow, soil mechanic consultant, disclosed that further movement of the fill in the vicinity of your property has taken place—

this is from the township of North York:

> —and that conditions, generally, are continuing to deteriorate. Although it is impossible to predict with any degree of certainty whether major movements of the earth will take place in the near future, such is a possibility, particularly if the ground becomes saturated following a heavy rain.
>
> In the event that the earth slippage is permitted to continue unchecked, structural damage to the buildings may result. In fact, at the time of our inspection, hairline cracking was observed in the foundation wall.
>
> As a result, this building is considered

to be in a dangerous and hazardous condition. Accordingly, it is recommended that your dwelling at 30 Stanwood Crescent be vacated forthwith in the interest of the safety of the occupants.

You are reminded, and are no doubt already aware, that there is no liability on the municipality for the personal injury or property damage in the event of accident.

(signed)

S. G. Beckett, P.Eng.,

Building Commissioner, North York.

Now, Mr. Speaker, this situation is just too serious for us to dally. Here is this family — the neighbouring family received an identical letter tonight — wondering what the future is, financially unable to do anything because they cannot sell and, therefore, they cannot buy somewhere else. They do not know what they can do. This situation can be multiplied across Metro and in other places.

I leave this with the Prime Minister (Mr. Robarts) and with the members of his Cabinet tonight, and I would hope that without delay some initiating action will take place by this government to ensure that the Metropolitan Toronto and region conservation authority has the financial power, and has the instructions to move, to prevent further damage where that can be prevented, and certainly to prevent any further loss of life in the kind of slippage which takes place.

These situations have developed because of mistakes of the past, mistakes in which each level of government bears some responsibility. So those two levels particularly should bear the responsibility to rectify those mistakes, to prevent similar events occurring in the future. These levels of government have the machinery. The province has in its power the initiation of action which can solve this problem now and which can prevent disaster in the days ahead.

**Mr. N. Whitney** (Prince Edward-Lennox): Mr. Speaker, although I have spoken briefly on a few occasions, this is the first opportunity I have had to formally express my appreciation of your great service to this Legislature in your very important work. I do feel that your dignity, your affability and your fairness, along with your wit, have contributed greatly to the conduct of business of this Legislature, and that you deserve favourable comparison with all previous Speakers.

I also want to congratulate the hon. member for Eglinton (Mr. Reilly) on the most excellent job that he has been doing as Deputy Speaker and also on his very fine address here this evening.

I feel that at this time, when we are only approximately a year from our one-hundreth birthday that perhaps it is fitting to speak of some of those things that should unite us, rather than some of those things that divide us, or where there appears sometimes to be the intent to divide us. In that regard, I want to read a quotation from an excerpt from *Colony to Nation*, written by Professor R. M. Lower, a former professor at Queen's University, which states:

> Canada with its divisions of race presents no common denominator in those profundities which normally unite in race, language, religion, history and culture.
>
> If a common focus is to be found, it must come out of the common homeland itself. If the Canadian people are to find their soul they must seek for it not in the English language or the French language, but in the little ports of the Atlantic provinces; in the flaming autumn maples of the St. Lawrence valley; and in the portages and lakes of the Canadian shield; in the sunsets and relentless cold of the prairies; in the foothills, mountains and sea of the west; and in the unconquerable vastness of the north.
>
> From the land, Canada, must come the soul of Canada. That it may so come is not as fanciful as some might think. When the experiment was begun in the northern wildernesses, no one foresaw the strong state that was to be. Canada has been built in defiance of geography. Its two coasts were bridged by a transcontinental railway, almost in defiance of common sense. Canadian statesmen reconciled the irreconcilable when in the 1840's they joined dependence to independence. They accomplished one of the greatest acts of state building in history, when in 1867, they brought together scattered provinces and two peoples into one country.
>
> Although the extremists would more than once have wrecked it, the structure built has never failed in crisis to rally to it the support of moderate men from both races. It has stood through the storms of two world wars. In every generation, Canadians have had to re-work the miracle of their political existence. Canada has been created because there has existed within the hearts of its people, a determination to build for themselves an enduring home. Canada is a supreme act of faith.

Professor Lower I have met several times and admire very much as a great Canadian. I want to quote briefly from the remarks of another great Canadian who died a little more than 75 years ago.

> There is no paramount race in this country. There is no conquered race in this country. Let us forget this cry and we shall have our reward in seeing this unfortunate fire which has been kindled from so small a spark extinguished forever, and we shall go on as we have been going on since 1867, as one people with one object looking to one future and expecting to lay the foundation of one great country.

These latter remarks were made by Sir John A. Macdonald in the House of Commons concerning controversy about the use of French in the government and administration of the western territories.

Now, probably the quotations I have made will really confirm the opinions of a newspaper columnist who in writing of a small group of members from this part of the House, uses such terms as "old Ontario," "snake fences" and "rock piles." Probably he did not intend to do so, but in my opinion he has given us a rare compliment. People who reside in the part of Ontario that I have the honour to represent, appreciate and respect the accomplishments of the great people before us who did so much to pave the way for our achievements of today.

It is recognized by conservationists that snake fences, particularly if they run in a north to south direction, are of great benefit in reducing the loss of top soil by wind erosion and in conserving moisture.

The rock piles are monuments to the labours of those who strove to improve their lands and leave it better than when they first possessed it.

Those who criticize the people of Ontario who reside outside of the large cities, have little appreciation of the local pride and loyalty that exists. In that regard, I would like to mention some of the reasons why that is the case. In our most recent issue of the Picton *Gazette*, there was a brief item there entitled "Good neighbours." I will read it:

> Unable to harvest his crops due to a broken leg suffered when kicked by a cow, Douglas Reynolds, Woodrous Corners, found he has many good friends and neighbours. Tuesday night they turned out with wagons and tractors and placed his hay crop safely in the barns.

I think that is the type of welfare we should appreciate—where people without being asked take an interest in the welfare of their neighbour. I do not think it is proper that criticism be made of the people who still have that spirit which is exemplified by our original settlers.

In our towns and villages and hamlets such as Picton and Napanee, Wellington and Bloomfield, Odessa, Bath, and so on, the merchants in those towns are as conversant with agricultural matters as are the farmers themselves. They know what it means to have a drought and they are interested. They, in turn, help the farmers by trying to provide the necessities that they require and to have them on hand at the proper time. In other words, I do not feel that any of these things that get talked about by the big city papers, and some of the people who criticize rural Ontario, can in any way, compensate for the way of life that we have inherited from our forefathers, and despite all efforts to the contrary, a great deal of that attitude instilled in us will still persist.

People can co-operate on a community basis. For instance, in Napanee, one of the biggest attended functions of each year, is the chicken barbecue provided by the federation of agriculture, assisted by the junior farmers. They invite all the members of the service clubs, the civic officials and so on, to participate with them and there is a great exchange of ideas and companionship on a community basis which certainly is a very excellent thing in my mind.

When my people in Prince Edward county hear of something detrimental being said in the Legislature which refers to them particularly, they do not take kindly to it. Some time ago, I believe it was on April 28, on page 2748 of *Hansard*, the hon. member for Scarborough West (Mr. S. Lewis) called attention to Prince Edward county, stating that it had an infant mortality rate of 31.1 per 1,000 births.

The health unit in Prince Edward county has since had the medical officer of health look into this situation. While it was true in one year only, that there was a higher than usual rate of infant mortality—that was in 1964—nevertheless it might have been much better to have looked over the previous and succeeding years which show that in the ten years 1956 to 1965, inclusive, the average of Prince Edward county infant mortality was 25 per 1,000, not any such figure as 31.1. There was a high of 21 in one year but there was a low of 6 in another year.

Just what caused this situation in that particular year, I do not know, but it is pointed out that the average in Prince Edward county for infant mortality is very close to the provincial average, and to the average in the United States. I certainly feel that consideration should be given before people say things and use a great county such as this as an example of, shall we say, backwardness and improper care, and so on.

The county of Prince Edward like the counties of Lennox and Addington has had a health unit for many years. They certainly have looked after their children and I would like to see them all given credit, which is their just due, for what they have accomplished in that regard, rather than have someone use an isolated figure trying to prove a point that certainly is not evidenced by the preceding ten years.

I would like briefly to turn to the fact that reference has been made by previous speakers to a cheap food policy. I have heard that repeatedly — a cheap food policy. I think that being told time after time, the members of this Legislature should know that as far as the Ontario government is concerned, it cannot control the price of foods. The price of food can only be controlled by the federal government because the federal government only can prevent or restrict cheap food from coming into this province. I think it is very obvious that the price of food seeks its own level due to the policy of the federal government in permitting imports, by the prices established, because of volume, supply and demand and so on, in the province.

In that regard, I would like to point out that if you will look at the livestock prices at each of the following markets, say, Calgary, Winnipeg, Toronto, Montreal, Buffalo and Chicago, you will find that invariably on the average the price of livestock, beef, heifers, steers and so on, is higher on the Toronto market than any of the other markets that I have mentioned.

I think The Department of Agriculture in this province deserves credit for setting up the commission under Mr. Campbell, who came before our committee on government commissions. I feel the accusation that this government has adopted a cheap food policy is definitely not in order and is completely false under the circumstances.

Mention was made tonight of the increase in sales tax. I feel that the Provincial Treasurer (Mr. Allan) explained the reasons for that increase at the time, and I feel it came as a result of the demands with which we were faced. Moreover we noticed that nothing whatever was said about the sales tax on building materials that was imposed a couple of years ago by the federal government. I feel those things should certainly be taken into consideration.

Now then, a year ago last summer the Minister of Agriculture (Mr. Stewart) came to my place. We were on our way to Napanee to attend a meeting together, and at that time we were suffering terrible drought conditions in Prince Edward county and in Lennox and Addington. When the Minister said that he did not think he had ever seen it as dry anywhere, it reminded me of the chap who was a visitor to a dry area in Kansas and he asked a local resident: "Doesn't it ever rain here?" He replied: "Yes, it did once about 15 miles north of here three years ago, but I was overcome by the heat at the time and I couldn't go to see it."

Last year our conditions were quite similar. Partly, I believe, through the solicitation of one of my constituents who had experience with rainmakers the Minister of Agriculture did try rainmakers at the risk of being ridiculed had they not proven successful. Fortunately, there was a great deal of rain after that and we were very happy that he was willing to take that chance, because a great many of our people feel that he certainly did have a responsibility in that regard. No one claims that anything can create rain, but the idea that these crystals can cause rain to fall sooner than otherwise might be the case, instead of being carried out over the lake seemed to be proven.

Last year, in addition to previous years of drought, there was a very serious drought situation throughout eastern Ontario, and the loss suffered from it was in varying circumstances according to various districts. The announcement was made that there would be drought assistance. A study had to be made, and eventually by agreement with the federal government which shared the cost equally, some counties were declared to be in the 25 per cent area — were eligible for 25 per cent of feed crop value assistance. For other areas it was 50 and in others 75 per cent.

My area happened to be in the 25 per cent area, which was the lowest, and I want to say here and now that not one person, not one farmer in my riding of Prince Edward-Lennox, criticized this policy then or has at any time since. Later, the farmers

union did call a meeting at Enterprise demanding more, and inviting members to attend. I might point out that in the beginning, the government let it be known that in cases of severe hardship this formula would not necessarily be followed, but there could be additional help providing they could show reasons why and under special circumstances.

Before that meeting was held at Enterprise, announcements were made that by completing certain papers and so on and applying through the agricultural representatives, some would become eligible for extra fees. Some of them did very well on this. Those who needed it applied. There has been criticism that others who did not need it applied also and profited accordingly. I would say that if there were those who abused the help that was given to them, there were many more, a number of times over, who used this situation properly.

In regard to our present situation, I want to quote just briefly from the article by Lawrence Kerr, written in Saturday's *Globe and Mail*. It seems to me that at this time when different factions, different groups are seeking special consideration of various kinds —increased wages, increased government assistance and so on—it appears here that some of the people believe that, and I quote:

> Governments at the national and at the provincial levels are to blame. They have given extra advantages to every group that sets out to damage the economy. If parents do the most for the children who lie down and kick or break up the furniture when they fail to get what they want, such parents will soon have all their children causing trouble.

I do believe that the time is coming when those who demand more should be brought to the point where they would have to consider what their demands, if met, would do to our other people on welfare, on pension, in agriculture and in many other phases of our economy.

We do feel that in point of truth, we are dependent upon industry to create the plants and the implements of employment. They must have money in order to make these investments, and it is as much to the interest of labour that these things be done as it is to anyone.

By the same token, the matter of food and the farmer securing an adequate living is all-important and, likewise, it is important that those engaged in labour should receive a fair share.

But is there any effort made, does labour stop to think when they make these demands such as the member for Eglinton mentioned tonight? Do they consider whether or not the demands that they make which will inevitably increase the cost of articles our pensioners will have to buy? Do they think that they are contributing to their welfare?

I think it is time that men of good-will representing capital, labour, agriculture and governments all sat together to set some kind of overall limit to some of these things, so that proper comparisons are made for the welfare of all of the people, not just piecemeal, one at a time, here and there, wherever they can put somebody over a barrel and force their demands.

In conclusion, I would like to mention one thing that I was going to speak of tonight. For some time now I have wondered why apple juice was not available in the members' dining room. I have ordered it several times and was told: "All we have is fruit juice." Well, if apples are not considered a fruit! I will give the federal government credit, they declared the McIntosh apple the national fruit of Canada.

I can tell you that a few weeks ago it was somewhat embarrassing to me when Warden Bonter of Prince Edward county, whose picture appears on the front page of *The Grower*, and who has interested himself, not only in growing and selling but in promoting the sale of apples to a very great extent, happened to be here and asked for apple juice. He was told they did not have any, that they just had fruit juice.

I do not know what has brought this about, but I did mention it to the Minister of Public Works (Mr. Connell) and several others, that tonight I ordered apple juice, and lo and behold, apple juice was there. So I am happy, and hope it will stay there.

I must say, I do not know where the apple juice came from. I hope it is from Ontario. Nevertheless, it is a step in the right direction and I hope that there will be other steps in that direction on the part of everyone, to give those engaged in agriculture and in all other pursuits—the people of lower incomes—an opportunity to live in harmony; where the objective is to create a better land, not just for the few, but for the many, with kindness in our hearts for the people who really require greater assistance.

After all, our ancestors started out with the attitude that we were, in truth, our brother's keeper. I feel that we must carry some of that same principle and belief in our attitude

today, otherwise as a nation we will fall far short of our destiny.

**Mr. N. Davison** (Hamilton East): Mr. Speaker, almost six years ago, a select committee of the Legislature was established to generally investigate, study, report and make recommendations on all matters relating to persons who suffer financial loss or injury because of motor vehicle accidents, with special attention to be paid to:

1. Financial responsibility of operators and owners of motor vehicles;

2. The payment of claims, including unsatisfied judgments and others, and also including the operation and coverage of the unsatisfied judgment fund;

3. All aspects of compulsory automobile insurance and other related plans, including the experience of other jurisdictions;

4. The operation of existing legislation and procedures in Ontario.

I became a member of this committee following the presentation of its first interim report to the House on March 21, 1961. That report consisted mainly of a review of the methods then used to compensate accident victims in Ontario and various plans operating elsewhere in Canada and the United States. The committee was instructed to continue with the same terms of reference.

The committee's second interim report was presented to the House on December 13, 1961, and contained three major recommendations which were acted upon by the Legislature:

1. Replacement of the unsatisfied judgment fund by a system that would compensate victims of accidents involving uninsured, hit-and-run and stolen vehicles. As a result, the motor vehicle accident claims fund went into operation on July 1, 1962;

2. Establishment of measures to increase the number of insured vehicles in Ontario. In this connection, the $5 fee paid by an uninsured owner was raised to $20 on January 1, 1962, and owners were required to maintain car insurance or pay this $20 fee to The Department of Transport from July 1, 1962. We are told this has increased the proportion of insured vehicles from 91 per cent to 98 per cent;

3. That statutory minimum limits of insurance and maximum payments from the motor vehicles accident claims fund be increased to $20,000 for death or injury to one person, to $40,000 for two or more persons and to $5,000 for property damage.

All this was a view to bringing the limits nearer to the damages now awarded. However, effective October 1, 1962, the Legislature adopted a limit of $35,000, inclusive.

The committee asked to be reconstituted to give further consideration to introducing a compulsory insurance system in Ontario and it was reappointed on April 18, 1962, making its final report in March, 1963.

The committee felt that the traditional fault-liability system of insurance sometimes falls short of providing justice to those involved in, or affected by, automobile accidents and that society as a whole should accept more responsibility for traffic accidents and their consequences.

The insurance industry presented estimated costs to the committee of a plan to provide protection for all involved in an accident, without regard to the principle of fault-liability, which would become a mandatory part of every insurance policy. To give you an idea of the extra cost for this extension of protection, according to their figures in 1962, the base rate for $35,000 inclusive bodily injury and property damage for $62 in Toronto. To this would be added premium costs for the new coverage, a sum between $3.90 and $19.50, with a probable average of $7.81, depending on the accident record of the particular driver. In county areas and small towns, the extra cost would vary from $2.40 to $12 on a base rate of $38.

The committee recommended that this form of accident insurance protection be added to the protection established out of their second interim report.

The committee recommended that property damage claims be paid by the motor vehicles accident claims fund, even though the claimant in an accident had collision coverage on his vehicle.

The committee felt the Legislature owed a duty to the public to guarantee that insurance rates are maintained at a reasonable level and, therefore, recommended that the superintendent of insurance be given full power to control rates, subject to an appeal against his orders to the court of appeal.

The committee recommended that insurance policies and the motor vehicle accident claims fund include coverage for cases of unavoidable accident and cases where the physical or mental condition of the operator, without negligence on his part, result in an accident.

I was very disappointed that the committee refused to recommend a government administered, non-profit plan and so had these

additional comments of mine included in the report.

> Although I am not entirely satisfied with this report, I am signing it because it establishes the principle of compensation regardless of fault. I still feel the plan should provide for universal coverage and that it should be administered by the government in order that premium rates could be established on a non-profit basis.

More than three years have passed since the committee made its final report and little or nothing has been done to implement any of the recommendations contained in that final report. About all that has been done was to have Osgoode Hall's professor of law, Professor Allan M. Linden, study the committee's recommendations. Why was Professor Linden charged with the responsibility of examining the committee's report on a three-year study? I have always wondered. However, Professor Linden submitted a report which gave strong support for the committee's recommendations, but still this government failed to act.

Obviously the Minister of Transport (Mr. Haskett), and presumably the majority of the Conservative caucus, were opposed to giving the public and the motorist the benefits recommended in these several reports. So what must then be their next step to justify their inaction?

It seems very clear that they decided some group must bring in opposing recommendations to take direct heat off them. So they gathered certain civil servants together and instructed them to seek out any arguments they could to oppose these beneficial recommendations. The civil servants are paid to carry out the instructions of the Minister and, regardless of their personal opinion, it is their job to do what they are told. They cannot be blamed. No, the responsibility for denying the public and motorist alike the benefits that would accrue from establishing the principle of compensation regardless of fault lies with the Minister and the Conservative government. Their inaction has permitted matters to go from bad to worse.

There are still many uninsured car operators in Ontario, whose private insurance ran out after they obtained their licence. This would be so easy to remedy under government-operated insurance because the car owner would be required to purchase his insurance with his licence.

At the beginning of the year, car insurance premiums were 40 per cent higher than they were two years ago, and we are facing another increase this year. This is not too surprising when a government-appointed superintendent of insurance could meet with our committee and say he never once questioned the rates which the insurance industry submit to the superintendent of insurance for his approval.

Although auto insurers now claim to be losing money, the industry has another source of income which it rarely mentions. Since premiums are paid in a lump sum, large funds are available for investment. Although the income from this investment is considerable, companies do not consider it in their profit and loss account. This helps to ensure that the financial situation of car insurance companies looks worse than it really is. Certainly none of the money they make through their investment is returned to the car owner in terms of reduced premiums. At whatever cost to the customer, auto insurance companies are determined to make their business profitable.

Premiums have been boosted for three successive years and there is no end in sight. With big profits available in other lines of insurance, some companies now avoid accepting automobile business and a few have moved out of it altogether. To help discourage business, agents' commissions have been reduced.

Toronto columnist Ron Haggart has discovered two well-known Toronto insurance agencies putting pressure on their customers to take out all their insurance with them. The alternative — their own automobile insurance policies might be cancelled. This is nothing more nor less than blackmail. Once a driver's policy has been cancelled by one company—for any reason—it is almost impossible to obtain coverage from another company.

Many people are forced into the high-cost assigned risk plans by insurance companies who have the sole right to say whether you will be insured or not. I was told of one lady who bought a car and got her driver's licence and applied for insurance and was turned down. She would have to take out an assigned risk plan. No reason was given for refusing her insurance, but since this was her first car and she was applying for insurance for the first time this must be the reason. A sort of guilty until you prove your innocence over a certain period of time, I suppose!

The numbers of drivers forced to submit to the stigma, delays and huge premiums of the insurance industry's own assigned risk plan is increasing rapidly. There were 10,000

more in 1963 than in 1959, and I am certain there has been a still sharper increase in the period from 1963 to 1966.

To prune out poor risks, insurance companies pay a dollar search fee and examine the driving records held by the provincial government. Many drivers with as few as three demerit points — and some with no demerit points at all — have found their policies cancelled.

Insurance companies do not have to justify a cancellation. Their decision is arbitrary and without appeal. In some cases, their snooping has extended into private lives on the reasoning that moral character may influence a jury in an accident case. The victim of this process has only two choices—the huge premium of the assigned risk plan or the inadequate protection of the motor vehicles accident claims fund.

From the insurance companies' record, Ontario people can expect two things from private auto insurance companies — a steady increase in premiums and a steady reduction in the number of people covered at a reasonable cost.

The motor vehicles accident claims fund provides no protection for the driver at all, although it does provide some protection for his victim. Over 50,000 drivers, one in 50, carry no other form of protection, yet these may often be the most uninsurable and most dangerous drivers on the road.

If you carry insurance, have an accident and make a claim, you pay for it next year with increased premiums. I have a friend who claimed $30 damages and his premium was increased by $12 a year. In the next three years he would pay back the $30 claim plus a good rate of interest!

Professor Linden reported that 57 per cent of all the people injured in automobile accidents do not recover anything from the other person involved in the accident. The necessity of proving who is at fault is jamming our courts with ever-increasing back logs of car accident cases. In 1962, over 1,800 accident cases were pending before Ontario courts, while in Saskatchewan, where accident victims are compensated regardless of fault, there were only six. At the beginning of 1965, a third of the cases before the Ontario supreme court and 40 per cent of the cases before the county courts, 2,765 cases in all, related with traffic accidents.

Even when these cases are heard, after an interval of between one and four years, assignment of blame becomes a tragic farce. Witnesses whose recollection of events was hazy at the time of the accident may be more positive and are certainly less accurate after the lapse of years.

The result is that many accident victims recover nothing for their losses. Professor Allen M. Linden's study of accident compensation has underlined the fact that the richer the victim, the more likely he is to be able to afford the legal action necessary to get compensation. One shocking discovery from his report is that the more serious the victim's injury, the less likely he is to recover a penny for his suffering. Over half the accident victims in his survey got nothing from insurance companies or from the fund maintained by the provincial government.

Years ago, faced with a similar log jam in the courts and a great deal of uncompensated suffering, Ontario worked out a brilliant legislative solution. Since 1914, workmen's compensation has put an end to court battles between workers and their employers. Over 50 years ago, Ontario people recognized that an injured worker and his family needed help, no matter who was responsible.

Ontario also recognized that this kind of insurance was a public responsibility, not to be contracted out to private companies for their profit. The social imagination of our forbears gave the province a system of accident compensation which is still a model.

Workmen's compensation is a model of what can happen when accident cases are pulled out of the courts, and when compensation is paid to repair damage and injuries and not to satisfy legal niceties. Fifty years of experience with traffic accidents prove that the same principle fits. Compensation without regard to fault will put an end to the courtroom log jams and the huge legal fees which cripple any attempt to provide quick and reasonable compensation for auto accidents. It will not relieve the drunken or the careless driver. His guilt will be determined and his penalty settled where it should be—in the magistrate's court.

Insisting on compensation regardless of fault will guarantee help for accident victims who, as Professor Linden has shown, are rarely able to take on giant insurance companies in legal battles.

Three hundred companies and 4,000 agents are competing for Ontario's car insurance business. Each have separate staffs of salesmen and adjusters. It is only common sense that lower insurance premiums would result if we had a government-operated plan where you paid for your insurance when you renewed your licence plates. You would not be

paying premiums to provide profits and operating expenses for 300 companies.

A universal, government-run auto insurance plan can provide the Ontario motorist with insurance 25 per cent and 30 per cent cheaper than the private insurance companies provide.

The application of the principle of compensating accident victims without regard to fault, which I had hoped would have been accepted by the Legislature, since it was recommended by the select committee on automobile insurance—I might just say it is a principle that carries the support of the law society of Upper Canada as well as that of the All-Canada insurance organization — I hoped the principle of compensating accident victims without regard to fault would have been accepted by the Legislature because it would save millions of dollars in legal fees. It would free the courts for other business, but most important of all it would guarantee the victim a quick settlement.

To sum it up, adequate protection is too costly under private insurance plans. Many people are not allowed to purchase insurance at even these rates, but must pay the almost prohibitive assigned risk rates. Many drivers are without insurance protection—and the motor vehicle accident claims fund is completely inadequate.

What is the remedy? I believe the people of Ontario wish the government to introduce a government-run automobile insurance plan so that lower premiums would be possible in Ontario, and this can be accomplished when we:

1. Eliminate acquisition costs: Selling the insurance with the licence plates cuts out all the expense of commissions, agents and office staff. It lowers the cost of insuring a new motorist from 15 cents to 1 cent per premium dollar;

2. Eliminate legal costs and delays: Compensation without regard to fault would save millions of dollars for legal fees, as well as freeing the courts for more important business. It would also guarantee the victim a quick settlement;

3. Cut administrative costs: Instead of paying for 300 companies, the motorist would pay for one. Instead of paying for two or three adjusters on the scene, the motorist would pay for one.

Experience gained in Saskatchewan's government-run plan has proven that when both investment income and the surplus of income over expenses on the plan itself are used for the benefit of the people, a universal government-run auto insurance plan can provide every motorist in Ontario with an insurance package which will be between 25 and 30 per cent cheaper than is provided by a private insurer.

The evidence in favour of government-run automobile insurance, sold with the licence plate and covering everyone in Ontario, becomes overwhelming. In Ontario the New Democratic Party has advocated this programme for years. In the face of the failure of the private insurance industry to provide a satisfactory alternative, others are now coming to the same conclusion. The annual cost, in money and human suffering, is too high to justify waiting much longer for this action.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, I had not intended to participate in this debate. Certainly I have no great desire to spend 20 or 30 minutes at this late date, and on such a muggy day, and at this late hour, to deal exclusively, or almost exclusively, with matters raised by one hon. member. However, as I proceed, I think it will become apparent why it is necessary for me to do so.

**Mr. E. W. Sopha** (Sudbury): We will reserve judgment on that.

**Hon. Mr. Grossman:** Well, this is what I invite hon. members to do.

The hon. member for Bracondale (Mr. Ben), in his speech on the Budget debate, a speech which ranged over a period of four days, and went on for many hours, covered a lot of ground and asked a great many questions about my department, which I now propose to answer.

Because of the large content of repetition in his speech, rhetorical and repeated questions; statements and charges which he had made on other occasions; and which, by and large, have been answered at some time during this session, especially during the debate on the presentation of my department's estimates, I had at first decided that it was not necessary for them to be dealt with again. It did occur to me, however, that while it was apparent to those hon. members who heard his speech that it was, by and large, repetitious, rhetorical, and that it consisted of many statements ending in a rising inflection, the hon. member might argue some time in the future that he asked X number of questions, and received no answers, and that this was evidence of an alleged improper attitude on the part of a Minister in respect to questions from an hon. member.

And this is the point, Mr. Speaker. I think I know the hon. member's methods, and I

think I know how he operates. I am quite certain, as a matter of fact, there was some evidence some time today that this is precisely what the hon. member is attempting to establish.

I, therefore, assigned a member of my staff to study his statements in detail. It was my intention then, as I say, Mr. Speaker, to answer each one categorically. However, as I suspected, they found that practically all of these so-called questions did fall into the categories I mentioned earlier. That is, they were (a) rhetorical—not requiring an answer; (b) they had already been answered during the debates in this House; and (c) the information requested was, and is, readily available in my annual report of this year and in previous annual reports of my department, or in other information tabled in this Legislature.

**Mr. Sopha:** How much did it cost for that civil servant to look into it?

**Hon. Mr. Grossman:** Too much.

**Mr. Sopha:** Well, I hope the Treasury board—

**Hon. Mr. Grossman:** That, of course, is the point, too. That we have to engage many civil servants hours and hours at a time to answer hon. members' questions when sometimes they have already been in.

**Mr. Sopha:** Gross misuse of public funds.

**Hon. Mr. Grossman:** May I recite just a few examples in order to clarify this point? The hon. member asked, and I quote:

> But has the hope and optimism of those earlier years been justified?

He would include this as being a question. Why should not somebody start telling the story of this department, and what has happened to the earlier vision in this province? These are examples of some of the rhetorical questions.

**Mr. G. Ben** (Bracondale): But I gave the answers.

**Hon. Mr. Grossman:** Further, how much money was spent last year; how much money will be spent this year? These are just two examples of questions which I, of course, answered in the public account and in the estimates book. Also, Mr. Speaker, what proportion under his – meaning my – control are on parole today? This is an example of questions which are answered in the annual report of my department.

He asked: Are we at full strength? This is an example of the questions, the answers to which were dealt with in the debate on my department's estimates.

I believe, therefore, it would be most inconsiderate of me to take four or five hours of the time of this House, particularly at this time, to repeat information already given. I was really puzzled, Mr. Speaker, as to the method of handling these matters. I had no intention of participating, as I say, in the debate, but I can see no alternative.

**Mr. Ben:** On a point of order. The Minister's report was for the fiscal year ending 1965, not 1966. He should not speak of the answers being in his report because my questions were asked a month ago, not in 1965.

**Hon. Mr. Grossman:** Mr. Speaker, I repeat, the questions he asked which I referred to as being answered in the existing annual reports are there.

I really could not see myself giving the answers before the orders of the day as the questions were not put to me as such; that is, as questions *per se*. As mentioned earlier, they were included in his long Budget speech filled with these rhetorical questions.

I do want to make certain, however, that the record shows that no reasonable questions were left unanswered. Therefore, I must use this debate as the vehicle to accomplish this.

The hon. member made reference, for example, to dealings between my department and the federal Department of Justice with regard to equalization of remission and the recommendations contained in the Fauteux report. He also, as he had on a previous occasion, tried to make the point that we have not invoked a certain federal Act, section 16 of The Federal Penitentiaries Act, to get the federal government to take over some of our responsibilities, even though this matter had been dealt with fully during the debate in this House. I attempted to clarify this point again four or five weeks ago when the hon. member repeated the implication. However, at that time the hon. member for Grey South (Mr. Oliver) objected to my speaking about our actions in dealing with these matters without first tabling the correspondence to which I referred.

I am at a loss to understand why the hon. member invoked this rule. As far as I can recall, in the 11 years I have been here, it never has.

**An hon. member:** I have been here four years and —

**Hon. Mr. Grossman:** Well, all right. I therefore, at this time, would like to table this correspondence, beginning with my letter of February 14, 1964, to the Hon. Guy Favreau, Minister of Justice, and his reply to that letter dated March 11, 1964; my further letter to the Minister of Justice, dated March 18, 1964; my subsequent presentation to the Hon. Guy Favreau of March 26, 1964; correspondence to me from T. D. MacDonald, the Assistant Deputy Minister of Justice, dated June 8, 1964, enclosing part of the record of the 1958 Dominion-provincial conference on correctional reform; my letter dated June 8, 1964, to the Minister of Justice; a letter to T. D. MacDonald from my executive assistant, dated June 22, 1964; a letter from the Hon. Guy Favreau dated July 27, 1964; my letter of October 21, 1965, to the Hon. Lucien Cardin, then Minister of Justice and Attorney General of Canada; Mr. Cardin's reply to my letter dated October 29, 1965; a letter from L. R. Hackl, then Assistant Deputy Minister, to A. R. Dick, Q.C., then Associate Deputy Attorney General, enclosing a letter to W. B. Common, Q.C., then Deputy Attorney General, from J. A. Graham, then Deputy Minister of my department, dated August 13, 1964.

**Mr. Sopha:** What does all this mean?

**Hon. Mr. Grossman:** A memorandum—I will make it clear to the hon. member if he will just control the exuberance of his verbosity.

A memorandum to myself from L. R. Hackl, Deputy Minister dated December 2, 1965, with an attached letter addressed to me from the Hon. L. T. Pennell, the acting Minister of Justice of Canada; a memorandum to Mr. Hackl from A. R. Dick, Q.C., of The Ontario Department of the Attorney General, dated December 28, 1964; a letter to Mr. Hackl, Deputy Minister of my department, to A. G. MacLeod, commissioner of the Canadian penitentiary service, dated May 25, 1966 and Mr. MacLeod's reply to Mr. Hackl, dated June 1, 1966.

Now, Mr. Speaker, I have deliberately delineated the different documents so as to give a clear picture of the great interest and effort on the part of myself and my officials in this matter. There is amply evidence in these documents to prove once and for all to any reasonable person that every effort possible has been made by myself and my department to convince the federal authorities to make a decision regarding the implementation of the Faueaux report.

This was particularly important, insofar as it relates to the jurisdiction—

**Mr. Ben:** Mr. Chairman, on a point of order. The Minister is misleading the House. In my discussions, I referred to The Penitentiaries Act, not to the Fauteux report. I trust that all this correspondence is dealing with the implementation of section 16 of The Penitentiaries Act, or else the Minister is misleading this House. Not the Fauteaux report, The Penitentiaries Act.

**Hon. Mr. Grossman:** Mr. Speaker, I refer to this—I mentioned earlier, section 16 of The Federal Penitentiaries Act. We can—

Interjection by an hon. member.

**Hon. Mr. Grossman:** I can assure the hon. member that this correspondence will show that we discussed this particular section of The Penitentiaries Act.

**Mr. Ben:** Well, table it, so we can see.

**Hon. Mr. Grossman:** They will be tabled. I am going to table them now, if the hon. member will just control himself. I listened to him for five or six hours. Take it easy.

Now, Mr. Speaker, this was particularly important insofar as it relates to the division of jurisdiction over certain classes of offenders, and the relationship which such implementation would have for our building programme and plans.

Mr. Speaker, I respectfully table these documents.

The hon. member, Mr. Speaker, further suggested that this government follow the example of the federal government, and as he put it:

> I propose that we abolish The Department of Reform Institutions as it is known today, and establish a new department of justice responsible for the investigation of offences, the apprehension and trial of the accused, the preparation of presentence reports, the sentencing and confinement of the accused and all attempts for reformation and rehabilitation. The effect of this would be to merge the present Department of Reform Institutions and The Department of the Attorney General in a new portfolio under a single Minister with comprehensive authority and unified control.

Mr. Speaker, I am surprised at the hon. member's recommendation in this regard and his statement that this is what the federal government is doing. As a solicitor, I think, if

he gave it much thought, he would realize that it is exactly the reverse. The fact is that the federal government is doing the exact opposite of what the hon. member states it is doing. It has been public knowledge for months that the federal government is placing the penal institutions and parole board under the new department of the Solicitor-General, an arrangement which is moving the federal system closer towards our system, which has existed in this province for 20 years.

In other words, the federal government is just now realizing what a Progressive Conservative government recognized 20 years ago, and that is that this work is of sufficient importance to require a ministry of its own. As a matter of fact, this is the only jurisdiction which I know of in the whole Commonwealth which has such a ministry.

The hon. member also asked what has been done since 1953 with regard to the Whitby county jail. Apparently he is unaware that a completely new building was opened in Whitby in 1958.

Then the hon. member asked a number of questions on parole and rehabilitation. Dealing with parole, provincial parole, which is my responsibility, he asked about 20 questions, all of which have already been answered in my annual report, the current annual report, so there will be no mistake about it.

I will not repeat this at length. The hon. member can read the information on pages 42 to 45 of the annual report. What is important is that of the 976 inmates released on parole during the fiscal year, 83 per cent completed it successfully with five per cent of paroles incomplete. The success rate of such a service, which has only 11 per cent violations, speaks for itself.

The hon. member asks, when a prisoner is considered for parole, does the parole board consult the police who investigated the prisoner's offence? Are the views of the convicting magistrate or the worker who prepared the presentence report sought? Are there discussions with a prison psychologist or with a social worker? Does the parole board obtain a pre-release report to determine whether the surroundings into which the prisoner will be released will be conducive to his rehabilitation, or is there a good chance that he is being returned to a life of crime?

Mr. Speaker, the investigating police officers in each case submit a report to the parole board, if in their opinion, there is anything in their investigation that could be of assistance to the board. The parole board can, in any case, request such a report if it has not been submitted.

The convicting magistrate is requested to submit a report of his views and findings at the time of sentence. A copy of the presentence report is automatically sent to the parole board by the probation service. The board automatically gets copies of psychiatric and psychological asessments from the treatment staff. The rehabilitation service conducts a community investigation prior to parole and then formulates a parole plan that returns the parolee to his former situation, if conditions are satisfactory. If they are not, it works out an alternate plan with a parolee to assist him in relocating into more suitable surroundings and conditions.

There is no doubt that the parole board is getting the necessary information and using it wisely.

**Mr. Sopha:** Which parole board?

**Hon. Mr. Grossman:** The Ontario parole board.

**Mr. Sopha:** Well, could you give us a run-down on what jurisdiction they have?

**Hon. Mr. Grossman:** The Ontario parole board?

**Mr. Sopha:** Yes.

**Hon. Mr. Grossman:** The Ontario parole board, Mr. Speaker, deals with all portions of indeterminate sentences, and only indeterminate sentences.

**Mr. Sopha:** Thank you.

**Hon. Mr. Grossman:** Regarding our treatment services, the hon. member asked about the administration, the number of people needing help who received the benefits of our treatment services, and the results. While this has been dealt with also during the estimates, I must presume the hon. member wants more detailed information on these services. He has asked for statistical information, going back to the inception of our treatment units. I trust the following additional information will be satisfactory for his purposes.

The neuro-psychiatric clinic at Guelph has a staff which includes one director, one full-time and one part-time assistant, three part-time psychiatrists, and two full-time psychologists. From April 1, 1965 until March 31, 1966, 822 patients were admitted for treatment and 2,031 patients were treated as outpatients. The Alec G. Brown memorial

clinic for alcoholics, the staff complement includes two part-time psychiatrists, one supervising rehabilitation officer, five rehabilitation officers, as well as four psychologists and two social workers who work in both the clinic for alcoholics as well as the clinic for drug addicts.

From September 1951 to March 31, 1966, 6,972 patients were admitted for treatment. Of this number 6,261 patients have been released for over one year. In researching the results of treatment of these patients, 16 per cent could not be located and 15 per cent could not be classified for the research project, owing to death, deportation or other factors. Of the remaining total, during the period of one to nine years, 19 per cent showed no relapse at all, 23.5 per cent have had only one to three relapses. In total, 42.5 per cent showed good improvement after treatment, a very encouraging result.

At the Alec G. Brown memorial clinic for drug addicts, the staff includes two part-time psychiatrists and one rehabilitation officer, as well as the four psychologists and two social workers that I mentioned earlier.

From January, 1956 to March 31, 1966, 310 patients were admitted with 132 re-admissions for a total of 442 admissions. Research statistics do not include any patients released since March 1, 1965, in order to allow for a reasonable period of time to assess the progress after treatment.

The figures show that of these 290 patients on which research was done, that 82 or 28.2 per cent are free of addiction at present, and this for a period of up to nine years in some cases. Only 22.1 per cent or 64 patients were re-addicted; 15.5 per cent or 45 patients are suspected of using drugs. The remaining figures include those who have since died, been deported or whose status is unknown at this time.

This is also considered in this field as a good rate of success.

The Ontario women's guidance centre, known as Ingleside, and the Ontario women's treatment centre, branches of Mercer reformatory, are both located at Brampton and are designed to work with first offenders and pre-alcoholics. They include on their staffs two part-time psychologists and two part-time psychiatrists. Group therapy is an important part of the treatment programme, as well as a programme of academic and vocational training.

I could go into much further detail, Mr. Speaker, but the hon. member will find further information on pages 14 and 15 of my annual report.

I trust that this information will enable the hon. member to appreciate not only the variety, but the intensity and effectiveness of out treatment services programme.

We know very well that there is a great deal of good work going on in our institutions. We want people to know about it. Now, there was a charge by the hon. member that we maintained what he called unwholesome secrecy, that people are discouraged from visiting our institutions—I have heard this on a number of occasions and it has troubled me a great deal.

At this time, then, Mr. Speaker, I would like to table a list of visits which have been made to our institutions over the last 12 months. I have not included in these figures visits from our own staff members. These figures—as I say, they are for 12 months only, Mr. Speaker—include:

Twenty-one judges and magistrates; 121 teachers and outside school inspectors; 647 students in the fields of nursing, welfare, psychiatry, law and teaching; 180 psychiatrists, psychologists and social workers; 62 grand jury members; 13 representatives of the police; 43 clergymen—and these are only the visits by the clergy to see the institutions and does not include the many visits to particular individuals or to hold religious services; 2,008 members of service clubs, women's groups and professional associations; one mayor; 13 members of the press and 47 visitors from other countries; a total of well over 3,000 in one year.

In addition to these, Mr. Speaker, there have been, of course, visits by numerous members of the Legislature, members of the federal Parliament and, of course, many thousands of visits to inmates by families, friends and lawyers.

In addition, there have also been hundreds of individuals who have come to our various institutions to take part in organized recreation—baseball, volley ball, and so on. There are many individuals who come in to teach physical education, hobbies, music or to provide entertainment, as well as the many members of the local communities who attend institutional activities such as fashion shows, field days, graduation exercises, concerts and other special events.

Secrecy, indeed, Mr. Speaker! I hope that I have for all time laid this canard to rest. There are no elements of secrecy whatsoever in our operations, and certainly there could not be, with all these thousands of visitors who enter our institutions annually.

Mr. Speaker, with regard to the hon. member's reference to Camp Bison. In quoting

an ex-inmate, he referred to Camp Bison as an old, foul-smelling shack built over a swamp. That is what he is quoted as saying.

Now, while the hon. member did not actually give this as his opinion, there is no doubt that he read this into the record in the hope that this would be taken as factual. I am having distributed descriptions, photographs and material which was given out at the official opening of Camp Bison on June 8, 1960. The camp was built at a cost of $2,750,000 and it is another example, Mr. Speaker, of the risks involved in taking second-hand information without concern for its source of authenticity. I am going to ask the attendant please to pass these around so that hon. members can take a look at this so-called shack in the swamp.

While these are being distributed, let me quote from the descriptive pamphlet which is attached to these photographs and which was distributed at that time, at the opening. I quote:

> Individual rooms with complete facilities for each inmate are provided. There are no bars on the windows, just aluminum screens. There are no bars on the wooden doors, and although locks are provided it is not contemplated they will be used regularly.
>
> For recreation there are rooms at the end of the corridors and a large auditorium with stage. Chief construction features in the main wing and administration wing are the reinforced concrete columns and beamless slabs. The dining auditorium wing is of steel frame construction with poured concrete slab floors and roof. All are brick-faced, with the exception of the façade which includes cement sculpture, and field-stone facing.
>
> Behind the new camp is the large new power plant and water pumping building—

That is a quotation from the descriptive pamphlet which was distributed at the opening of that $2,750,000 building.

**Mr. Sopha:** Does the Minister know that the clergymen—I was there at the opening—actually prayed for a chapel that day. I was there.

**Mr. Speaker:** Order! The Minister is making the speech. If a member wishes to ask him if he will answer a question, that is fine. If the Minister does not want to answer the question, then the member cannot pursue it further. The member should not rise to interject and then start making a speech himself.

**Hon. Mr. Grossman:** Mr. Speaker, if the hon. member does not mind, the point I hope I am making—

**Mr. Sopha:** Finally I got that chapel; finally I got it!

**Hon. Mr. Grossman:** —is that it was an exaggeration from a quotation used by an ex-inmate, which was a very dangerous thing to do.

When the hon. members see this photograph and realize that we spent $2,750,000 on this building, I am sure that they will understand when I paraphrase the late Sir Winston Churchill's phrase: "Some chicken, some neck!" with "Some shack, some swamp!"

I hope that I have answered the questions of the hon. member in the detail he has requested of me, and I want to reassure the hon. members in closing, Mr. Speaker, that my department always welcomes any constructive suggestions and criticisms. In fact, if anyone can prove to me that there is any system in any jurisdiction in the world better than what we are doing in Ontario, we will try it!

**Some hon. members:** Hear, hear.

**Mr. Sopha:** You disappointed me; not a word about Mercer.

**Hon. Mr. Grossman:** You were not here this afternoon.

Mr. F. R. Oliver (Grey South) moves the adjournment of the debate.

Motion agreed to.

**Clerk of the House:** The 5th order; committee of the whole House.

## THE REPRESENTATION ACT, 1966

**Hon. J. P. Robarts** (Prime Minister): Mr. Chairman, there was one question raised about a particular section of the schedule to this bill, and I believe that it has been settled to the satisfaction of the hon. member and the bill was reported with the exception of this one part of the schedule, so it now may be reported.

Bill 92, as amended, reported.

Hon. Mr. Robarts moves that the committee rise and report one bill with amendment and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill with amendment and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, tomorrow I would like to deal with orders Nos. 2, 3 and 4, in that order, and then there will be bills in committee of the whole House. There will be one second reading, and then we will commence the estimates of The Department of the Attorney General.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.45 o'clock, p.m.

No. 164

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Tuesday, July 5, 1966

Afternoon Session

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JULY 5, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Petitions.

Presenting reports by committees.

Mr. D. Bales (York Mills), from the standing committee on legal bills and labour, presented the committee's tenth and final report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 101, An Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit.

Mr. G. A. Kerr (Halton), from the standing committee on municipal affairs, presented the committee's third and final report, which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 183, An Act to amend The Assessment Act;

Bill 192, An Act to amend The Municipal Act.

**Mr. Speaker:** Motions.

Hon. J. P. Robarts (Prime Minister) moves that this House do meet tomorrow and Thursday at 10.30 a.m. and rise for a luncheon interval from 12:30 until 2 p.m.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

**Mr. G. Ben** (Bracondale): Before the orders of the day, Mr. Speaker, I have a question of the hon. Minister of Highways, notice of which has been given. I see he is not in the House.

**Mr. Speaker:** Perhaps the member could wait a few minutes.

**Mr. Ben:** I will wait a few minutes.

**Mr. F. Young** (Yorkview): Mr. Speaker, I have a question for the hon. Minister of Agriculture, notice of which has been given.

At any time during the last year was an informal agreement discussed and/or arrived at between Ontario and Quebec regarding a floor price for milk; and if so, what was the nature of the agreement?

**Hon. W. A. Stewart** (Minister of Agriculture): During the past year, formal discussions have been held between Ontario and Quebec. These discussions were not continued during the recent election campaign in Quebec. However, the discussions have now been resumed.

As late as yesterday afternoon I met in Montreal with the Minister of Agriculture for the province of Quebec. An appointment has now been made with the federal Minister of Agriculture at Ottawa for the Minister of Agriculture of Quebec and myself to continue discussions with him on prices for manufactured milk.

**Mr. R. Gisborn** (Wentworth East): Mr. Speaker, before the orders of the day, I have a question of the Minister of Municipal Affairs.

Does the Minister intend to increase the maximum penalty of $300 for the contravention of the bylaws governing the hours and days of operation for certain business as requested by the city of Hamilton?

**Hon. J. W. Spooner** (Minister of Municipal Affairs): I am sorry that I am not in a position to answer the hon. member's question because I have not received any request such as the hon. member refers to in his question. A very diligent search of my office has been conducted since we received this question and unfortunately we have found no such request.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I had a question for the hon. Minister of Health. They are beginning to accumulate, one from yesterday and one from today.

**Mr. Speaker:** Yes; the Minister of Health informs me he will be in his seat tomorrow. If the member will ask the question then the Minister will answer all his questions at the one time.

**Mr. MacDonald:** Can the Minister indicate whether the workmen's compensation board will conduct tests to ascertain the effect of

sulphur dioxide in the human body in light of recent studies, as requested by the welfare officer of local 6500 of the United Steelworkers of America in Sudbury?

My other question is to the hon. Attorney General. What was the recommendation of the advisory board to the registrar of used car dealers and salesmen on completion of its hearings into the licence of Ted Williamson handed down a month ago; and when can the registrar's decision be expected?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, the decision of the advisory board with respect to the Ted Williamson matter, known as K & W Motors, Danforth Limited, was that the advisory committee was unanimous that the registration would not be in the public interest. The matter is now before the registrar and I would expect his decision very shortly.

**Mr. MacDonald:** I wonder if the Attorney General would permit a supplementary question?

Is it accurate that there is now a view emerging among legal experts that the law has a loophole and that the whole case must be reheard before the registrar before he can make a decision?

**Hon. Mr. Wishart:** Not that I am aware of, no. This is the procedure laid down in the Act, that it goes to the registrar.

This was a case of long duration, as the hon. member knows. There were 2,000 pages of transcript evidence. It takes a little while to review that type of evidence and make a decision on appeal. The registrar has actually had it, as the hon. member is aware, for a short time. But I think he will be able to give a decision very shortly. The procedures of the Act are being followed.

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, I am sure that the members of the Ontario Legislature, and indeed all residents of Ontario, are very pleased that an Ontario girl, Miss Diane Coulter, Miss Leamington of 1965-66, was chosen at Niagara Falls as Miss Canada for 1966-67, on July 1.

Miss Coulter is five foot nine, a statuesque blonde, a resident of the township of Mersea, R.R. No. 3, Wheatley, in the great riding of Essex South.

I am certain that we in the Ontario Legislature are very proud of Miss Coulter and wish her an enjoyable experience as Miss Canada during the balance of 1966 and the first half of Canada's centennial year.

I am certain that Miss Coulter will bring honour to Canada. All residents of Essex South are especially proud of Miss Diane Coulter and know that she will reign with dignity.

We salute Miss Diane Coulter, Miss Canada 1966-67.

**Mr. Speaker:** Perhaps the member for Bracondale would ask his question. I do not see the Minister in the House as yet.

**Mr. Ben:** The question was: Would the Minister advise when he intends to table in this House a report on an investigation by his department into the Metro works department?

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order.

## THIRD READINGS

The following bills were given third reading upon motions:

Bill 65, An Act to amend The Corporations Act.

Bill 66, The Securities Act, 1966.

Bill 92, The Representation Act, 1966.

Bill 184, An Act to amend The County Judges Act.

Bill 185, An Act to amend The Public Service Superannuation Act.

Bill 186, An Act to amend The Teachers' Superannuation Act.

Bill 187, An Act to provide for the relocation of the Mulholland cairn.

Bill 188, An Act to amend The Ontario Municipal Employees Retirement System Act, 1961-1962.

## THE ART GALLERY OF TORONTO

Hon. W. G. Davis (Minister of Education and Minister of University Affairs) moves second reading of Bill 193, An Act respecting the art gallery of Toronto.

Motion agreed to; second reading of the bill.

## SUNNYBROOK HOSPITAL

Hon. J. P. Robarts (Prime Minister) moves second reading of Bill 194, An Act to incorporate Sunnybrook hospital.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The tenth order: consideration of the second interim report of the select committee on aging.

## SELECT COMMITTEE ON AGING

**Mr. N. Davison** (Hamilton East): Mr. Speaker, the other day we had a very full report from the chairman of this committee. There are a few things I would like to say about this report. As the chairman stated, there were four members who felt that the committee did not go far enough in three different sections of the report, and I would like to look at those three sections first.

Under care facilities, the committee recommended that older people be allowed an extra 30 days in the hospital providing they were not in a condition to go home and could not afford to go into a nursing home. Four members disagreed with this on the basis that it was felt that these older people were entitled to a longer service than this. It was also felt that if they had a little bit of money, a little more than their normal old age pension—like $2,000 or $3,000 in the bank—they should not have to spend this money before becoming entitled to this service.

We recommended that something like 5 per cent of their income over the regular old age pension should be all that should be charged to these people to go into these nursing homes and get this coverage for as long as they need it. We did not feel that a 30-day limit was enough.

The second section that we disagreed with, or at least added to, was the resolution that was debated in this House last week so I am not going into that any further, other than to say that the government member felt the federal government should pay the $25 and that was as far as they felt they should go. They did not seem to feel that this government had any responsibility other than to try to convince the federal government to do something on it.

We must bear in mind that as far as I am concerned this is only a stop-gap measure. I think the only remedy for these problems is the guaranteed annual wage and until such time as this comes, I do feel that it is up to this government to try to give the older people a little more protection than they are given at the present time.

The third section is on the home care programme of the province and again four members of this committee disagreed with this on the basis that we feel this is a responsibility of the provincial government. In most cases when we were travelling around the province and especially when we went into smaller areas, the municipality where they said they did not know anything about it, and in lots of cases I think they did know about it, they did not want to go to the cost of implementing these programmes. And we discovered in a lot of places that there were no programmes such as the home care and nursing service. We felt that this should be run by the provincial government, and it should come under The Department of Public Welfare and it should pay the cost of this.

I think we did discover in places where there were home care services that this service was working very well. The problem is there are not enough places, and we feel that the provincial government should carry the responsibility of seeing this service is there for all these older people. I think in the long run it would likely cost this government less; it would save these people from going into nursing homes if they could have some type of service like this, where they could get this service in their own home.

These were the three areas in which we disagreed basically with the committee. I might say in our travellings around the province, although we discovered an awful lot of new and real up-to-date homes for the aged, I think this province should be ashamed of a few of the homes for the aged it has. In some counties—and I will not mention which part of the province—we ran into homes that I do not think—well, in fact, some of the farmers had better stables for their animals than some of these homes. It was a shame. It is to be hoped that the province will finally get new homes in these areas.

We have heard an awful lot about the problem of nursing homes. I think also the committee in travelling around the province, discovered an awful lot of good nursing homes. We also discovered an awful lot of nursing homes that were just redone over old homes, they had old people sleeping up on third floors. If there was ever a fire, there would just be no possibility of getting them out. If there is one thing that is needed in this province, it certainly is a real look at the nursing home situation.

I hope that under the new setup we will get some of this remedied. We have now set up an office of aging and when the Minister of The Department of Public Welfare came to our committee and told us about setting up this office and who the gentleman

was that was going to head it it up, I think we were all very pleased. We were all very disappointed when we saw the amount of money that he was going to spend on this office of aging. There is no doubt in the world that it needed this news very badly. But, if it is needed that badly, I think it is up to the province to supply enough money so it can carry on and do the job that we, on this committee, felt it would be doing.

One of the biggest problems that we ran into in going around the province was the help in the different homes and that every place we seemed to go there seemed to be a shortage. If anything is done about the programmes we are recommending in this report, one of the main things is going to have to be some type of a crash training programme to get people in the field. I do not feel, Mr. Speaker, that all these people have to be professional people. There are all types of people who would be willing to go in and within a few months be able to be trained so that they could carry on the work in some of these nursing homes and homes for the aged. I think basically we have to get them in there and have to get them in there fast if we are going to move on this programme at all.

I am hoping in the next year that we will have an opportunity to finish the work we have set out to do. I have enjoyed working on the committee and I think at the end we will likely be able to bring in a report which will be of some value to this House.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, if I may make a few comments on this report of the committee on aging. I am especially interested, as I would say all members of the House are, but coming from an area that has an extraordinary large number of aged, as a result of economic conditions in the past, this is of special concern to the city of Windsor and the Essex county area.

We have a provincial average of 11.7 per cent of people 60 years of age and over. In my own community it is 15.9 or almost 16 per cent. So, hon. members can see it is almost 33.3 per cent higher that the average of any other area in the province of Ontario. When we look at the 65-year-old and over age category, the provincial average is 8.2 per cent of the population; my own community again has 10.7 per cent. Once again, from 25 to 30 per cent more people in the 65 and over age category.

This affects not only the economy of the area and has affected it in the past, but it has a very harmful effect on the senior citizens, the individuals 65 years of age and over. To add insult to injury, we have had an additional sales tax of two per cent imposed which directly affects all these people. It is a 67 per cent increase in tax and with the senior citizen receiving a fixed pension, it is most difficult for him to make ends meet.

I am not saying anything that is new to anyone, everyone in this House certainly is aware of that. Likewise, they are aware that the cost of food has gone up substantially and these senior citizens quite often need special types of food, in some instances they use baby food as a source of sustenance. In addition to the cost of food we have had municipal tax increases which have been common throughout the province. It was only the city of Hamilton that saw fit to attempt to alleviate the suffering of these individuals, who are on fixed incomes or who are at age 65 or over.

Now in my own community we have had a shortage of housing as a result of the booming economy; and who is the first person who is generally displaced? It is the person who cannot afford to pay an increase in rental. And this affects the individual 65 and over or the individual on a $75-per-month pension. At no time, in my estimation, should anyone be required to pay more than 25 per cent of his income for rental purposes and this should hold true for the senior citizens. Rents for them should be geared to their income and the balance, if any, should be subsidized by The Department of Public Welfare or some branch of the provincial government.

The cost of drugs likewise has had a very depressing effect on them financially. I had suggested that The Department of Health consider implementing the green shield drug programme, paying the subscriptions of the senior citizen, and in this way relieving them of the cost of drugs. Even though The Department of Public Welfare does make provision at times to provide for up to $20 a month to relieve the individual of that financial burden, I still think a green shield programme could bring a substantial improvement in the well-being of the aged.

There is also the factor of the general wage increases. I can recall one wage programme that was approved not too long ago that gave the individual approximately $1.25 an hour increase, a package of $1.25 an hour. That is the equivalent of almost $50 a week. That $1.25 an hour, $50 a week, on top of what the individual does receive, puts the old age pensioner in a very awkward position. He gets $75 a month, the

equivalent of approximately 40 cents an hour, if one bases this on a 40-hour week. They have to match that with the average income of almost $3 an hour in the Windsor-Essex county area; so here we are expecting the senior citizen to operate on 40 cents an hour in a $3 an hour economy, and he just cannot do it.

It is all well and good that two individuals, husband and wife, might be able to get by on the $150 a month pension allowance, but were one of the two to pass away then $75 a month certainly leaves much to be desired; in fact it simply is instant poverty to a lot of them.

Today's male at 65 years of age can expect to live 13 years, the female has a life expectancy of approximately 16 years; so they would be reaching the ages of 78 and 81. Surely more should be done on the part of governments for those remaining golden years. If the federal government does not see fit to alleviate the pressures on these senior citizens, then I think it should be the responsibility, as a stop-gap measure, for the provincial authorities to come along and provide them with the proper financial means so that they can live out their years in respectability.

The population of over 65 in the U.S. is approximately 10 per cent of the population, yet 20 per cent of the poor are those who are in the 65-year-old and over group. So I would say, Mr. Speaker, that if this is true in the United States certainly it is true in Ontario. We find today that the individual on a pension is walking on a tightrope between lengthening longevity and a shrinking bank balance, shrinking income and in most cases a shrinking pension. In fact, it is commonly known that automatic retirement is affecting a lot of people as simply automatic or instant poverty, especially in the case of those who have brought up fairly large families.

The report mentions the need for a substantial increase; I think that is very commendable and I likewise commend them for suggesting that increase be based on a cost of living. I do not think any pension, whether it is to senior citizens or to anyone, civil service and so forth, should be a flat pension. It should be based on a standard cost of living so that the individual has a constant dollar. Be that dollar a 1949 dollar it should have the same value in 1966, and then again it should have the same value in 1976 and so forth.

I recall when I first attended OCE back in the '30s, in the hungry '30s. We were told when we reached a salary scale of $3,000 a year we would be in paradise. Today $3,000 a year is considered a starvation level. This is only a period of 30 years, Mr. Speaker, and I am afraid if we do not gear pensions to cost of living we are going to simply repeat the problem 10, 15 or 20 years from today as we have now. We are going to be striving and fighting to increase the financial assistance to these others, to the aged and senior citizens. We should gear all pensions, all types of pensions, to some type of cost of living so that the individual, 20 years from today, lives on the same standard as he would today.

Likewise I think, Mr. Speaker, that our business interests should look upon the senior citizens through rose coloured glasses rather than the way they sometimes look upon them. I can see areas in which our private economy can assist, and I look at two; one is transportation.

These senior citizens should not be required to remain in their homes confined to one room, they should be given the same privileges and opportunities to get into the downtown section of a community as those who are better off financially. These people cannot go because transportation is approximately 50 cents a day just to go downtown. Were they to go to a downtown area twice a week that would be $4 a month off their $75 a month income. That is too much for them to pay to be able to enjoy just a few of the sights in a community.

I likewise look upon some type of subsidy on the part of provincial authorities or the Provincial Treasurer, and that is in tax rebates to transportation systems to enable senior citizens to travel into a downtown portion of a community, especially at certain hours of the day when transportation is not being used to its full.

The theatres throughout the community could likewise show their generosity to these senior citizens by providing special rates, and even in some instances a special type of card to an individual that reaches a certain age.

The provincial government recognizes those who reach the age of 90 by the presentation of a scroll. I think many of the senior citizens would prefer some type of pass on a transportation system to enable them to get out of their homes and move around, especially those that are able to get around.

Mr. Speaker, not all communities have been blessed with prospering economies. My own was especially hard pressed once, Ford Motor Company had left the community back in the '50s. As a result, a lot of the programmes

that are found in many communities throughout the province of Ontario, have not had the chance to take hold in there. We find a need for hospital based home care, nursing care, and other facilities to take care of our senior citizens, and we certainly hope that government do not wait for the community, because a community that is financially hard pressed cannot afford some of these services. The government should step in and institute the services required.

As a result, I think that recommendation No. 1, concerning care facilities, the establishment of care facilities which cover the various levels required by ill and infirm persons, is a very commendable one. The Ontario hospital services commission and The Department of Public Welfare should simply step into a community and set up these facilities and have the municipality, if necessary, operate them.

I would like to commend the committee on aging for the brief they have presented, and know that next year on their final brief they will have many more worthwhile recommendations.

**Mr. J. R. Knox** (Lambton West): Mr. Speaker, I would like to say a few words with respect to this submission from the committee on aging, of which I am a member. I commend our chairman, the hon. member for Durham, for his splendid leadership and the splendid report he gave.

I do not intend to go into a great many of the aspects of this report. I think they have been well handled by the chairman and other phases of it by other members, and no doubt there will be still more who will speak. But one of the things that has concerned me through our two years of meetings is the problem of how to make grandmother feel she is wanted. As delegation after delegation came before us, they pointed out that one of the main things was to make an elderly person feel that they were needed in the community, they were wanted there, there was a place for them, and the community had a use for them.

I continually brought up the question before these people, as they posed it to us: "how do you make grandmother feel she is wanted"? I could very seldom get an answer. I was asking because I did not know the answer, and they seemed to feel that perhaps this was our job.

So I would say: "We will not likely meet with people any more knowledgeable than you are, and since we do not know ourselves, we would like to have any ideas and suggestions that you might have."

Gradually some things began to evolve that I think can be done, or should be attempted in a community, separate for the most part from provincial involvement or even, except for a small degree, from municipal involvement. But I do think the leadership should come municipally. I think the leadership has to be given by the local council. I think they should take it on themselves to try to create an interest in the community in the elderly people and take it upon themselves to know who these people are, and where they live.

Then, under their direction, set up programmes that will be undertaken by people in the community—various groups, church groups, clubs, and other organizations, to institute some very simple things that will help a lot. Perhaps the least of all is a telephone visiting system, whereby each of these people is called every day by someone else. This can be an elderly person calling another elderly person, and there you occupy two people in the group.

The object is to establish a relationship. If anything is wrong at least somebody will discover it within a day. Any elderly person will be bound to know that someone is going to call them, if they wish it; if they wish to take part in this sort of thing. They will always have a contact. Of course, that is not as good as home visiting and I think it is not a very great problem to institute a service whereby these people, particularly shut-ins, are visited on a regular basis. A real call, so that the elderly citizen involved looks forward to this visit, looks forward to the person whom they will come to regard pretty much as a pal, coming to visit them. They will feel they must get fussed up a little bit and perhaps get the house tidied up a little bit. It will give them a purpose for at least that day, and I think that day should be not less than once a week.

In some of the communities we found that organizations took it upon themselves to take elderly people for car rides regularly. In fact, in one place, I believe it was the city of Ottawa, but I cannot be sure, they are actually vying for the privilege of taking elderly people for car rides on a regular basis. And believe me, the elderly people left no doubt in our minds how much they looked forward to this, getting out for a car ride at least once a month, and extra rides on special occasions.

I think also that it would not be very hard, particularly for church groups, to know where elderly people live and to know those who would like to go to church, to be taken to

church and to be taken home again. Another simple thing.

We found out that they like to have evenings or afternoons together and they like to have them for a purpose. Some of that purpose may be games, but really that is only a small part of it. We found they wanted more than that and it was amazing some of the things they did want. I think it may have been in Guelph where they wanted to get lectures on something, and they had their ideas. When I say on something, I do not mean as vague as that. They had ideas of what lectures they would like. They wanted to find out a lot of things they did not know, and current affairs was one thing. World affairs, local affairs. They wanted to know about geography and travel. They would like to meet with people in groups such as the group that the hon. member for Russell arranged, whereby information can be gained from knowledgeable people—legal information in this particular case—but there is other information they would like to have and they do not have ready access to it.

I think you would find lots of people quite willing to spend time with them in this sort of thing.

Then there is an important thing that can be done but does require money, the sort of thing that a club might undertake as a project: that is, a laundry service. This becomes a very great problem to elderly people, particularly those who have become fairly feeble in maintaining their own homes. In some cases, laundry becomes quite a large problem; many sheets, perhaps many sheets a day, and clothing. It is too heavy; it is too much and they cannot handle it. And they cannot afford to be sending it out themselves. This laundry service would be of real assistance to people who are on the verge of not being able to live in their own homes.

Another thing that can be done, and it also can be done by senior citizens themselves—there is not one of the ladies who, until they become pretty old, still cannot prepare a good meal. And those who are able can by arrangement often go to the home of someone who is not very able, and cook a meal, and do this on a regular basis. This not only gets them a hot meal and companionship in the home where it is required, but it also gives the person coming in a real feeling that they are doing a service, and that they are needed in the community.

I think, too, that some effort should be made in each community to line up various pieces of work for which they may or may not be paid. There is a tremendous storehouse of knowledge and brains among the senior citizens who have retired, but their brains have not stopped working. The knowledge they have stored up is still there and they can be used on boards, commissions, councils, advisory capacities, organizing capacities and in many, many ways like that if they are known and if people will approach them.

There should be some effort made to have something for them to do.

Then finally, the idea of senior citizens' week; there was not very much time this year to organize senior citizens' week properly. I would hope that next year much more effort will be made in all communities on senior citizens' week so that the leaders in the community would make an effort through the news media and through meetings of all kinds in their own groups and associations to make something out of senior citizens' week. This would draw to the attention of all of us the importance of the senior citizens in our community, and problems they may have and the ways in which we can help them. We should try to make a real effort through senior citizens' week to make grandmother feel that she is wanted in the community.

**Some hon. members:** Hear, hear!

**Mrs. A. Pritchard** (Hamilton Centre): Mr. Speaker, I, too, would like to say a few words on this second report of the committee on aging and to congratulate the chairman and all the committee members for their dedicated service to this particular committee.

I listened with great care to some of the things that have been said today and I particularly agree with the last speaker about the responsibility of the community. In our travels we found hundreds of people, talking to over-60 clubs throughout the province, we met many people who knew nothing whatever about the supplementary pension. I listened today and there is talk about action on an increase in the pension, old age security. I firmly believe this should be done but firmly believe also, that the people to do this are the federal government. It is their responsibility; they collect it through the income tax; they are aware of the problem and something should be done about it.

In our travels, in talking to the people, particularly in one city, we found that the supplementary pension was not being used at all. The mayor was present and the welfare commissioner and the mayor did not even know that there was such a programme. I have felt all along, and particularly with this new office on aging, one of the main jobs

will be to acquaint the senior citizens of Ontario with exactly what this government has done.

We visited many homes for the aged and I think The Department of Public Welfare is to be congratulated on the best programme for homes for the aged. It is true that we visited older ones—I did not see any that quite fitted the description I heard today, but we did see older homes that needed renovation. That is being done throughout the province and I think that in this particular field we lead the world.

I have been in homes for the aged in several countries and I have yet to see programmes to equal what is being done in Ontario.

In our 10 points we raise one about a consultant clinic on geriatrics. I think this is terribly important. I think that people should be able to go to a local clinic and deal with someone who understands their problems and particularly to give them advice on health. I think if this House will study the 10 points they will see the work that has been done and the conclusions of the committee, but I come back to the point of the responsibility of the community.

In Hamilton we do have a very good programme. In discussion with the welfare commissioner, I believe there are over 800 people in Hamilton receiving the supplementary pension, some of them home owners and some of them tenants. They are all qualified and receiving from $10 to $20 a month extra. I think it is important that the people should know about this. We have the cheaper bus fares in Hamilton, all of which is the responsibility of the municipality.

Most of the things that have been said today are very true and one point that I would make is in regards to the care of the aged.

Now, the point of view I would like to make that it is not necessary to have a very elaborate home and very elaborate furnishings and everything spotlessly clean. We went into this one private home which was occupied by mostly railway men and I think that some of the committee, felt as I did, that it was not too desirable. But when we spent some time there and talked to the people, we discovered this was the environment they wanted; this was what they were enjoying. They were happy, well-fed and contented and I think there were close to 30 men in that house and it just brought clearly to the minds, I am sure, of every member of this committee that we do not have to give them every luxury. But, we do have to give them an environment in which they are happy and in which they wish to live.

**Some hon. members:** Hear, hear!

**Mr. N. Whitney** (Prince Edward-Lennox): Mr. Speaker, I wish to associate myself with the commendations that have been spoken in regard to our chairman and other members of the committee, the staff of The Department of Public Welfare, also some of the members of the staff of The Department of Health and the many groups of people—welfare workers, members of senior citizens' clubs and so forth, who have come before us with their vast experience.

One welfare worker stated that the process of aging commences the day that we are born. We have in this Legislature a variation in that regard because we have, for instance, the hon. member for York North (Mr. Mackenzie) who does not appear any older or less active than when I first met him in 1952, and on the other hand, we have the hon. member for Middlesex South (Mr. Olde) who states that he was old the day he was born and he will always be old.

An employer was asked why he had hired a man over 60 years old; because, he answered, men past 60 are not in the middle of domestic emergencies; their wives are not forever having children; most of their bad habits have been drummed out of their system; why they can devote more time to the job than anybody. And I welcome the new legislation introduced by this government to give recognition and equal opportunity for elderly citizens to receive employment for which they are capable. I think that is a great forward step and I would agree with the statement that has been made that one of the worst things that can happen to an elderly citizen is to get that feeling he or she is no longer wanted in the community.

I might say that many senior citizens clubs have proposed the suggestion they should have a reduction in the costs of education they pay in municipal taxes. My own attitude in that regard is that it is desirable that some of our senior citizens, where there is need, should have an alleviation as far as taxes are concerned. That alleviation should not be earmarked to education or any other specific part of our municipal tax structure. And that I feel that some of those citizens should feel as much entitled to take an active interest in education as anyone. It is to their interest that children are educated and that any tax assistance they get should be in a general way so that they can feel that they have as active and general a part

in the welfare of their own community as when they were employed people.

I would like to mention that the kinsmen's club of Picton won the eastern district service shield on the most outstanding project in their local district just recently, and the club's award was for its project of a senior citizens' club.

Now, it has been my privilege to attend two or three banquets that annually they provide for senior citizens, and I have been very impressed by their work. Just after the announcement of this award, I congratulated the president, Mr. Ron Hotson, and he said, "Well, you had a lot to do with our winning this award." I replied, "I? Why I have not had anything to do with it." "Yes you did," he said, "when you attended our last banquet and told us some of the things that were being done for aged people in other parts of the province you gave us a great stimulation to go out and do more ourselves, and we think that is largely responsible for the success we had in winning this award."

Before I sit down there is one thing that I do want to mention which, in fact, is my chief reason for speaking here today. I believe one of the members of the committee did refer—I believe the hon. member for Lambton West—to free legal advice, services of that type, that are being provided in certain areas.

Those matters are all important, because recently it was brought to my attention that an elderly couple had been approached by a man who was obviously a salesman and who told them that he understood they had not previously made out an income tax return and owing to new legislation—the Canada pension plan and OMSIP and so forth, from now on they would have to make one out. Now, this man was a farmer who owned about three head of cattle, and he was in the process of selling them. He had an excellent set of records. I was able to figure out in less than an hour just what his income and expenses were for 1965 and yet this person persuaded him to sign a contract to have his income tax done for the next two years for a sum of $75. He thought this man was a government man, a representative of the government. I explained that he should not have signed any contract whatever; and, as a matter of fact, I brought the papers with me, also an accounting book he received, for which he will have no need whatever because he is going completely out of the farming business and his income—his own and his wife's income—will consist only of pension cheques and a little bank interest.

I took it to the public prosecutor and he is having the anti-racket squad look into the matter.

Now, I do not say that this company, which is about 140 miles distant from Prince Edward county, is doing anything that is illegal, but at the same time, as far as the practice of accountancy is concerned, it is something that would generally be frowned upon. If accountancy is regarded as a profession, I do not think that people should go around seeking work in this way any more than a lawyer or a doctor would do so. I do feel that these people who now, because of OMSIP and other reasons that never existed before will have to file a return, should talk to their neighbours whom they think have filed returns and ask them who they can get to help them with this at a local level. I am sure the expense will not be as great. I am sure they should know about this and I feel that there should be a general advertising of the fact that as far as accounting work, they should not be signing any contracts or anything of that kind. They should wait and see and if someone does seem to represent themselves as being from a government—either federal or provincial—they should ask for identification to indicate that is the case.

I might say also another thing that struck me in a very peculiar way was the fact that these people told me that the caller had a list of several prospects—and they gave me those particular names; I knew some of them personally, knew of others—the entire list of names appeared to be of people who perhaps had not previously filed an income tax return because it was unlikely their income would be sufficiently high for them to be taxable.

There is the question of how did this particular salesman, supposedly acting for the accounting branch, get the list of these particular names. He wanted to know where each one of these people lived. I did wonder if there is some method whereby he is getting information from someone who works for the income tax department or something of that kind.

I do not say that is the case, but I do say that occurred to me and I do hope that efforts will be made to try to alleviate people's fear so that if anyone approaches them they can make their decisions in a leisurely way and endeavour to get help from those who do know about income tax. I am sure it can be done at the local level and they should not be charged fees that would include payment for travelling 140 miles and back, to do a little return that someone locally can do in an hour.

**Mr. A. Carruthers** (Durham): Mr. Speaker, I wish to be very brief in my remarks. I do not intend to add greatly to my lengthy statement I made the other day to the Legislature. I would like to say how much I, as chairman of the Ontario select committee on aging, appreciate the views given today with respect to this very important subject.

Indeed, I think hon. members will realize, as members of the Legislature, that the members of this committee have become most knowledgeable with respect to this very important subject; a knowledge which I am sure will give us greater confidence and, as a background, enable us to make more profitable research and investigation in the field of aging. Now, I do appreciate the views that have been extended by the various members of the committee.

The hon. member for Hamilton East referred to the three recommendations which he asked to be revised. I would just like to refer to one or two of those for a minute, particularly with respect to unlimited care in facilities outside of hospitals for senior citizens. I might say that under the new United States medicare legislation the period of care allowed is 20 days, with an extra 80 days at $5 per day. We felt that we were being very generous in extending this to 30 days and in conjunction with the new programme sponsored by the hon. Minister of Public Welfare of rest homes, we felt this should be a very successful effort on behalf of our senior citizens.

He spoke about the homes for the aged and may I say, Mr. Speaker, that he had the opportunity of visiting a number of homes for the aged throughout the province and indeed the Minister and his department are to be congratulated on the very fine type of facility being provided. During those travels we did discover that there are four of the older type of homes left in the province but I believe I am correct in stating that those are now in the process of being replaced and we would like to think that it was due in part at least to the visits by this committee to those various homes.

I would like to point out, as the hon. member for Hamilton Centre said, that the responsibility for the financial income of our senior citizens must rest primarily with the federal government, because aging and the problem of senior citizens is nationwide and therefore all the people of Canada should share in that responsibility. Let us not forget that with any increase in old age pensions the taxpayers of this province are called upon to put up approximately 50 per cent of that increase. I think too, in our deliberations and in our conclusions, we tried to set a balance between our sense of responsibility to our senior citizens and a sense of responsibility to the taxpayers of this province. I think our hearts perhaps overcame any practical thoughts we might have had and the scales weighed heavily in favour of the senior citizen, and rightly so Mr. Speaker. But let us not forget that we have in our society today two groups growing very rapidly. On the one hand we have a group of young people who are becoming more and more dependent upon society because they remain in school and at university longer, and on the other end of the life span we have a very rapidly and impressively growing senior citizen population. The result is that any increased financial burden comes to rest on that middle group, the productive group in our society; and therefore very careful consideration must be given to the responsibility and to the amount of burden that they can bear.

I was very pleased to hear from the hon. member for Windsor-Walkerville. Although he is not a member of our committee he did contribute some valuable points, points which I may say we have discussed thoroughly many times during the deliberations of our committee. It was a pleasure indeed for the committee to have the opportunity of visiting the fine city of Windsor and I wish to congratulate him and the city again on the very fine facilities that are available for senior citizens in that city. Indeed they have a housing project there for senior citizens of which they can be rightly proud.

Mr. Speaker, again may I say it has been a great pleasure for me to act as chairman of this select committee and I look forward, and I am sure the members of the committee look forward, to the work which lies ahead. We hope that we will be able to return to this Legislature and add still more valuable recommendations on behalf of that very important segment of our society.

**Mr. Speaker:** This concludes the debate on order No. 10 on the notice paper.

**Clerk of the House:** The eleventh order, consideration of the second interim report of the select committee on youth.

## SELECT COMMITTEE ON YOUTH

**Mr. Newman:** Mr. Chairman, as a member of the select committee on youth, I

would like to make a few comments and I can assure you that they will be very brief.

First I would like to commend the chairman on his capable leadership. He worked awfully hard; in fact I would say that he was possibly a Simon Legree, he worked just a little too hard on the committee. We would go into a community and we would get right from the hotel into work and as soon as we had completed our work, we would have to practically leave immediately without even familiarizing ourselves with the community.

However, because of that, because of his determination to get a job done, we have been able to collect so many briefs that it was impossible for us in the committee to go over all of them during the sittings of this House and that is probably why the final report of this committee is not being submitted to the Legislature at this time. We in the Opposition benches find it impossible to prepare ourselves for the day's work here in the House and listen to or go over the various briefs that have been submitted and finalize the report. However, I would like to commend the hon. chairman for the excellent job he has done.

Now the prime recommendation of the report is the formation of a separate provincial department of youth with its own Cabinet Minister at the earliest convenience of the Legislature.

Mr. Speaker, were this recommendation implemented, all of the other recommendations that follow would just naturally fit into their proper categories and proper perspective.

I could go into individual recommendations that could have been made. However, I spoke at some length in my first speech in this Legislature, back in 1960, on physical fitness, and at that time I attempted to point out to the government the lack of programming that was so evident here in the province of Ontario. That was some six years ago, Mr. Speaker, and at that time I showed, without being too familiar with various branches of government, that there just was not a suitable programme. Now, six years later, I feel quite relieved in the fact that the findings of this committee carried out what I knew right along and attempted to point out to the government.

Various Ministers in the past, when I have criticized them concerning the physical fitness programme as set up by this government, paraded one after another to show how The Department of Lands and Forests did this, how The Department of Labour did this, how The Department of Education took another facet, how The Department of Health took a fourth facet. It is because there was no centralized authority, no place where physcial fitness could be pinned down as a responsibility of a set department that you had the hodge-podge and the mess that the physical fitness aspect has been left in.

One of the things that did disturb me in the physical fitness area is that when I requested assistance for various types of physical fitness programmes I was always told that: "Well, the moneys are not available." Or if I was not told that, I was given some other alibi. However, we find that funds were made available by the federal authorities on a matching basis with the province of Ontario, and practically all the time that these funds were available they were never used to their full. So hon. members can see that the provincial government certainly was not as interested in the fitness of its youth as it could have been. This is evidenced by the fact that in grade 13 physical education is not a compulsory subject.

Surely if there is any one of our youth to whom one would consider the requirement to be physically fit important, it would be our grade 13. I would think the department would stress the need for fitness in those who are going to be leaving shortly and getting into the work-a-day world where they will probably enjoy their fitness only in the few games of golf and curling in which they may be able to participate.

Mr. Speaker, I shall conclude my remarks in stating that the committee worked awfully hard. All members of the committee contributed substantially to the making of the report. They certainly would have liked to have brought down a final report, but time was not available to them.

There are certain other aspects of the report that could be discussed, Mr. Speaker, but I prefer to wait until we submit a final report in the following year.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, like the member for Windsor-Walkerville, I intend to be exceedingly brief and direct the main import of my comments next year when the final report comes down. But there are one or two observations I would like to make.

First sir, I rise in considerable embarrassment about this report. I want to say to the House, as some of us indicated in the committee proceedings, that one feels a certain guilty conscience about the nature of the interim select committee report. In some respects, that report would appear on the

surface to be difficult to justify. We have been meeting for two years and meeting, as the member for Windsor-Walkerville said, with excessive intensity—and under a very hard working and able chairman, let it be said, and no bones be made of it—but it was not possible to bring down a final report. There simply were not sufficient hours during the session to bring the proposals together and present them in any coherent or intelligible fashion to the members of this House. So we culled through the material and came to what seemed to be the essential recommendation, namely that of a new department of youth with a new Minister.

Lest it be thought that that idea was purely in the mind of the chairman, and therefore—as some have unkindly suggested—he himself wished to have the post, I want to disabuse members of that idea. Some of us took a little longer to be persuaded about the validity of the new department, but it was a unanimous and total expression of feeling in the committee.

I just want to say one thing, Mr. Speaker, about the department. I want to suggest that we were driven to the unusual step of proposing a department, in the absence of any other obvious alternative. The committee discussed carefully the prospect of a youth commission, of a separate branch of an existing department, of a youth bureau. In other words, we discussed the various alternatives that had been put to us, by the members of the public who presented briefs.

In the process of analyzing the alternatives, it became apparent that any one of them would confine youth affairs to a specific department which, in the final result, would be detrimental to the activities of youth that fell in the other and related departments. Unlike aging, where health and welfare have been primarily concerned with the field, and where there is a certain logic about assigning an aging branch to one department, such is not true of youth. Youth cuts a swath across most of the major government departments, and as such seemed to require, in the final analysis, a separate ministry of its own.

Now one of the reasons that I was driven to that conclusion was simply the inability to make government work in areas of youth in this province. I say that with considerable distress, but I think it is worth putting on the floor. It was not simply because a youth department made more sense than a bureau or commission, it was not simply to tie the tag ends and pieces together that the department was created. It was because some of us on the committee, and I think I speak for at least some, felt an almost total futility about getting certain of the government ministries to move in some very, very vital areas and for that one would find a series of Ministers culpable. That being the case, one was forced to the extremity of a youth department as such.

It appeared that appraising individual departmental roles would not be sufficient, that all of it had been done and done most vigourously in the past and had achieved very little. While it was possible to plan for the needs of youth at large, many areas of contention, those areas of specific concern, those areas which rouse the emotions, are areas of continuing neglect and there would be absolutely no alternative to achieve anything concrete, other than by the establishment of a department of youth. A commission or a bureau or a branch would simply submerge the problem and again reduce it in importance, which would result in its being irrelevant.

The role of a youth department I think was seen in various terms. The chairman is here and other members of the committee are here and can correct me if I am wrong, but in my own mind there were five obvious areas for a youth department to be concerned with.

Number one. It emerged during the course of our hearings that there were bits and pieces of other departments, having direct concern with youth, which could properly be amalgamated within any youth department. They range from junior forest ranger programme right through to the youth bureau in The Department of Education and there was some real logic to bringing them within one governmental department.

The second point was that there are certain areas where a youth department might obviously step in and take over. I, for one, would consider one of those areas to be the area of training schools and juvenile delinquency generally. Indeed—if I may say by way of an aside—the willingness of the Minister to contemplate the laying of charges against some of the girls at Mercer reformatory—thus demonstrating again for the world to see our non-punitive approach in reform institutions—that this factor yet again demonstrates, Mr. Speaker, the need to pull training schools and all those areas of reform in juvenile delinquency in the province into a youth department and reorient it.

**Hon. A. Grossman** (Minister of Reform Institutions): Surely the hon. member does not suggest the Mercer inmates are juvenile delinquents.

**Mr. S. Lewis:** Mr. Speaker, let me say to the Minister that the attitude that obtains in his department towards Mercer would also obtain towards youth.

**Mr. Speaker:** Order! The House is not debating The Department of Reform Institutions at this time.

**Mr. S. Lewis:** Well I would not want the Minister's interjection to go unanswered. He is a man of debate.

Now that is the second point; that there are certain obvious areas that should be pulled into the department of youth and I think that is one of them. The committee may come to an entirely different conclusion, it is a purely personal opinion.

Third, there is a broad range of more general activity and legislation which has been barely touched in this province and largely applicable to youth. It would give a youth department an additional raison d'etre, and that is the area of culture, of recreation, of physical fitness. All of these things become increasingly relevant as this society evolves and again a youth department could play an important role.

Fourth, Mr. Speaker, it emerged very quickly that areas of research about youth in the province of Ontario are almost non-existent. In fact, I think it was a fairly sobering shock of recognition, if I can put it that way, for members of the committee to realize just how much research was required. We undertook some of our own very minor embryonic research projects which but touched the surface and it is obvious that individual departments are not willing or able to undertake the spectrum of research that is required in the field of youth.

And finally, I for one, was moved to approve something in the nature of a department because of continuing controversies over subjects like that of facilities for disturbed children, and related needs in this general field. There seems no question that somewhere in government there has to be an agency which is finally responsible, which can be debated with, argued with and, if necessary, pummelled and hammered on the floor of this House until the ministerial delinquents —if I can put it that way—are brought into line.

In the first instance it may that a department will co-ordinate the various functions. In the final instance it may be that major social functions will have to be taken over by that department. That is something we can define in the process of time. But it seems to me, putting it all together—and some of us painfully, but thoroughly, thought it through—a department with a new Minister makes eminently good sense, and I have a feeling that we would be moving much more rapidly in rather essential areas if a department came in to being.

I appreciate that there is an anomaly; all other departments are organized as to function, we are creating a department organized as to age. That is an anomaly that the Cabinet will have to absorb and evaluate. I hope that they will give it sympathetic consideration.

Let me say that as one member of the committee I hope the final report can be submitted by the first week of the final session of the life of this particular Parliament.

I want to add my feelings that the committee has done a very thorough, and in many ways—a very effective job. Not least of the effort has been the effort of the chairman himself, and of Judge William Little, and of those associated with them—I think particularly of a person like George Repar, the research officer. All these persons spent an inestimable number of hours beyond the normal time given to committee work in the preparation of this report and in the details which surrounded our hearings and our various visits. Those are my own reflections, Mr. Speaker.

**Some hon. members:** Hear, hear!

**Mr. S. Apps** (Kingston): I do not intend to speak at any great length at this time because when I tabled the report last Thursday I indicated then that would be all I was going to say about it. However, I do not want the occasion to go by without reiterating my thanks to the members of the committee and also the hon. members for Windsor-Walkerville and Scarborough West for their comments in connection with the brief.

We truly did want to bring in a final report at this session, but for obvious reasons it was impossible. I think the House can understand the many recommendations and thoughts that we must consider very carefully, and it was impossible to do that and do a job and do it well. For that reason we came rather reluctantly to the conclusion that we would not be able to submit a final report to this Legislature.

We have our meetings fairly well scheduled out for the coming year in the hope that we will be reappointed, and I think we can assure the House that the report will be ready by the first weeks of the next session.

Before I sit down, I would like to thank the many departments which have helped us

so well, and also the many men and women of the many agencies who submitted reports to us. I think we had well over 600 briefs to be considered and almost invariably they were good briefs. They were well presented, they were well prepared and were given very clearly to our committee. We certainly owe those men and women of those agencies a great debt of gratitude.

As well, I would like to thank again the mayors' committees in the 18 cities in Ontario that we visited. The success of the committee in their areas was a direct result of their work. All 18 of them did a tremendous job in preparing the way for our committee in arranging the meetings and in obtaining the various briefs that were presented to us. They were an inestimable help to us and I know I speak for all of the members of the committee when I extend my thanks to them again.

In conclusion, we have a great many recommendations that must be thoroughly considered before the report comes in and that is the reason we are not able to present the final report now. I think the House can understand the many problems that we are still going to have to overcome before preparing our final report.

**Mr. Speaker:** This concludes the debate on Order No. 11.

**Clerk of the House:** The twelfth order: Consideration of the report of the select committee on consumer credit.

## SELECT COMMITTEE ON CONSUMER CREDIT

**Mr. H. J. Price** (St. David): Mr. Speaker, before making a few observations about the consumer credit report, I should like to make some acknowledgments of the outstanding services rendered by a variety of persons to the committee which have made the work, insofar as I have been concerned as chairman, a pleasure at all times.

I should like particularly to thank Mr. S. J. Gadsby for his advice and counsel, which made it possible for the committee to make an early start on our inquiry.

The committee was fortunate in obtaining the services of Mrs. Sophie Dell as our committee secretary. Her congenial manner and efficient regard for her duty made it a pleasure to work with her. She was responsible for the preparation of the interim report presented to this Legislature on March 11, 1964.

Shortly after the committee held its organizational meeting, Mr. Joseph Sedgwick, QC., was appointed committee counsel. It would be impossible to overestimate the value of the services which he rendered to the committee throughout the whole of our investigation.

Likewise, the financial consultant, Mr. Douglas Irwin, BA, CA, rendered outstanding service to the committee in all aspects of its work, in which he is an authority.

I should like to mention also the contribution made to the committee by Mr. T. F. R. Harcourt, who succeeded to the job of secretary in June, 1964. Mr. Harcourt rendered invaluable service and showed a high degree of executive and organizational ability in the manner in which he carried out his duties, especially in the arrangements of the details of the fact-finding trip which the committee took to the United States.

I should also like to mention the assistance we received from Mr. C. T. Spindloe, chief accountant in The Department of the Provincial Secretary. He co-operated fully with the secretary and myself, which made it a pleasure to work with him.

For some time we had an outstanding staff in the persons of Mrs. Isabel Jones and Mrs. Alice MacFadden, who looked after the secretarial duties in preparation of the draft report and also in the proofreading and other matters. Mrs. Edith Storton was on our staff for a short time and we appreciated her work on behalf of the committee.

The services of Mr. Eric Haworth were extremely valuable in editing the 1,400,000-word testimony into a 285-page report.

Among the civil servants who contributed were Mr. W. B. Common, QC, at the time Deputy Attorney General; Miss Wysocki, at that time counsel in The Department of the Attorney General; Mr. V. J. Simone, registrar of mortgage brokers and collection agencies, private bailiffs; Mr. C. Richards, superintendent of insurance; and Mr. W. N. Jaffray, director of registrations and examinations branch, Department of the Attorney General.

To these, as well as to the stenographic pool and to Mrs. Florence Cramp who on many occasions came to our rescue, we are indeed grateful.

Having said this, I should now like to make some comments on the report itself.

Mr. Speaker, the final report of the committee was tabled in the House on Thursday, June 10, 1965. This committee was originally appointed on April 26, 1963. We commenced immediately advising interested individuals and organizations that arrangements were be-

ing made to hold our hearings and notifying them to submit their intentions of presenting a brief. At the same time, invitations were sent to a number of firms, societies and organizations which we felt, because of their activities, should be interested in submitting a brief to the committee. We had the utmost co-operation from everyone concerned with the subject; all the witnesses who appeared before the committee appeared voluntarily. An interim report, which is included as an appendix to the final report, was tabled in the House in March, 1964.

The terms of reference of the committee were as follows:

> To examine into, study and report on all matters relating to the actual cost of credit to consumers such as instalment purchasers, borrowers and mortgagor in the province of Ontario and without limiting the generality of the foregoing.

The committee's attention was particularly directed to investigation of means by which total charges for borrowing money may be revealed in regard to land mortgages, chattel mortgages, conditional sales agreements, credit retail purchases and similar transactions.

We had to keep uppermost in our minds throughout our study that the only way many Canadians can get the goods and services they want is through the utilization of consumer credit. There is a definite hazard that those unskilled in money management will sink heavily into debt. In order that this may be prevented, the committee believed that the borrower has a right to know the true cost of his borrowing. I should like to quote from several speeches by men who support the sort of legislation we are about to pass in this Parliament. The late President Kennedy said on March 15, 1962:

> Excessive and untimely use of credit arising out of ignorance of its true cost, is harmful both to the stability of the economy and to the welfare of the public.
>
> Legislation should therefore be enacted requiring lenders and vendors to disclose to borrowers in advance the actual amounts and rates which they will be paying for credit.

President Lyndon B. Johnson in his American consumer message to Congress in 1964 said:

> I recommend enactment of legislation requiring all lenders and extenders of credit to disclose to borrowers in advance the actual amount of their commitment and the annual rate of interest which they will be required to pay.
>
> The antiquated legal doctrine "let the buyer be aware" should be superseded by the doctrine "let the seller make full disclosure."

Senator Paul H. Douglas said on July 12, 1965:

> Let us keep our commitment to the American consumer and pass a law which will give him an even break in today's complex market place. Let us reaffirm our faith in the free enterprise system and the beneficial effects of honest competition. Let us restore to the field of consumer credit the elementary prerequisites of fair dealing. Let us pass the truth-in-lending bill.
>
> We must protect and inform the consumer in his use of the consumer credit system. Our credit structure will be sounder when the consumer has this information.
>
> I therefore renew my recommendation for legislation requiring lenders to state the full cost of credit, simply and clearly, and to state it before any credit contract is signed.
>
> This legislation will help consumers:
>
> Budget their incomes more intelligently, because they will know the price of credit in the same clear terms as the price of milk or gasoline.
>
> Compare credit costs so they can shop for the best combination of quality and price—including all of the charges involved.
>
> Avoid unscrupulous lenders who use excessive credit charges and other sharp practices.
>
> This legislation will also help the legitimate lender by offering protection against any competitor who seeks to gain business by misrepresenting credit costs. It will insure the fair and effective competition that legitimate lenders desire.
>
> It will not regulate the cost of credit itself, or interfere with existing laws.
>
> It will not reduce the volume of credit.
>
> It will not dampen the vigour of consumer buying.
>
> This legislation will right the balance of legal protection between lenders and borrowers.
>
> I urge the Congress to act to insure that the American consumer is given a clear price tag when he shops for credit.

I should now like to quote from a speech by Senator Douglas to Congress on Monday, July 12, 1965:

> And I would further argue that we cannot fully win the war on poverty unless we also put a stop to the activities of those who prey upon the poor and profit from their unfortunate circumstances. We must also win the war against the loan shark and the fast-buck artist. We must provide the poor and uneducated with some defense against the smooth-talking salesmen who often have saddled families with years of debt at exorbitant rates of interest. I believe the truth-in-lending bill will tip the scale of justice a little way back toward the consumer. It will give all consumers, and especially the poor, a better chance in today's complex market place.

It was the objective of the committee to hear from all segments of our financial community which are dealing in consumer credit. These include the chartered banks, the life insurance companies, the trust companies, credit unions, sales finance companies, small loans companies, retailers and central mortgage and housing corporation.

It was on the evidence heard from witnesses representing these institutions that our 18 recommendations were based.

I suggest, Mr. Speaker, that the consumer credit legislation recommended in our report will stimulate greater competition among the lending fraternity.

We in no way seek to shackle private enterprise. But the truth is that for some years back the market place has not favoured the consumer. We now seek by legislative means to give full play to competitive forces in the market place.

While attempting by these consumers Acts, 100 and 101, to build in protection for the public, we make it clear to the unscrupulous operators that our society finds their activities intolerable and will eliminate them.

To many the failure of the Legislature to abolish wage assignments will be a disappointment, especially, I think, to those in the legal profession. This matter will be given further study, but it should be mentioned that the chief opponents to this committee's recommendations were the credit unions.

I should like to salute the press for their excellent coverage of the consumer credit committee's hearings. It was first-rate reporting. In bringing to the attention of their readers the activities of the consumer credit committee, they performed an important public service. In this regard, too, I might mention the series of articles by Ron Haggart in the Toronto *Daily Star*, relating to some of the matters considered by the consumer credit committee. These articles represented journalism at its best. Throughout our hearings the press have played an important role as a link between the consumer credit committee and the public. For this the committee are grateful to them.

Among the reference material made available to members of the committee was a booklet published in 1963 by the *Globe and Mail*. The writer of these articles, one Betty Lee, is to be commended on a first-class job of writing. This booklet may still be available from the *Globe and Mail*.

I should like to refer briefly to consumer credit legislation in Canada and elsewhere.

### U.K. Legislation

37. The Molony commission in the United Kingdom reported itself against disclosure of finance charges in terms of a percentage rate per annum, apparently for reasons similar to those which have been submitted to this committee and have been outlined herein. Disclosure of dollar charges is required indirectly.

38. In the United Kingdom under the amended Hire-Purchase Act (1938) goods bought from door-to-door salesmen are subject to cancellation within a 72-hour period.

### American Legislation

39. The following disclosure requirements of truth-in-lending in some of the states in the United States where percentage rates are required in some instances are as follows:

*Small Loans*
Colorado
Tennessee
Vermont
Wisconsin
Wyoming

*Conditional Sales*
Massachusetts

*Industrial Loans*
Maryland

*Retail Instalment*
Kansas

*Revolving Credits*
North Dakota
Massachusetts

### Federal and Provincial Legislation Concerning Consumer Credit

*Federal*

40. The hearings of the joint committee of the Senate and House of Commons on consumer credit were completed last year and the committee was reconstituted during the current session of Parliament.

41. Senator Croll, the chairman, has said that the report will likely be completed by this month.

Finance Minister Sharp announced in the House of Commons on May 6, 1966, that he had received a request from the Provincial Treasurer of Alberta that consideration be given to inviting the appropriate provincial Ministers and their officials to meet with the federal Finance Minister later this year to discuss the subject of consumer credit and interest disclosure.

Hon. Mr. Sharp added that Ministers from other provinces have also indicated that they would be interested in such a meeting. The Minister said before such a meeting is held, he wished to review the current federal and provincial legislation in this field, the question of jurisdiction that may be involved to the reports, and recommendations which have been made to governments on this subject.

*Alberta*

In Alberta, The Credit and Loan Agreements Act, passed 1954, required statement of credit costs on sales in dollars or percentage per annum; also required statement of cost and loan in dollars or percentage per annum with the following loans exempted:

Loans made by banks incorporated under The Bank Act; loans made to manufacturers, distributors, wholesalers, retailers in the course of their business, and upon the security of their stock or inventory, or any part thereof; loans payable in one or more payments on which the whole cost of the loan the borrower expressed as a rate percentage per annum on the amount actually advanced to the borrower and the declining balance thereof from time to time outstanding if no other charges of any kind to be paid by the borrower.

Loans made under or subject to The Small Loans Act; loans made by the Treasury branches, established under The Treasury Branches Act; loans made by credit unions, incorporated or under statutory authority; loans made solely upon security of real property; loans made by pawnbrokers in the ordinary course of their business; loans made on the security of commercial property.

Bill 88, An Act to amend The Credit and Loans Agreements Act assented to March 29, 1963. This amendment, if brought into force, would have the effect of requiring credit costs to be stated in terms of simple interest per annum. The Act provided, however, that the sections affecting the statement of costs of credit would come into force on a date to be fixed by proclamation.

Up to the present time no such date has been fixed, and the Act in its present form has therefore not come into force.

A further amendment in the form of Bill 84 passed this year provided for the appointment of supervisors of consumer credit.

*Saskatchewan*

Bill 19, An Act representing credit, was introduced by an Opposition member, Mr. R. A. Walker, formerly Attorney General in the CCF government. This bill was almost identical with the one passed in Nova Scotia in March, 1965—Bill 131. Bill 19 was subsequently ruled out of order since it would have required the expenditure of public funds and no private member is entitled to introduce such a bill.

*Manitoba*

In Manitoba during this Spring legislative session, the legislative committee on consumer credit was appointed, but has not held any public hearings. This committee had previously received the report of the Premier's committee on consumer credit. One apparent result of this report was the passage of Bill 86—An Act representing consumer credit—which, among other things, provided for a two-day cooling off period in the case of door-to-door sales. An Act representing sale of goods under time-sale agreements was assented May 1, 1962; it required, in the case of time sales, the rate of interest charged and the basis upon which it is calculated be disclosed. The Act never came into force in that form. In May, 1963, it was amended to require that finance charges be stated in dollars and cents.

*Ontario*

Bill 100, An Act to establish and provide for the duties of a consumer protection bureau, was passed May 18, 1966.

Bill 101, An Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit will be passed July, 1966.

*Nova Scotia*

Nova Scotia's Bill 131 was assented to March 30, 1965. It provided for the appointment of a registrar of credit and required that credit grantors state the cost of "loans" in simple interest per annum—loan was defined to include money advanced or credit granted.

A registrar was appointed but no date was fixed for the coming into force of the requirements for the statement of the cost of loans in per cent per annum. This part of the Act never came into force. It was also provided that Bill 131 shall cease to have effect on the first day of July, 1966.

Bill 90 passed in March, 1966. This bill was evidently intended to succeed Bill 131 and it contained substantially the same provisions. It is provided that the bill or any of its sections come into force on a date to be proclaimed.

*Newfoundland*

An Act representing the direct sale of goods and services in the province was passed this year. It provides for licensing of door-to-door sellers and for a cooling-off period applicable to sales on credit made away from the vendors' established place of business.

COMMITTEE RECOMMENDATIONS

The 18 recommendations of the committee are as follows:

1. *Educating the public in consumer credit*

The committee concludes that a two-pronged educational programme should be instituted and recommends that the Legislature direct The Department of Education to provide consumer credit instruction for young people in the secondary school curriculum as part of an existing course of study, such as household economics or mathematics. The Legislature should direct the appropriate department of government to provide consumer credit information to the adult population, using booklets, pamphlets, mass advertising media and other modern methods in co-operation with financial and commercial organizations. It may well be that this would best be done through the proposed consumer fraud bureau.

2. *The influence of advertising in consumer credit*

If it is within the power of the Ontario Legislature, the committee recommends that, to restrict misleading advertising, An Act similar to The Hire-Purchase Act in the United Kingdom should be enacted, providing that where a rate of interest is advertised it shall be stated as a true annual rate and should cover all grantors of credit, and if details of repayment are included, the effective rate of interest must also be specified.

3. *Debt-counselling service*

There is a real need for a debt-counselling service in Ontario. The committee believes it preferable that such a service should not be operated by or under the control of the government, though it may be that the government should consider giving some financial aid to services of this kind and as an encouragement to institutions in the field.

4. *Consumer fraud bureau*

The committee recommends that a branch be established in The Attorney General's Department to carry out functions similar to those of the consumer protection and fraud bureau of the state of New York, which deals with all kinds of consumer complaints and is not restricted to credit transactions.

5. *Door-to-door selling*

The committee recommends that all persons or firms employing door-to-door salesmen should be registered. They in turn, being responsible for their individual salesmen. Certain types of door-to-door salesmen—for example, farmers selling their agricultural products—could be exempt from registration by regulation. This requirement for registration should not interfere with the present licensing powers of municipalities.

6. *Cooling-off period*

The committee recommends the enactment in Ontario of legislation similar to that in force in the United Kingdom providing for a "cooling-off" period when a sale is made on credit at a place other than the ordinary place of business of the seller, thus giving the householder the right to repudiate a sale made at the door if notice of repudiation is given within two days.

7. *Compulsory minimum down-payments*

The committee is of the opinion that at this time no down-payment legislation should be enacted.

8. *Licensing of finance companies*

After careful consideration of all representation the committee concludes that as virtually all finance companies are now licensed under The Small Loans Act, and are thus adequately supervised, there is no present need for provincial licence. The committee recommends that the use of the word "finance" or "acceptance" in a company's name should also be be permitted when the Provincial Secretary is satisfied of the bona fides and financial stability of the applicants.

9. *Hot, or nonrecourse paper*

The committee recommends that such notes should be subject to all rights and obligations which the purchaser might have asserted against the seller.

10. *Rebates for repayment if contract paid before maturity*

The committee recommends that the buyer be entitled to rebate or refund of a portion of the finance charges, Mr. Speaker, on the principle of the rule of 78ths, subject to retention by the lender of a reasonable acquisi-

tion top charge. Such charge should be proportionate to the total amount of the contract, such as $12.50 for motor vehicle contracts and $5 in other cases.

11. *Mortgage form requirements*

The committee is of the opinion that a clear, concise method of arriving at interest figures should be evolved and further is of the opinion that the statement of mortgage form should require that the maximum, rather than the minimum, interest payable be shown.

12. *The second mortgage market*

The committee is of the opinion that the entry into this field of the major institutional houses and their anticipated extension of operations into rural areas, combined with effective advertising which is making the public increasingly aware of their presence, should eliminate the remaining defects in this type of mortgage financing.

13. *Balloon payments and bonuses*

The committee recommends that institutional lenders should be encouraged to make money available for residential property mortgages. The federal government's recent encouragement to the chartered banks to become involved in such financing should have excellent repercussions in this area.

The committee further recommends that the words "This mortgage is not paid off when the mortgage matures," should be included on the statement of mortgage form and should be printed in ink of a different colour from that used on the other parts of the form in those contracts where there is a balloon payment.

14. The committee recommends that Ontario enact legislation similar to that proposed by the draft Personal Property Security Act which was prepared by the Catzman committee under the aegis of the Attorney General of Ontario and which adopts a province-wide system of registration for chattel encumbrances.

15. *Wage assignments*

The committee is opposed to blanket or automatic type of wage assignment and recommends that legislation be enacted in Ontario prohibiting any assignment, or order, for payment of any salary, wages, commission or other compensation for services or any part thereof earned or to be earned.

16. *Seizure of goods—repossession*

The committee recommends the adoption of the sense of the English legislation which permits repossession only by court order after a prescribed percentage of the purchase price has been paid and therefore recommends that after two-thirds of the contract price has been paid, repossession should be permitted only on application to the court with notice to the buyer.

The committee is of the opinion that a seller should not be able to obtain a lien on goods other than the goods that were the subject of the immediate sale and recommends the enactment of legislation requiring that no contract other than one for services should provide for a lien on any goods fully paid for, or which have not been sold by the seller.

17. The single most controversial matter considered by the committee was that of disclosure. Almost all of the witnesses who appeared before the committee agreed that the lender should make full disclosure of credit costs in that he should inform the borrower when the loan is made, or the credit is given, of the full and detailed cost of the loan and precisely how and when it is to be repaid. The sharp differences of opinion concerned the way in which those costs should be expressed.

On the one hand, it was argued with vigour and conviction that the statement of loan costs in dollars was the simple, meaningful and accurate method.

On the other hand, some consumer associations, and Senator Douglas and those who support his "truth-in-lending bill," argued with equal vigour and conviction that the most meaningful statement of loan costs was by expressing them as an annual interest percentage.

Some witnesses expressed the view that the loan costs should be stated both as dollar absolutes and as percentages.

The committee strongly recommends that there be full disclosure of loan costs, and is impressed by the way disclosure is provided for in the legislation of the states of California and New York. Neither of those states, nor indeed any Legislature in North America, other than Nova Scotia—in an Act which received Royal assent on April 7, 1965, does at this time compel disclosure as an annual interest percentage, although it would seem to be conceded that except as cyclical or revolving credit accounts, it is feasible to do so.

After the fullest consideration, the committee has come to the view that disclosure should be made both in dollar amounts and as an annual interest percentage. If, because of the federal control of banks, this Legislature cannot make such legislation applicable to all lenders, it is suggested that there should be either comprehensive federal legislation by which all lenders would be

bound, or alternatively, complementary federal and provincial legislation. It would certainly be preferable if the legislation compelling disclosure were Canada-wide, as there would arise many practical difficulties if some provinces required a percentage disclosure and others did not.

18. As to the cylical accounts, it was conceded that the difficulties in expressing the loan cost as an annual percentage are almost insurmountable, but it was also conceded that there was no difficulty in expressing the cost as a percentage of the last monthly balance, i.e., one per cent, one-and-a-half per cent, two per cent, or as the lender chose, added to the balance at the date chosen, say, the first of the month preceding. Indeed many grantors of cyclical credit do now charge on a percentage basis.

They should also be permitted to stipulate for a minimum monthly add-on, to cover those accounts where even a two per cent add-on would be inadequate recompense for the service given; e.g., accounts say, $20 or whatever floor the lender may select.

The committee therefore recommends that as to cyclical accounts the charges should be disclosed as a monthly percentage add-on with a minimum charge if the lender so desires. The percentage to be charged and the minimum charge, if any, should be disclosed to the borrower when the credit is granted. These provisions with respect to cyclical accounts should also be made to apply to open account credits which are subject to repayment at any time and with respect to which a charge is made.

Although it is a federal measure, the committee is of the opinion that contracts for loans obtained under The Small Loans Act should include disclosure of the effective rate of interest applicable to the entire principal for the entire term of the loan.

The committee is of the opinion that all the recommendations contained in this report should be incorporated in a comprehensive statute called The Ontario Retail Instalment Sales Act.

I am sure that members of the consumer credit committee would want me to mention a few of the comments directed to me about our report.

A letter from the office of the Attorney General of the state of Ohio:

> Your committee is to be commended for this fine report.
>
> (*signed*)
> William B. Saxbe.

A letter from the state of Maine:

> I wish to thank you for your committee's report which I have had a chance to look at briefly and with which I am greatly impressed.
>
> Richard J. Dubord,
> *Attorney General.*

The state of New York banking department:

> Thank you very much for sending me a copy of the final report of the Legislature's select committee on consumer credit.
>
> It is an excellent report and I am delighted that we were able to assist you in assembling some of the data.
>
> E. Virgil Conway,
> *First deputy superintendent.*

The United States Senate, Washington:

> In view of my membership at the state banking and currency committee, this information will be most helpful and I am grateful for your thoughtfulness in making this volume available to me.
>
> (*signed*)
> Edward V. Long,
> *United States Senator.*

The national conference of commissioners on uniform state laws:

> I acknowledge with gratitude a copy of the final report of your committee, since it will be of great usefulness to this special committee at the national conference of commissioners on uniform state laws.
>
> Alfred A. Buerger,
> *Chairman.*

The board of evangelism and social service:

> At the request of the executive, I was asked to write each member of the select committee thanking them for producing its outstanding report and expressing our hope that the government will enact legislation to implement the recommendations.
>
> Ray Hord.

University of Saskatchewan:

> I did have an earlier opportunity to read the report and if it is not presumptuous for me to say so, I should like to express my warm support for all the committee's recommendations. If they are adopted, I am sure they will greatly improve the consumer's position in Ontario.
>
> Jacob S. Zeigel,
> *Associate professor of law.*

The Crown attorney from Metropolitan Toronto:

> Preliminary perusal promises that it affords valuable material for further study by this office.
>
> Henry J. Bull, QC,
> *Crown attorney.*

The Ontario chamber of commerce:

> The chamber will be looking forward with great interest to the action taken by your excellent report by the legislative assembly.
>
> J. A. Collins,
> *Manager.*

A letter from the Canadian bankers association:

> The form in which the report has been issued is most attractive and I add my own congratulations to the many you have no doubt received for the fine quality of this production.
>
> H. L. Robson,
> *Secretary.*

The Industrial Acceptance Corporation, Montreal:

> I should like to congratulate you and your committee on the thoughtfulness of your studies on the subject and I shall read the report with keen interest.
>
> L. E. Nichol.

Avon Products, Montreal:

> It is a most excellent report.
>
> Ivan P. Phelan.

Central housing and mortgage corporation:

> I should like to compliment the committee on the impressive form and content of the report.
>
> John McCulloch,
> *Manager, Toronto branch.*

The Royal Trust Company, Montreal:

> It is not an easy subject and your committee made a very thorough investigation. I am glad that I had a small role to play in the work.
>
> John F. Close.

Mr. Speaker, we had many other letters, which I am sure the committee will be interested to learn.

I should like to thank all of the members of the committee from all parties for their co-operation and assistance to me as their chairman. It has been a wonderful experience working with them and in the years to come I am certain that we shall look back with great satisfaction on the legislation we recommended for the benefit of the consumers of the province of Ontario.

Finally, Mr. Speaker, let me say that to defer in passing Bill 101, an Act to provide for the protection of buyers of consumer goods, and for the fair disclosure of the cost of credit, along with its companion Bill 100, An Act to establish and provide for the duties of a consumer credit protection bureau, would have been a tragic blunder.

Ontario has the reputation of being the leading province in the field of good legislation. Bill 100, The Consumer Protection Bureau Act, 1966, and Bill 101, The Consumer Protection Act, 1966, are no exceptions.

In closing, may I quote paragraph 36 of our report, which reads:

> The select committee of the Ontario Legislature on consumer credit believes that when the recommendations contained in the report are enacted, consumers will enjoy a protection equal to or surpassing that enjoyed in any jurisdiction anywhere.

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, I would like to make a few remarks pertaining to this very important document and the legislation that came through the effort of this committee, I believe.

We find reports coming into this House from time to time that are tabled and pigeonholed and forgotten, but in the case of this particular report we find that three bills were submitted, the first one even before the first interim report, and that was because of the meetings that we had with the automobile dealers. The first Act came into existence about a year ago to license used car dealers, and I think it was an exceptionally good bit of legislation and we are protecting the people in that particular area.

No particular bit of legislation is going to stop the people who are inclined to want to take the public; they will always find a way out.

However, I found it most refreshing to sit on a committee and take off our cloaks of politics, as it were, to discuss problems that confront the people of the province of Ontario. I found at the time you sat in the committee you forgot your political affiliations; at least that is the way I was impressed by that committee. They were there to do a job.

They were to find out the facts, sir, and bring in a report to this House that might be accepted by the people in authority, who would pass the necessary statutes.

The chairman thanked the committee for the co-operation we were supposed to have given him. I found him in a position where he was a referee on many occasions, because the committee did not run as smoothly as he would indicate to you in public. We had our battles, we had our differences of opinion. We found from time to time that we could not agree and there were times we thought we never would on some of the issues.

But as evidence unravelled itself before us, we found that there was nothing else to do but to bring in the recommendations that this committee did, in the 18 that they have brought before this House. And I was amazed, to say the least, being somewhat of a critical individual, to see the legislation come in as fast as it did.

The former Attorney General, the hon. member for Grenville-Dundas, brought in the first bill on the used car dealers. He did have something to do with that one because he found immediately that when the witnesses were brought before the committee, there was something there that should not exist in this province of ours. People were selling automobiles on street corners without an address, selling automobiles that were not fit to be on the road, and so on and so on.

So the government, generous as I am from time to time, brought in legislation that we on this side of the House concurred in. We agreed with that bill. And when the Attorney General of this particular day brought in an Act to establish and provide for the duties of the consumer protection bureau, we were impressed in our travels where they did have such a bureau, where people could walk in off the street, Mr. Speaker, if you recall, file their complaint with the proper authority and immediately that case would be looked into. And if someone did not do what was right by the general public, then they were prosecuted for taking the public.

I thought that was exceptionally good and we have a bill of that nature before us. I hope that we can look for good things, big things, proper things to happen on behalf of the little man on the street, who really has no place to take his complaints because in many cases they do not want to go to a lawyer or they cannot afford it.

If this particular office will be set up in that manner, we on this side of the House will be pleased with the efforts of the government.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Will the hon. member support the government?

**Mr. Bukator:** Support the bill—Mr. Speaker, this Minister of supposed energy, which I have never found in his makeup, interjects: "Will we support." I only wish that he might have sat at one time—and I know I am off the track, but you do not mind me doing that because time is limited; another two or three days and we will be on our way, and I have hardly said anything in the last month or so. Support the bill? Why not? We brought in the recommendations. What can you do but support something you recommend? A man would be an imbecile—I am sure the Minister is not in this particular case—but he would be if he did not.

**Hon. Mr. Simonett:** I said: "Will the hon. member support the government?"

**Mr. Bukator:** We will take on the government at the right time and the right place and in the right way. We will take good care of you when the time comes.

I would like to get back to the bills we are discussing, especially the report. The report was compiled well. The staff we had working with us did a good job I thought, and I would like to single out one. Others helped too, but Tom Harcourt, I thought, aged a bit from the work he had to do to keep this committee together and put the show on the road. I think he deserves a lot of credit and I would like to proffer my thanks to him and to the staff.

The Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit, Bill 101, again was brought about, I thought, through the recommendations of this committee. While we had our differences of opinion, and the chairman ably outlined the many differences—where and how the disclosure ought to come about—I do believe that the government has taken in the right recommendation: that you do disclose to the general public, both in dollars and in percentage.

There were many people who were before that select committee, you will recall, who have said that there are a lot of people who do not understand percentages. But let us say that there are many who do, and I am glad that the government has seen fit to improve that section in this bill.

We are looking for more protection for the general public. There were many instances brought before us indicating that the public was not aware of what they were paying for the use of that money. If this bill provides that and gives us the necessary protection whereby they will not have to pay the large percentages—and we need not go

into that at this time, we have covered that ground very well—if we can protect the public from being taken by the sharp operators again we will have done what we set out to do.

I find myself in the position where I like the report and its recommendations. I like the way it is made up; I like what the government has done and I only hope that we can implement it. If it can bring any protection to the public as a whole, I am sure that everybody in this House wholeheartedly agrees with this report.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, my first words would be those, joining with the hon. member for Niagara Falls, in expressing appreciation for an opportunity to have shared in the membership of this committee.

The fellows on the committee were congenial; the chairman was as solicitous of all our needs as any chairman I have had the pleasure of working with; we had a staff which, for the first time in my experience, represented a range of the necessary disciplines for the committee to do a competent job; and I think we saw enough of the problem, not only in Canada but in various parts of the North American continent and we were able to produce a report which I think has done some pioneering. I know it is of considerable interest in many jurisdictions, not only on this continent but elsewhere.

Indeed I think Mr. Speaker, that one of the important values of this committee was achieved in advance of the report itself and that was the sharp focussing of the public spotlight and of editorial comment and news stories on certain fraudulent activities which were going on in the province of Ontario.

I suppose the prize example was the whole used-car setup. Interestingly enough, if the House happens to have forgotten, the solution, which I think is a relatively satisfactory solution, was one that emerged in the first instance from this committee. We recognized that it was not part of our jurisdiction, so we unanimously passed a motion asking the then Attorney General to look into the matter. He rather abruptly and arbitrarily said "no" but changed his mind within a few weeks when he read some of the screaming headlines which indicated just how serious the problem was. Out of that, as all hon. members of the House know, we have emerged with a board and a licensing procedure which makes it possible now to catch the operator who is out to fleece the public and not leave the individual with the personal responsibility and expense of taking action in the courts if he wants to seek redress after he has been fleeced in some fashion or another.

Still another important area in which I think we achieved results is with regard to second mortgages dealt with in our interim report. I think we were able to indicate the kind of unconscionable interest rates that were being charged in many parts of this province, with the result that it strengthened the hand of some of the agencies in the government which were able to move whereas before, for whatever reason, they felt they did not have the legal power or the backing of the government to move. And in moving they helped to clear up the field. As the chairman of the committee has indicated, with the traditional financial institutions moving into that field now I think we have gone far in solving the problem.

However, Mr. Speaker, having made my appreciative comments of the operations of this committee and the role of the chairman and fellow members, I want to add immediately that in my view the government's handling of this report is a classic in mismanagement. It is the best example I know of how not to go about handling a report, once a good job has been done by a select committee.

I would remind you, Mr. Speaker, that the committee finished its work a year ago and they brought in their report at that time. Partly because it was not in published form that could be readily available to everybody, but more important because it was the dying days of the session last year, there was neither the mood nor the opportunity for study and the kind of detailed debate that is merited, so it was decided that it would be left off until this year.

One would therefore assume, Mr. Speaker, that if the government were going to treat this report with the respect to which I think it is entitled, some time earlier this year it would have been put on the agenda of this Legislature and the House would have had an opportunity to debate it; if for no other reason, Mr. Speaker, than to bring whatever guidance we might to the Attorney General before he brought in his legislation. But as your know, Mr. Speaker, what we are doing today is debating a report after the legislation has been brought in, so that whatever guidance we might be able to provide for the Attorney General is a little useless at this point, except for future sessions of the Legislature. I would hope that

in the future when we spend some tens of thousands of dollars for a detailed study of an important issue like this we would handle it in what might be called a more orderly, businesslike and democratic fashion so that the best use of the report might be gained immediately.

Any further comments I have to make, Mr. Speaker, are going to be directed only to those portions of the report which the government, in its wisdom, has seen fit not to include in the legislation which has come before this House.

As we all know, there is the bill to establish a consumer protection bureau; and the bill which has just been considered in committee and will be coming back before the committee of the whole House on the question of consumer credit.

There are two or three recommendations that were either ignored or in my view have not been considered fully enough. Conceivably events may prove me wrong, but I just want to draw the attention of the House to them.

I think that every member of the committee, the longer he sat and contemplated this problem, realized that in the final analysis the best protection of the consumer is in the consumer, if I may put it bluntly, "smartening up" so that he will not be so ready a victim of those who are out to catch him in this field. This requires education. The consumer protection bureau is going to provide some of the detailed information that will make it possible for the average citizen to make more intelligent choices. But I still think, Mr. Speaker—and I know of nothing as yet in the consumer protection bureau or any other action of the government that indicates that they have moved in this—that one of the main areas on which we should lay emphasis is inclusion of the question of credit in all of its ramifications and all of its problems in one or another of the school curricula.

I sometimes wonder why so much time is wasted on hypothetical problems in the civics field or in the mathematics field in schools. It would seem to me that if a little bit of study was directed toward the formulation of the curriculum, that it would be possible to include at the public school level, to some extent, and certainly at the secondary school level, the kind of course in consumer credit that would be of intense benefit to the individual himself before he went out and had to face the rigours of the world. Also, I think, it would be extremely useful in terms of an exercise in civics or in mathematics. I would hope The Department of Education had this recommendation placed before it rather forcibly so that in the near future this kind of thing can be done.

Now related to that, Mr. Speaker, is another extremely important aspect, and that is debt counselling. As I understand it, the government has made a grant available for an agency that is related to the Metropolitan Toronto social planning council to provide debt counselling.

Once again, in the hearings that the committee held very frequently we got the saddest stories of people who got in deeper and deeper as they tried to rescue themselves from the first rather unfortunate experience with consumer credit. The only way they could be rescued from their overall plight was by some sort of counselling, some sort of consolidation of their debts.

The general conclusion of the committee, as the chairman has indicated earlier, was that this is not necessarily a function for government. It is a function for some agencies in the community, but it is unlikely that these agencies are suddenly going to spring into existence with some philanthropic individual or organization being willing to finance them. If we have come to the conclusion that there is an important role to be played here as part of the overall education of the public at large in consumer credit, I submit it is a legitimate area for the provision of public funds from this government through grants to whatever is deemed the most appropriate agency to provide that counselling.

Another area in which experience may prove whether my doubts are not justified as I think at the moment, but which I draw to the attention of the House, has to do with the procedures spelled out in the consumer credit bill with regard to the handling of so-called "hot paper." This is the practice that has developed among some of these operators in the field of having a contract signed and, literally within the hour, this contract is then assigned to some finance company. This company in some instances deals in "hot paper" all the time, so they are not innocent victims at all. It is a good racket for them to be in and they have been willing to be in it and do business almost 100 per cent in that field. The problem, it seems to me, is that

in certain instances the obligations of the original contract are not necessarily going to be met. I cite, for example, for the Attorney General's consideration, a proposition in this familiar aluminum siding racket. If a person has signed a contract and the contract has been turned over to some finance company, and then either the contract is not fulfilled or else it is fufilled in an unsatisfactory manner, does the bill make certain that this person is going to have recourse to the original signer of the contract, after it has been passed on to the finance company? I do not think it has, and conceivably we will have to wait and see whether experience in some of the regulations that are formulated will make certain that we catch this.

The final area which disappoints me most in the government's move in implementing recommendations of this committee, is in the area of wage assignments. I have learned from my colleague, the hon. member for Riverdale, that this morning he proposed an amendment which I think would have met the problem we have all been grappling with since the report came out, namely the problem in relation to credit unions. He met this by a rather simple amendment to section 19 of the bill, which would have restricted wage assignments to goods and services involving credit not to the provision of cash, which is what credit unions do. I think, by that simple expedient, we would have met the problem.

I think, to be frank with the House, all the members on the committee, while we heard at some earlier stage from the credit unions, became completely preoccupied with the problem of wage assignments in relation to certain retailing outfits and not in relationship to credit unions at all. I do not know of anybody on the committee, or off it, who has come up with even a single case where they felt that credit unions had abused wage assignments. So the problem is not there, and I would have hoped that it was not beyond the ingenuity of the Attorney General and his advisors to have come up with either the amendment that my colleague has now proposed, or alternatively, some other, that would have separated credit unions from any proposal that was made, and catch the others that were abusing this. As I understand what happened this morning, the Attorney General pleaded that he found himself now in an embarrassing situation, because he had given his commitment to the government that this year we would not move with the question of wage assignments.

**Hon. A. A. Wishart** (Attorney General): Not a commitment to the government. I stated that in my correspondence and discussions with many organizations and persons, individuals, and companies, I had indicated the study was going forward, that legislation was being prepared, that we did not expect to proceed with that legislation, did not think we would find it possible to get it before the House at this session and if I accepted a sudden amendment in this bill this morning, I might be accused of acting in bad faith in view of what I had said.

It was not in relation to a commitment to the government.

**Mr. MacDonald:** Then the hon. Attorney General has reversed his decision on such things. The Attorney General has reversed his position on the decision to proceed with this whole bill, for example, this year, and presumably he has broken faith with somebody in that kind of decision, and I suggest that it would be possible for the Attorney General to move on some sort of an action such as my colleague has proposed and he would satisfy the credit unions. The only people he would not satisfy would be the people who were using wage assignments—

**Hon. Mr. Wishart:** Mr. Speaker, on a point of order, I would ask the hon. member that he not use the expression that the Attorney General has broken faith with somebody, because I do not believe that I have. I cannot think of any case where I have and to say that so glibly is hardly fair.

**An hon. member:** —Withdraw that!

**Mr. MacDonald:** Well, if the Attorney General feels hurt and if the hon. member for London South feels I have unfairly—

**Hon. Mr. Wishart:** I do not break faith very easily.

**Mr. MacDonald:** —commented on the Attorney General's—I said that the Attorney General has reversed his position with regard to this legislation.

**Hon. Mr. Wishart:** The hon. member said broken faith with somebody apparently.

**Mr. MacDonald:** You said before that if you did proceed now, you would break

faith with some people, or they might interpret it as that. Now all I am saying is that he could move forward now and solve this problem—meeting the needs of the credit unions and protecting them, and at the same time, catch those who are abusing credit unions—and the only people who would be unhappy, would be those who are doing the abusing. And it could have been done this year. However, if he must pursue it further and study it, we shall just have to wait and in the fullness of time we will get it.

My final comment, with regard to this bill, however, is that the effectiveness of much of it is going to be in direct proportion to the vigour with which it is administered, and we are still awaiting the regulations, the promulgation of these regulations. I refer, for example, to the whole question of "hot paper" or "non-recourse paper," and many other related fields where the fraudulent operators in the field have been getting away pretty scot-free for some years.

The only way we are going to be able to cope with this is with a vigourous administration of the Act. I would hope the Attorney General will proceed in the establishment of his administrative machinery and the proclamation of this bill, so that the many good recommendations in the report will be implemented with as little delay as possible. Then, this whole report might indeed, become of considerable guidance to jurisdictions, not only on this continent, but elsewhere in the world, jurisdictions that have been grappling with this problem for years, and yet not really solving it.

**Mr. G. A. Kerr** (Halton): I would like to also make some comments about this report. I had the privilege and pleasure of being a member of this committee and attending most of its deliberations.

The report is very broad and covers thoroughly all fields of consumer credit. I would like to compliment the chairman, the hon. member for St. David, and all of his staff, on the form of the report and the idea of trying to make it a permanent reference on this topic. Certainly it will be a worthy addition to all members' libraries and the design in printing is very commendable. I imagine other committee chairman are very jealous of you, sir.

Because the report is so detailed and its recommendations set out in rather simple form, what we have learned and what we recommend, it is really not necessary for me to make any general reference to it. Certainly previous speakers have covered this aspect quite thoroughly. However, because of the report, legislation has already been introduced and will be approved some time during this session, embodying the main recommendations of the committee, thereby controlling, regulating and indeed, eliminating certain flagrant abuses in the field of consumer credit, Mr. Speaker.

Bill 101, for example, deals with door-to-door selling, detailed information to be included in an executory contract, cooling-off period, repossession, disclosure of interest rates and "hot" or non-recourse paper. Legislation will eventually be approved, I am sure, sir, dealing with wage assignments and with garnishees.

As the report says, the committee heard evidence of flagrant abuses in the second mortgage field. Some recent court decisions under existing legislation, dealing with small loans and mortgages, indicate that borrowers who are charged high or unreasonable interest rates are now obtaining relief and proper adjustments are being made.

From our travels to the United States and jurisdictions where some kind of consumer credit laws are in effect, we were convinced that legislation was required, particularly dealing with chattel mortgages, conditional sales contracts and certain kinds of door-to-door salesmen. In Washington we had the pleasure of meeting Senator Douglas and his staff, and learning about his Truth-in-Lending Act, which incidentally is completely set out in the report, starting on page 125.

Hon. members will note that the Douglas bill was first printed in 1964 and I understand that it has not, as yet, been approved by Congress.

How swiftly we move in Ontario. Other speakers have referred to and complimented the government in quickly implementing some of our recommendations. I do not agree entirely with the remarks of the hon. member for York South on this point. He apparently criticized the Attorney General for going ahead without waiting for our recommendations, and then proceeded to outline recommendations that should be implemented immediately; in a slightly critical vein I might say, sir, as if we were dragging our feet.

Our Attorney General should be complimented for the action that has been taken as a result of learning and being aware of what our recommendations would be. If he anticipated them, all the better.

**Mr. MacDonald:** I am criticizing only for bringing this report for debate after the end of two sessions.

**Mr. Kerr:** Do not blame him!

Our trip to Washington, Mr. Speaker, was all the more interesting because we had an opportunity to meet the minority leader on the Douglas committee, Senator Bennett, who told us of some of the reservations he had about their bill and why it was receiving a rather rough ride. From this I think we were able to avoid some of the pitfalls and objections in our legislation.

Our hearings in California and New York were also worthwhile, and I am sure that the bill dealing with the consumer protection bureau was as a result of our visit to New York. However, our recommendations in respect to disclosure of the cost of borrowing certainly goes as far, if not farther, than the Douglas bill and most state legislation.

I still have some reservations about requiring full disclosure of interest charges by merchants operating small retail instalment contracts. There should be full disclosure in all other forms of consumer credit, however in cyclical or revolving credit arrangements the determination of a true annual per cent will be difficult. Also, any requirements of ours which substantially increases the cost of operation will, of course, be reflected in the ultimate cost of the product to the consumer.

Our intention should be to help, not penalize. However, we may have to adopt a wait-and-see attitude on this particular point.

Finally, Mr. Speaker, I have great hopes for Bill 100 and the establishment of a consumer credit protection bureau. From our public hearings and the cases we considered it was obvious that the main reason people got into trouble through borrowing was lack of information and sound advice. When one can purchase an automobile or a refrigerator or a dining room set with a dollar down, it is sometimes difficult to convince the borrower that a day of reckoning may be ahead.

However, a consumer protection bureau will advise, qualify and correct statements made by salesmen resulting from the hard sell, and above all will receive and investigate complaints. I hope it is the government's intention to set up this bureau as soon as possible.

Again I wish to compliment all those who were responsible in issuing this report. I think if all its recommendations are ultimately adopted, Ontario will lead the field with the most up-to-date credit legislation of any jurisdiction on this continent.

**Some hon. members:** Hear, hear!

**Mr. Speaker:** This concludes the debate on the report of the consumer credit committee.

**Clerk of the House:** The eighteenth order; House in committee of supply.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, in placing the estimates of The Department of the Attorney General before this House, it is my responsibility and, indeed, my privilege, to provide the hon. members with some information which will assist them in a better understanding of the task to which the department is dedicated.

Many of the hon. members will recall that last year I reviewed in detail the revised organization of the department and the functions which were dealt with by the seven divisions that constitute the department. During that session, the hon. member for Downsview thoughtfully tabled for my consideration over 100 questions which I was privileged to answer. These questions had been thoroughly and carefully prepared and I hope that they were as thoroughly and carefully answered. The questions and answers, together with my remarks at that time, provided a detailed explanation of the various aspects of the department and the departmental structure under which we are operating at the present time. In view of this, I will not presume upon your time to repeat the description of the organization of the department except that I may, Mr. Chairman, enlarge upon a few of the major changes which have been developed to further enable us to meet more efficiently the ever-increasing demands of our various responsibilities.

The law, Mr. Chairman, is a viable thing. Aristotle reflected his political and teaching experience when he stated: "Even when laws have been written down, they are not always to remain unaltered."

If that principle was sound in 350 BC, it has even greater significance today, for the place of our development demands that the laws accommodate our needs. We have witnessed at the present session of this Legislature a programme of new legislation which I would respectfully suggest is well designed for our modern needs and I would hope, Mr. Chairman, that our collective wisdom and experience have reacted for the benefit of the public in these laws which have been brought forth by this assembly.

Some of these laws are of particular significance to my estimates and they reflect new programmes within and without the department. The proposed Department of Financial and Commercial Affairs is the first government department in Canada, to my knowledge, that will be devoted exclusively to the public interest, and that of the financial community, in commercial affairs.

If our province is to continue as a leader in the economic life of our country, that leadership will depend upon the confidence of the public in our financial institutions. The legislative programme of the department has been directed to this end with such bills as The Securities Act, The Loan and Trust Corporations Act, The Insurance Act, The Consumer Protection Act and the Public Finance Companies' Investments Act. These statutes, and others like them, will be administered by the new department in its provision of financial and other information to the investing public.

The new department, Mr. Chairman, will absorb from my department the Ontario securities commission, the office of the superintendent of insurance, and the registration and examination branch. It will, in addition, assume responsibility for the consumer protection legislation which we have developed in this House. Those portions of my estimates which related to these departing responsibilities, will ultimately follow their divisions to the new department. However, these agencies leave my departemnt in a well constituted and a well developed form which merits my comment at this time. Certain relevant information is not contained in the printed estimates as these were committed to paper prior to the enactment of necessary legislation.

In anticipation of the increased responsibility which would be placed upon the Ontario securities commission if our proposed legislation respecting securities was accepted by this House, we deemed it expedient to obtain an indpendent view by competent management consultants of the organization that would best meet these new duties. Late last summer, the management consultants were retained and their report was received towards the end of last year. The report contained certain recommendations for new positions and, at the same time, of course, recommended an increased staff to deal with the increased work load. Recommendations were made for a revision of the responsibilities within the existing sections of the Ontario securities commission and the Ontario securities branch. After having considered the report with my advisors, we are now proceeding with the implementation of the recommendations.

Under the revised organization, there will be four major sections of the Ontario securities branch reporting to the director. Each of these sections will be responsible for particular duties that fit within the section. The administrative services section will be responsible for the administrative services for all of the organization and will also deal with the new insider trading provisions of The Securities Act, 1966, and the accounting requirements associated with that Act. The registration under its head, will be responsible for the registration of the companies and organizations which are required to be registered under the statute. The filing section will be responsible for the filing of the prospectuses and other information required to be disclosed under the Act and will, of course, be responsible for ensuring that the filed prospectuses conform with the provisions of the statute and the regulations. The investigation section, which will be under the direction of a senior lawyer, will be responsible for the investigations and any prosecutions which may arise under the legislation.

The Ontario securities commission, which is responsible for the policy direction of the branch, will remain with a complement of five members, but will have associated with it a commission counsel and a commission accountant while the chairman will be provided with an executive assistant. These three positions, which are new to the commission, are considered desirable to provide the expert advice which is necessary for the members of the commission to maintain a full and complete knowledge of all that is taking place in the area of securities transactions. The counsel and the accountant will not be working with the sections in the Ontario securities branch, but will be acting as staff advisors to the members of the commission. These men will undertake those special projects which are so time-consuming but which require constant and detailed analysis.

Within the branch itself, a knowledgeable supervisor will be in charge of the insider trading information, while a financial analyst, a senior audit investigator and an industrial engineer will be appointed to provide the background of experience and knowledge to introduce the new requirements of the securities legislation into the existing operations of both the commission and business community.

The revised organization of the Ontario securities commission will require 23 additional persons at a total estimated increased

cost of $120,000. The decision to proceed with this reorganization was dependent upon the acceptance by this Legislature of The Securities Act, 1966—which received, incidentally, its third reading today. For this reason, it was considered that the provision for the increased cost should await the deliberations of this House upon the proposed legislation. The cost was not, therefore, included in our estimates, but I am assured by the hon. Provincial Treasurer that the funds will be provided to meet these new responsibilities when the legislation is enacted.

It is most appropriate, Mr. Chairman, that I should comment at this time upon Bill 66, The Securities Act, 1966. As the hon. members are already aware, this bill was referred to the standing committee on legal and labour bills and I wish to commend the members of this House who have devoted so much time and constructive attention to this legislation at the meetings of this committee. The committee his received over 150 pages of comment upon the proposed legislation and the officials of my department have endeavoured, in every way possible, to accommodate all of the organizations which have made these submissions. I have met on many occasions with these people and it has been inspiring that the members of our financial community should volunteer their time in providing us with this wealth of opinion and advice. In addition to the outside agencies, of course, Mr. Chairman, we have been most fortunate in receiving constructive comment from all the members of the committee and, as a result, there were a number of useful amendments made to the bill as it progressed through the standing committee with the result that when the bill was reported to this House, it was a most thoroughly considered piece of legislation and was evidence of the effort which had been put into it by all of those concerned. The method by which this bill has been reviewed is a demonstration, Mr. Chairman, of the democratic processes operating at their very best to produce a working law which will reflect the experience and wisdom of many men.

The superintendent of insurance and his staff will also be transferred to the new department when it is established as an operating entity. As the hon. members are aware from my comments last year, The Department of Insurance was reorganized in 1963 so that the administration of statutes, such as The Real Estate and Business Brokers Act, The Mortgage Brokers Registration Act and other similar statutes were transferred to a new registration and examination branch. This left the superintendent of insurance and his officials free to deal exclusively with The Insurance Act and The Loan and Trust Corporations Act, as well as certain other statutes of less significance but in the same area of responsibility. The staff in the office of the superintendent of insurance has increased since its reorganization from 27 to 37 with particular emphasis having been placed in the last year on the appointment and training of new examiners. Six examiners were added to the staff this year so that, at the present time, we have six senior examiners, together with four junior examiners. These positions are in addition to that of the chief examiner and the examiner of insurance agencies. With the increased staff, the examination of the various institutions under the supervision of the superintendent, is being extended to include complete financial audits and examinations of the companies rather than an office review of the submitted financial information. Up to the present time this year, 24 companies have been examined at their offices while 34 examinations have been made of other companies through the examination of material in the office of the superintendent. In comparing this volume with that of other years in reviewing the present programme of the superintendent, it would appear that we will be able to deal with a greater number of outside examinations over the period of the present year. The appointment of an experienced lawyer as deputy superintendent of insurance over a year ago, has also added to the competence with which these examinations may be carried out.

One particular agency which is a recent addition to the department, but which has had, I believe, a significant contribution to the public and which will be engrossed with these other commercial agencies, is the used car dealers section which, in its one year of operation, has registered 2,985 dealers and 8,916 salesmen. Eleven applications for dealers' licenses were refused while 66 applications are under investigation with a roughly similar number of applications having been refused pending investigation in respect of salesmen. A total of 378 written complaints were received from various persons over the year with some redress having been obtained for the purchaser in 175 cases, while the balance of the complaints were either unwarranted or of a nature which could not be resolved by a government department. Three prosecutions were undertaken and convictions were obtained in each case. While this section is still in a state of development and growth, we feel that it is serving a most useful purpose and will play its part in providing a firm foundation

for the new Department of Financial and Commercial Affairs.

If I might turn now, Mr. Chairman, to the other aspects of the department. I would begin with a comment upon the present developments within the Ontario police commission.

The commission has continued to develop its facilities for criminal intelligence services and in co-operation with 18 of the major police forces in Ontario, including the Royal Canadian mounted police and the Ontario provincial police, we have formed the criminal intelligence service of Ontario. This association of intelligence officers collects, correlates and disseminates criminal intelligence information within Ontario. Through this agency, the police force of the province co-operate with the American agencies engaged in similar activities and with other organizations, such as the immigration authorities where there is a common interest in acquiring knowledge on all aspects of the criminal element. This intelligence service, in conjunction with the federal intelligence unit which is now under consideration, will provide the continuing source of information which is necessary for us to continue our vigilance against an area of our society which is both insidious and dangerous. It is insidious in that it operates beneath and beyond the ordinary aspects of our everyday life and it is dangerous in that crime will always be attracted to areas of affluence such as that in which we are privileged to live. I assure this House that we are constantly aware of the danger from without and we are constantly striving to ensure that it is kept without the bounds of this province.

The Ontario police college has continued to expand its facilities with a student increase from 789 in the year 1964 to 1,303 in 1965. This student increase, together with the participation of 34 police forces which have not previously sent men to the college, has demonstrated the widespread acceptance that the college is gaining as police authorities come to recognize the desirability, if not absolute necessity, of a well trained police force. Negotiations are now under way with Metropolitan Toronto for the assimilation of the training programme of the metropolitan force into that of the Ontario police college. With this continuing development of our educational system for police officers, we are faced with the expansion of the facilities at the college and plans are being developed in order that we may not only accept greater numbers of students, but also provide further and more specialized courses suited to the developing trends in modern police work.

Hon. Mr. Rowntree moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, I would like to call resolution No. 34, shown on page 4 of the order paper.

## NOTICE OF MOTION

**Clerk of the House:** Notice of motion No. 34, by Mr. Reaume. Resolved:

> That a select committee of this House be appointed to examine into the sale and distribution of gasoline and other petroleum products in Ontario, and, without limiting the generality of such examination, the terms of reference of the committee to include the following: 1. the pricing policy of wholesalers and manufacturers, together with differentials in price in various parts of the province; 2. the economic conditions prevailing among owners of retail outlets; 3. the production of gasoline and petroleum products within Ontario, and the source and characteristics relating to the import of such products into Ontario; 4. the effects of taxation upon the industry as well as the method of collecting the taxes.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, in the absence of the hon. member for Essex North, I move, seconded by the hon. member for Parkdale, resolution No. 34, which has just been read.

In rising to speak to the resolution submitted by the hon. member for Essex North, I would like to inform the House that this is not a new problem; this is a problem of long standing. In fact, it is of so long standing it has affected the livelihood of thousands across the province of Ontario. The discontent that we have seen on our highways within the last short period of time is evidence that there is something wrong in the gasoline industry.

The fact that an organization known as the superior auto services association has been responsible, so I am told, for the closing of certain gas stations along highway No. 11

between Barrie and Sudbury is evidence of the discontent in that area. And I understand there is the threat that at some future date, unless the suggestions of the association are met with, we will maybe be threatened with a strike right across the whole province. We certainly would not want to see one at any time and especially during the tourist season.

In speaking to this resolution, it was back on March 20, 1963, that an association known as the Ontario retail gasoline and automotive services association presented a brief to each member of this House and it was—and I am reading from their submission—"a request for a Royal commission probe into the petroleum industry." The letter starts:

Dear Sir:

Service station operators in the province of Ontario are in dire need of your help as legislators. We are not asking for government financial support, charity or unnecessary regulation, but simply equitable grounds to permit free competition. We are requesting the appointment of a Royal commission to investigate the whole petroleum industry, refining, wholesaling, and retailing. The purpose is to determine:

1. Is the public paying too much for gasoline and other petroleum products through branded retailers?

2. Should oil company refiners be required to sell gasoline at the same price to all purchasers?

3. What is the status of the gasoline retailers under consignment agreements, employers or employees? If they are employees, should they have the protection of labour laws?

4. Are there too many retail gasoline service stations in Ontario?

5. Will the Ontario Legislature pass the necessary laws to give more security of tenure in service station leases and to encourage more small businessmen to go into the business for themselves and prevent more unemployment?

Mr. Speaker, there are several other paragraphs to the letter but I will read the concluding paragraph and let you know exactly who the executive secretary was:

Your sincere consideration of this urgent request will be appreciated by more than 100,000 persons in Ontario who depend on the retail gasoline service industry for their livelihood.

Respectfully yours,

K. W. Langdon,
*Executive Secretary.*

This is the concern that the association had in 1963. As to their proposed solutions for gasoline price wars, they made some. Here is what they list as causes of these gasoline price wars.

1. Tax advantage to foreign imports. Foreign owned oil companies have large depletion allowances and more tax advantage than Canadian producers. Middle East and Venezuelan crude oil is imported at two-thirds the price of domestic crude oil.

2. Surplus refinery capacity and overproduction. Oil companies build more refineries and produce more gasoline than the market can use.

3. A 7 to 10 cent discount to unbranded and commercial. Those oil companies who give big discounts to unbranded and special accounts are mainly responsible for the gasoline price wars, and then they list four different companies and the amounts of discount given in the various areas, and they range from 7.06 cents discount to 9.71.

4. Fictitiously high tank wagon price to dealers. Oil companies maintain fictitiously high dealer tank wagon price. Every one of the ten major brand oil companies sets exactly the same price and these prices are for regular grade. Premium gasoline is 5 cents higher.

5. Price discrimination and conditional subsidies. Temporary competitive allowances and conditional subsidies are given to some dealers and refused to others. They are withdrawn if a dealer sells at any price other than that fixed by the supplier. Three different wholesale prices are presently being charged to competing dealers in the same city and suppliers are dictating three different retail prices.

6. Consignment commission controls. Supposedly independent retail gasoline dealers are forced into the position of employees that have no protection from labour laws. This applies to owner-operators as well as lessee dealers. If a dealer insists upon retaining his independence he is required to pay the fictitiously high dealer tank wagon price. In many cases this wholesale price is higher than the prevailing retail price.

For example, the retail price of regular grade gasoline in Hamilton and the Niagara peninsula is 31.9 cents. Now I am speaking of March, 1963, Mr. Speaker. The wholesale tank wagon price to branded dealers, who refuse consignment commission is 35.3 cents. This would cause the loss of 3.4 cents per gallon on every gallon of gasoline and quickly force any dealer into bankruptcy. It is obvious

that some oil companies are using this loophole in the law to discriminate between competing dealers and to control and fix retail prices. These practices are criminal offences otherwise.

7. Too many service stations. Today there are more than 13,500 service stations in Ontario and 1,800,000 passenger cars, with an average of 600 gallons annual gasoline consumption per car, this only gives a potential sales volume per station of 80,000 gallons per year. A modern service station requires two to three times this volume to justify its existence.

8. Marketing revolution and discount houses. The trend to mass merchandising and gimmick sales, with merchandise discount coupons, trading stamps and cost selling of other lines has contributed to the problems of gasoline retailing. Low prices given to discount houses have created a monster that threatens to take over all retail gasoline sales, if the practice is continued very long.

9. Supplier domination over retailers. Lack of security in leases and exclusive supply contracts is the main reason for branded dealer problems. Retailers are in very poor bargaining position during gasoline price wars.

Lessees can be arbitrarily evicted without any stated reason on 24 hours, three days ten days, or at best 30 days notice by their oil company landlord. Exclusive supply contracts prevent branded dealers from handling competitive products from other suppliers, even when the same products are offered at a cheaper price.

In their presentation they also list a series of effects from gasoline price wars.

1. The first effect is the increased sales volume by discounters. Branded dealers are losing gasoline sales to discount houses and unbranded dealers. One oil company spokesman said that discounters have increased their slice of the retail gasoline market by two-and-a-half times, from 4 per cent in 1957, to 10 per cent in 1962.

2. Dealer's net worth is cut by 50 per cent. Branded dealers had an average net profit of 6 per cent in 1958. It is now down to 3 per cent in 1962, for the successful stations. Many others are losing money and using up their capital.

3. Longer working hours at less pay. Many dealers are now working 60 to 70 hours per week and only making $1 per hour on their own labour and nothing on capital invested.

4. 30 per cent dealer mortality rate. Bankers consider most service stations are poor financial risks and are refusing to make loans. In Ontario there was a 30 per cent dealer turnover in 1962.

5. Absolute control by suppliers. Branded retailers have no independence or freedom to operate their own businesses because suppliers have secured absolute vertical control from wellhead to retail pumps.

I may interject here you can see that vertical integration is an actuality when it comes to the gasoline business. And a sixth point.

6. The public gets poor service. The public temporarily gets lower gasoline prices but they do not get something for nothing. They must pay for the bargains in poorer service and higher prices on other products.

They list a whole series of other points, Mr. Speaker, but I will, for the sake of brevity, bypass them.

Now they make a series of recommendations as to their solutions for the gas price wars. I will read only the one recommendation here, and that is:

> Relief from exclusive supply contracts. No product supply contract should be permitted to exclude a dealer from handling a reasonable amount of competitive products from other suppliers. The Ontario Legislature should appoint a Royal commission to investigate the great need for legislation to prevent domination by oil companies over retail dealers. Service station leases should be for a term of from three to five years. There should be no short-term eviction provisions, except for specific breach of main covenants. There should be a three- to five-year renewal option. The lessee should have the right to sublet and sell goodwill. There should be no head lease rental higher than the actual rent being paid.

This was submitted on March 20 in the year 1963. They received no action from this government and so on February 18, 1965, followed through with another brief that was submitted to all members of the Legislature and also to the hon. Prime Minister of Ontario.

They listed in this brief 17 different points. I will only read several of them to show their great concern. One of their points, as has been previously mentioned, was a 33 per cent mortality rate in the gasoline business and all they asked for was provincial legislation to regulate and control the distribution and pricing of all gasoline sold in Ontario both on wholesale and retail. They mentioned that price wars are now more severe and more frequent; this was in 1965, two years after

their original submission. "More service station operators are being forced out of business than ever before."

In 1958 the turnover of gasoline retailers was 15 per cent per year: in 1964 it exceeded 35 per cent. Their profits had gone down and their expenses had gone up. They comment:

> Six years is too long a time to be in a price war. Since 1959 price wars have been a way of life. Dealers' gross margins have declined from 8.6 cents per gallon to 5.5 cents, while rents, payrolls and other operating expenses have increased by 26 per cent at service stations. Oil company profits are up at the dealers' expense. Every year the published financial reports show oil company profits up from 11 per cent to 36 per cent. We do not object to the wholesalers making increased profits but we do object when it is at the expense of their own franchised dealers. The larger oil companies have taken over control of dealers' retail prices and margins by a system known as consignment commission. Under this system the company reduces dealer profits and does not allow him any say in the matter. We have evidence to prove that one Toronto dealer was forced to pay 37.7 cents wholesale while his competitors' retail price was at 36.9 cents. This penalty was imposed to bring the dealer into line on company pricing policy.

They likewise comment in this same brief of February 18, 1965, that the province of British Columbia has been conducting a probe, a Royal commission on gas prices and the province of Alberta has promised a similar inquiry. They further say that in Jamaica and the West Indies there are no price wars and the mortality rate among service station operators is less than 5 per cent per year.

In Nova Scotia the provincial government regulates the prices of gasoline under The Gasoline Licensing Act. They have not had a price war in 17 years and the dealer mortality rate is under 15 per cent per year. This was submitted by the Ontario retail gasoline association, the same organization that had submitted the brief on March 20, 1963.

In the submission of their brief, the executive secretary of the association happens to come from my own community and as a result of that he was in an ideal position to study the effects of the gas wars on the retail gasoline industry in Greater Windsor and here is what he had found out from January 15, 1955, to March 31, 1965:

> (a) There have been 522 service station operators go out of business in the last 10 years. There were 190 service stations involved in these changes, so you can see each of the service stations involved went out of business approximately three times over the ten years. There had been three different operators.
>
> (b) Including operators and their employees, this represents a conservative figure of 6,000 people who have suffered from business failure in the retailing gas industry in Greater Windsor.
>
> (c) Less than two per cent of the 522 out-of-business dealers can be attributed to death or retirement. Ninety-eight per cent failed because it was an uneconomical venture.
>
> (d) Each of the 522 out-of-business dealers lost an investment of $3,000 to $6,000, very often money which had been borrowed.
>
> (e) Consignment and subsidy control of the retailers by the wholesaler oil companies since 1959 resulted in the retailers losing upwards of 35 per cent of their gross margin on gasoline. This is in the face of ever-increasing retail overhead, 26 per cent since 1959.
>
> (f) Lower margins on gasoline have increased normal casualty rates more than three times in the last six years.

They recommend in their last paragraph that action is needed now. They can no longer endure a failure rate of 35 per cent per year among service station operators. Their best employees are leaving the industry because they cannot live on $1 or $1.25 per hour. There is flagrant disregard for the 48-hour maximum week and many operators and employees are forced to work 70 to 90 hours per week to make a living wage. This was all respectfully submitted by K. W. Langdon, executive secretary of the Ontario retail gasoline association.

Because of the—I would assume—inability of that association to get anywhere with the government—and maybe because they did not take a militant enough point of view, we have another association known as the superior auto service association that seemed to come to the fore within the last year to 18 months. This association is headed by a Mr. Elwood Smith of the city of Sudbury. He has been in communication with the hon. Prime Minister's office asking for a study of the whole situation and to date has not been able to get satisfaction as to the government undertaking this study, and this could be considered one of the reasons for our submission.

The province of British Columbia in 1966 had a report submitted to it by His Honour Judge Charles William Morrow who headed the Royal commission on gasoline price structure. They went into a study since October 17, 1963 on the fairness of the price structure of gasoline at the refineries, at the wholesale and retail levels in the province of British Columbia and they looked at the whole picture. Their submission encompasses approximately 14 chapters. I will simply read the headings of a few of the chapters so that you can see how wide their inquiry was. They went into retail capacity; alleged overbuilding of service stations; service station operations; refinery capacity; sales of refined petroleum products in 1963; return on investment in refining and marketing facilities; costing individual petroleum products at the refinery level; distribution costs; gasoline prices; premium gasoline and competition.

They made recommendations on each of the chapters under which they had conducted a study. Rather than read all of the recommendations that were made, chapter by chapter I will simply read the recommendations as contained in chapter 14 of this Royal commission report, and the first is:

> Holiday from new retail outlets. It is my view—

and this is the commissioner, His Honour Judge Charles William Morrow's comment—

> —that all areas in British Columbia are at this date amply served with service stations and his situation will not change in the immediate future. I recommend that a rest be taken for a period of at least five years in the construction of additional service stations.

A second recommendation under the heading The Wedge.

> Complete divorcement of the jobber and retailer is something to be desired, although it can only be accomplished over a long period of time. I believe the subsidization of the lessee operated outlets is against the public interest, and constitutes an unfair practice at the wholesale level. It should come to an end.
>
> I recommend that the tank-wagon price to independent major brand dealers, both financed and non-financed, be two cents less than the tank-wagon price to lessee operators. The effect should not be negated by actions of the oil companies, such as decreasing the rental paid by the lessee station or converting lessee stations into company-operated outlets run by company employees on commission.

In the next recommendation, under the heading of consistent retail mark-up.

> I can see little or no reason for the higher mark-up charged by service station operators in any location outside the confinement area, and believe the mark-up throughout the province should be the same. The present high retail mark-up in some areas is unfair.

Under consignment selling, his honour recommends:

> As I have reached the conclusion that consignment selling is unfair, I recommend that all companies withdraw the consignment agreements immediately and once withdrawn, not be reintroduced.

Under the heading of credit cards.

> The ideal solution to my way of thinking, and the one that would be least offensive, would be to give a discount to those who pay cash for their gasoline, but this might be impractical. However, it is effective. That is cards dispensed with, a surcharge of a discount. I suggest that the cost of the credit card system should be borne by the individual seeking the credit.

Under supply agreement.

> I recommend that when a supplier makes a loan to a service station operator for a period exceeding five years, any tie between the supplier and that retailer may be expressed to extend to, but not beyond, the latest date for repayment of the loan. But the loan agreement shall provide that the retailer may, at his option, repay in full at any time after five years from the date of the loan and on such repayment the exclusive tie shall terminate.

Under the heading of premium gasoline.

> From evidence adduced, and taking many factors into consideration, I am of the opinion that the five cent differential between premium and regular gasoline is not justified. I believe the tank-wagon prices of premium should be dropped two cents, and I recommend this be done. I realize the reduction of the differential will reduce the oil companies' revenues by about two million dollars.

The submission by His Honour Judge Charles William Morrow also has other recommendations that they could not accept, but because the problem is so complicated and involves the lives of so many people, I submit to you, Mr. Speaker, that the resolution in the name of the member for Essex North that a select committee of this House be appointed to look

into this whole structure, it is one that is worthy of implementing.

**Some hon. members:** Hear, hear!

**Mr. D. C. MacDonald** (York South): Mr. Speaker, the hon. member for Windsor-Walkerville has stated that this is a long-standing problem. After what we have seen this afternoon, the only conclusion I can come to is that it is so long standing the Liberal Party has virtually lost interest in it.

I draw your attention to the fact that a couple of months ago a number of gasoline retailers, under the sponsorship of the superior auto service association, marched on Queen's Park. This is one of the group that comes and whose presence is noted with such frequency by the leader of the Opposition. But there was no Liberal, either to greet them there, or at the Park Plaza when they issued an invitation to come and hear their cause.

Secondly, all that we have heard this afternoon, in this rather tedious regurgitation from the hon. member from Windsor-Walkerville, has already been debated in this House in the Provincial Treasurer's estimates. We then discussed the Morrow report from British Columbia; we then considered its recommendations we then noted the fact that Mr. Langdon of the Ontario gasoline retailers association had indicated to me, and I reported to the House, that he had been to see members of the Cabinet and that they had been told before the Morrow report came down that they would take a look at it, and if they thought it had application to the province of Ontario, they would have a study here. All of this has been considered, sir.

**An hon. member:** Hear, hear!

**Mr. MacDonald:** And belatedly, Mr. Speaker, the Liberals tried to get into the picture with a motion in the name of the member for Essex North, who is so interested in events that he is not even here this afternoon.

So, by a slight twisting of the rules of the House, we have somebody pinch-hitting for him. The fact of the matter, and I register this as a protest, is that two hours ago we did not know whether we were going to go forward with this motion. Two hours ago there was nobody within the Liberal Party to speak to it. Three weeks ago the Liberals who had fought, presumably with vigour, to get an opportunity for private members' bills, were willing to lock it up and go along with the government. And we are still debating them only because we said no, having won this we are going to stick with it.

Having made that point, and none of it can be challenged, let me say that we support this motion. We support it because it is "old hat", as the member from Windsor-Walkerville has documented. This plea has been put to this government for three or four years. It was reiterated back in the Provincial Treasurer's estimates, and all I can do is to note with some up-to-date information that is provided by this new organization, the superior auto services association, of the kind of situation that we have in the province of Ontario today. And perhaps the value of this three- and four-year old material that has been put on the record by the hon. member for Windsor-Walkerville can be noted—it is the same kind of story that you got today, with variations, some variations that I want to draw to the attention of the House.

For example, the superior service association points to the fact that when oil companies sell gasoline to retail dealers at up to 8 cents per gallon more than they charge other commercial accounts, then surely something is radically wrong.

**Mr. E. Sargent** (Grey North): What is new about it?

**Mr. MacDonald:** Nothing new about it, except that this government will not act and the man who puts it on the order paper is not even here to talk to it. That is how interested he is. This is the kind of situation that has been going on for a long, long time; whether we will charge the gasoline retailers — some of whom are their own outlets, their own economic slaves to put it in blunt language — eight cents more than they will sell the gasoline to some other dealer who is in competition; some of them subsidiary groups, incidentally, of the various gasoline companies.

Let me say the second point that is noted by this association. There are areas now in Ontario where dealers' gross margin in gasoline is nine to ten cents per gallon. But still many dealers throughout the southern part of the province were forced by some oil companies to operate on six and a half cents per gallon. With rising overhead costs, dealers cannot carry on with this existing condition. All gasoline retailers with brand-name pumps are tied to their companies on five- to ten- or twenty-year agreements, and must pay the price for gasoline which their company demands, or they do not sell gasoline.

Another observation that is made in their up-to-date information of the association

is the fact that the gasoline companies are dictating hours that the employees must work and in so doing, they are violating the laws of the province.

Service station operators in many towns trying to gain closing bylaws find they are faced with oil company representatives who will harrass, threaten and force operators to sign petitions against such a bylaw.

Some of the threats they use are not to renew the lease; increasing rent; not painting buildings or supplying new equipment; building stations outside city limits to put operators inside the city limits out of business. In other words you have a dog-eat-dog kind of competition in which the oil companies are crucifying the people who are presumably selling the oil for them if they will not follow the rules as laid down by the companies.

They sum it up in this fashion, Mr. Speaker:

> Major oil companies control the distribution and sale of most petroleum products. At the well head their crude oil price is protected by what we know as an oil conservation policy.
>
> This policy allows only a given quantity of crude oil to be pumped from wells each day. As there is no shortage of crude oil reserves in Canada, the conservation policy could only mean one thing, a regulated flow of crude oil thus protecting oil company crude oil prices. With oil companies controlling crude oil production, the wholesaling of petroleum and related products and using questionable methods to keep the retail gasoline dealer in line thus eliminates free enterprise in the petroleum industry.
>
> In the distribution of gasoline, all other companies supply to retailers in zones and other oil company refineries are located in different parts of Ontario and their transportation varies, each oil company charges retailers the same tank-wagon price for gas. The only difference in tank-wagon prices is the difference found between zones. Toronto zone, approximately 37 cents per gallon to the retailers. Sudbury zone, 40.2 cents to the retailer. Northern Ontario, much higher. This policy assures these companies—

These are the kind of charges, Mr. Speaker, that are being made by a responsible organization and I suggest are worthy of inquiry by this government.

> This policy assures these companies excessive profits which we believe they sink into non-productive service stations, thus cutting their tax expenditures and leading the public to believe free enterprise flourishes. The public has been led to believe that we live under a free enterprise system.
>
> We believe that the only free enterprise that exists is between the retailer and the customer. Most supplies of goods to the retailer have little or no variation in price, and this is costing the consumer hundreds of millions of dollars each year in higher prices.

Another point, Mr. Speaker, that I suggest is worthy of some investigation—as has been pointed out in briefs down through the years, there is a practice of the oil companies, in effect to force the retailers to buy material in addition to gasoline which they are going to sell on a wholesale basis from their outlet. The oil company buys in great amounts, with reductions so that they make the profit, they force the retailer to buy it at a higher price than he could get it from other wholesalers in the area.

Wholesale supply companies which have signed agreements to pay a kick-back to the oil company, cannot give price advantages to the retail dealer. Note this, Mr. Speaker:

> We believe now that most tire companies are paying a kick-back to the oil companies who do not have their own brand tires. Any tire company which does not pay to the oil company has a difficult time getting retail service stations to sell their tires. Here again we find oil companies threatening dealers with rent increases, etc. if the operator does not handle the tires or supplies the oil company recommends.

In other words, Mr. Speaker, you have an absolutely chaotic situation in which the little people in the field who are retailing for the big oil companies are the victims of prosecution, of intimidation in various forms, if they will not conform with the rules laid down.

However, there is still another reason why we should have a Royal commission investigate this situation—or a select committee as is suggested by this recommendation. That is that, even this government itself through the Minister who is responsible, namely the Minister of Energy and Resources Management, does not know what is going on in the field. If the Minister himself is ignorant of the fact I suggest that the government should be enlightened, and brought up to date.

I want to put on the record, Mr. Speaker, a copy of a letter which has been sent by

Mr. Elwood Smith, president of the superior auto service association, to hon. J. R. Simonett, because of some interjections of the Minister of Energy and Resources Management during the time that we debated this issue previously in the Provincial Treasurer's estimates. He interjected, as is to be found on page 4195 of *Hansard*, indicating that he was a retailer and led the House to believe that all gasoline tax is paid when the oil company, which is the wholesaler, drops the gasoline into the tanks of the retailers. He stated that the companies have the money.

Now, this is the comment in the letter from Mr. Smith from this point forward:

> Sir, there are companies that do not get paid for the gasoline in the retailer's underground tanks until this gasoline is sold to the motorist. Texaco is one company that supplies most of their dealers and leesee's gasoline on a load-to-load basis, that is to say a tank-wagon load of approximately 6,500 gallons of gasoline delivered to a retailer will be paid to the oil company when they deliver the next load.
>
> Other companies sell gasoline to retailers on similar arrangements. We do not necessarily criticize this form of paying for gasoline, but when the government allows the oil companies a commission to collecting the gasoline tax which, incidentally, could be up to approximately $1.5 million in 1964, these companies should bear the responsibility to see that all taxes collected from the motorist on gasoline is paid to the government.

I should interject here, Mr. Speaker, that the point in dispute in the earlier debate was the fact that the government waives losses of taxes that have been collected, and do not come through to the government, in the instance of bankrupt companies. It was estimated that the losses last year were in the range of some $20,000, so the Minister said, though those in the field are rather startled by how small that is. I continue:

> As it stands now, any number of hundreds of gasoline dealers across Ontario could go out of business, owing their company for gasoline, including tax. Under section 3(b), if the oil company does not collect the gasoline tax due to bankruptcy or for any other reason, they are not compelled or required to pay this tax to the government.

As has already been noted, Mr. Speaker, the frequency with which there are bankruptcies in this field is very great.

> Mr. Simonett, I wonder, if up to one-third of the gasoline dealers in Ontario who have gone out of business each year for the last number of years, just how many have failed to pay the oil companies for gasoline including tax. I wonder how many thousands of dollars the motorists have paid to the retail gasoline dealers that have gone out of business, that never reached the government.
>
> When I was in to see the director of taxation and questioned him about this matter, I was told this agreement with the oil companies was confidential –

Incidentally, I inquired of the Provincial Treasurer with regard to this agreement during the debate, but we have heard nothing since. He said he would give me a copy of the contracts, but we have not seen any copy of the contracts.

> I believe I have seen a figure of approximately $180 million representing gasoline tax revenue during 1964, but I understand there was approximately 1,594,000,000 gallons sold in 1964, which would return the government over $230 million. There appears to be a difference of around $50 million. I asked the director of tax where this money went and I was told that it was confidential.

Well, Mr. Speaker, I need not go on any further. This is the kind of runaround that a responsible group trying to protect these retailers gets when it comes to asking for information, which I submit should be public information. The whole thing, Mr. Speaker, reveals that even the Minister, who is responsible for licensing and the supervision of a portion of this field, simply does not know what is going on in the field. So I suggest we should have either a select committee, or a Royal commission, not only to do the kind of job that was done by the Morrow commission in B.C., but to bring this government up to date on the facts in this rather deplorable field.

**Mr. T. L. Wells** (Scarborough North): Mr. Speaker, I do not have any lengthy, weighty reports or letters from people to read as the previous two speakers have done. I guess they devoted three or four minutes of their time to their original thought and the rest of the time to reading documents written by other people; some of it very relevant; some of it perhaps old hat to us.

I would just like to talk a few minutes on this resolution as a private member and as someone why buys a lot of gasoline and has

five or six oil company credit cards in my pocket. I certainly do have a concern for the retailers.

I would echo this concern by saying in the first instance that I support this resolution. I do feel there should be a select committee to examine all the affairs regarding the sale and distribution of gasoline in Ontario. I would echo the sentiments that have been expressed at the change in the nature and the type of retail operation in this province. Many of my friends have at one time or another been lessees of gasoline stations, and I have heard personally from them of many of these problems with the large companies that they and other lessees have had to endure.

Certainly I think that many of us here deplore the fact that—or perhaps I should say feel a little bit of nostalgia towards the fact that—the gasoline retailer, as a small businessman, seems to be vanishing from the scene. Because of these lessee arrangements, arrangements that sometimes can be cancelled on 24 hours' notice—the type of franchise agreements that the oil companies write up and so forth—we do not find many enterprising eager young men going into this type of small business operation today.

I noticed in driving around Scarborough this week end, that there are at least five or six stations of major oil companies sitting vacant with a great big sign in the window, saying, "Lessee wanted, energetic young man should apply to such and such an oil company." These are sitting vacant there. I do not know the situation out in the rest of the province, but I do know the situation here in Metropolitan Toronto.

We have seen the major oil companies come along, and on every major intersection buy up a piece of land and put up a gasoline station. Perhaps the solution now—and this is something that a select committee could look into—perhaps the whole business of lessee operations is antiquated at the present time. I think that perhaps the major oil companies should face the fact that they have got to dispense gasoline to the consumer. They should build the stations, they should hire the people to run them and pay them a fair and decent wage, and perhaps a commission on top of it. The person that runs the station should not have to put any financial investment in it.

I know there are probably arguments against this. But when you look around at what we have, perhaps the time has come for someone to consider this type of operation, at least in some of the large metropolitan areas, together with at least some curbing on the number of stations and retail outlets that are permitted.

Now to carry this a little further though. As I said, I would like to talk for a few moments about it from another angle and that is from the point of view of the consumer who buys gasoline and here is a relevant fact, and I would like to quote two sentences from a report prepared by the Stamford University research centre. This report said:

> It is the general consensus of economists and professionals in the petroleum industry that the demand for gasoline is quite insensitive to price changes. This insensivity stems from the fact that practically no substitutes for gasoline are available today. Restated in the terminology of economics this proposition holds that the demand for gasoline is inelastic. This means that if the price of gasoline is reduced or increased by one per cent the resulting increase or decrease in the quantities bought is negligible or at any rate far less than the one per cent.

What this study purported to show was, that because you cannot buy anything else, or run your car on anything other than gasoline, you have to pretty well like it or lump it at the price you have to pay for gasoline. Sure, we have these price wars going on from time to time, but this study seemed to show that it did not really matter whether the price went up 1 or 2 cents, or down 1 or 2 cents, gasoline was still bought. In a great number of cases, it was still bought at either the increased or decreased price, and the increase or decrease in sales certainly bore no relationship to the increase or decrease in the price.

What, I wonder, as a consumer of gasoline is, apart from the lessee arrangements and the various prices having regard to different areas in the province where gasoline is sold, what about all the other things that go into making up the cost of a price of a product, which I have to buy for my car, because I cannot buy anything else to make that automobile run? And I look around and I find that in the gasoline industry, there is a very low degree of loyalty to brand. Many surveys have been done to show this, that most people do not start to buy Imperial Esso gasoline and stick with it for the rest of their life, they would change tomorrow if another gimmick came along and therefore we have all this rash of things such as additives. My gasoline has TCP and therefore it is better, or this gasoline has something to prevent winter freeze-up,

therefore it is better. And studies show that because of these additives, people will change from gasoline, to gasoline, to gasoline, depending what happens to hit them at the moment.

This kind of changing, this kind of very elastic loyalty to product, means that there is a great deal of money spent in advertising of gasolines. Probably some of the biggest advertising and most famous advertising campaigns in the last three or four years, have had to do with gasoline. There is not one person in this House who, of course, has not heard the phrase, "put a tiger in your tank" and this is probably one of the classic advertising campaigns in the last little while.

I fell into this predicament, as many others probably have, where I had to go in and buy a tank full of gasoline from that company, because my two children in the car wanted the tiger tails they were giving out with their gasoline. As I was coming down this morning, I see that another company is giving out two horseshoes to stick in your window, because their gas has more kick per horsepower and to emphasize this, they are giving out the two horseshoes. So I suppose next week I will have to go in and take my children in there so they can get these horseshoes.

And of course, other companies are giving away airplane trips to Europe and to Japan, and so forth, and another company has sponsored the hockey game for years and years and has become a household word through this enterprise.

But what I am trying to point out here, Mr. Speaker, is that it is quite obvious a lot of money is spent on promotion in the gasoline industry, on promotion of products which I would maintain are probably basically not much different, one from the other, in order to attract the buyer, the consumer, from one to another. And the fact is that most consumers are attracted and they switch from week to week, or from month to month.

Another area that I think bears study and could be studied by a committee, is this whole area of credit cards again. Most of us have credit cards for many of the major oil companies. I have noted that when a major distributor moves into an area, and I do not know how they check the credit ratings of everyone, but if they put a station on a corner, within perhaps a half mile circle of that station, or a mile circle, practically everyone in that area gets a credit card for that new station. I suppose they have a check with certain of the credit agencies.

**Mr. MacDonald:** They do not check at all.

**Mr. Wells:** They do not. Well, I was not sure. I thought perhaps they would protect themselves.

**Mr. MacDonald:** They sent them to all MPPs—proving how indiscriminate they are.

**Mr. Wells:** Well I will accept that. They send them out to everyone within the radius of the station, of course hoping that this will attract customers because of this low degree of loyalty to a brand. The fact that you have now been presented with a brand new credit card, with the compliments of this company, will attract you to come in to this new station.

I think the British Columbia study showed however, that credit cards and the cost of selling gasoline on credit cards costs half a cent per gallon, or one-and-a-half cents per credit card gallon. So certainly there is a great variance here and those who pay cash are helping to finance the credit system, and I am certainly one who has always had and always wants to buy my gas through a credit card system, but certainly we are being assisted by those who pay cash for gasoline.

This would seem to me to be another area that would merit study by a committee. Now there are probably many other areas. As we all know, the oil companies are probably the prime suppliers of road maps, except for the province of Ontario, but of course no oil company has put out a road map of the degree of sophistication that we have in the one that the Minister of Highways has issued this year.

As a matter of fact, I had one of the fellows from Imperial Oil talking to me on Saturday and he said: "I wish we had thought of that method of folding our road map before you did, because we cannot copy you now. That is the most original thing we have seen in road maps in a long time."

But this is another whole area. The matter of supplying road maps and supplying travel information, must add a considerable cost—

**Mr. E. Sopha** (Sudbury): The Provincial Secretary is the North American champion in putting out road maps.

**Mr. Wells:** —to the actual price per gallon that is paid for gasoline.

Now with these few thoughts, Mr. Speaker, I will conclude my remarks and say again that I support this resolution.

**Mr. Speaker:** It being 6 of the clock, this debate is now concluded.

It being 6 o'clock, p.m., the House took recess.

No. 165

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Tuesday, July 5, 1966

**Evening Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JULY 5, 1966

The House resumed at 8 o'clock, p.m.

**Clerk of the House:** The 18th order; House in committee of supply; Mr. R. J. Boyer in the chair.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL
*(continued)*

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, to resume certain remarks I was making with respect to the estimates of The Department of the Attorney General, the Probation Service of Ontario, which attempts to resolve the difficulties of the individuals who are brought before our courts by the police, has continued to develop to meet the increasing demand upon its service. Once again we are asking this Legislature to approve of an increase in the funds for the service so that we may add ten probation officers to the staff, together with the necessary secretarial and clerical help attendant upon that increase. This will bring to over 200 the number of men and women who are engaged in this area of essential service to the youthful and first offenders throughout the province.

Much has been said, Mr. Chairman, about the case loads which the probation service officers are required to carry and no person is more interested than myself in reducing this case load. With the addition of new officers to our staff, this will, of course, be possible to some extent, but the increasing use of these men and women by the courts will undoubtedly absorb a great deal of the relief which will be gained by the additional staff.

It would be very simple for the probation service to reduce the case load by reducing the in-service training and eliminating some of the specialized functions of certain officers. Similarly, the probation officers could eliminate some of the family counselling which would leave more time for pre-sentence reports and adult and juvenile probation work and, similarly, steps could be taken to eliminate some of the preventive occurrence counselling. We could also eliminate the supervision which we are now providing for the national parole board, which is really not the responsibility of the province, but which we have undertaken because it is necessary to provide more effective parole supervision within Ontario despite the fact that it increases the work of our own people.

We have considered all of these alternatives, Mr. Chairman, but there is no probation officer who would willingly give up any of these things to reduce his own work load. All of the matters which I have mentioned are considered by the conscientious probation officer to be an integral part of our continuing attempt to provide the rehabilitation which is so essential to help these people resume their normal place in society with all that means to their families and to themselves.

For the time being, therefore, we are going to continue as we have in the past and maintain a reasonable case load without the reduction of any part of the service. Indeed, I would be less than frank if I did not indicate that the demand for services will likely expand as new methods are found to deal with this particular area of our responsibility.

Before leaving this area of the department, may I point out that we are once again asking for an increase in the complement for the magisterial bench. The four additional magistrates will be utilized throughout the province to deal with the ever increasing case load. The case load in the courts has increased until today it is at 1,347,928 cases. This figure does, of course, include many bylaw infractions and traffic infractions but, at the same time, includes the multitude of criminal and liquor charges which form the most voluminous part of the work before the magistrate.

The situation in Metropolitan Toronto is perhaps indicative of the metropolitan courts throughout the province and here we find that there were 8,331 more criminal and liquor charges in 1965 than in 1964. The accommodation of the magistrates in Metropolitan Toronto is rapidly improving as the existing Metropolitan Toronto functions are being removed from the old city hall. I have been advised by the chairman of Metropolitan Toronto that by the end of this summer we

will be able to consolidate all of the downtown magistrate's courts in appropriate accommodation at the old city hall. This will expedite the handling of the criminal cases, since there will be more courts available with the necessary security facilities to permit the trial of criminal cases.

A great many of the future arrangements for the magistrate's courts of Toronto are pending the decision which Metropolitan Toronto must arrive at with respect to the disposition of the old city hall, and I can only assure you that we are receiving every co-operation from the chairman of Metropolitan Toronto and his advisors. They keep us fully informed as the matter progresses, in order that we may make them fully aware of our desire to improve upon the courtroom facilities in Metropolitan Toronto.

In moving to another area of responsibility of the department, may I refer to the Attorney General's laboratory where, once again, you will notice an increase in the amount which we are seeking for the continuance of this service to the police forces and the courts.

Sir Edward Coke, in his first institute, indicated that reason is the life of the law, and that the law is the perfection of reason. This is still essentially true, but with the continual increase in the machinations and refinements of the criminal world, we must recognize that our rules of evidence and our laws respecting the trial of an accused person are being refined in the greater interests of the administration of justice. To reason we now add science. Thus, to an ever greater extent, we must encourage the police forces throughout the province to rely upon the evidence which may be obtained with all of the procedures available through scientific crime detection. However, the work of the laboratory extends far beyond its service to police agencies. The growing recognition that has been given by the courts to the function of the laboratory in the administration of justice is increasing the service that may now be demanded.

It has often been said that the Crown never wins and the Crown never loses, but I would add to this and say that the Crown must lose wherever there is a miscarriage of justice, whether it is against the individual or against the public. For this reason, the facilities of the laboratory are made available to the defence through the office of the local Crown attorney. Information is communicated to both parties in order that they may be made aware of the findings of the laboratory.

In recent years, the expanded nature of the facilities have included work on pathology, toxicology and pharmacology. It has become increasingly obvious that the present designation of the laboratory is not in keeping with its function and we are now in the process of renaming it the Ontario centre of forensic sciences. This is not a change in name only, but is rather a recognition that the increasing importance of its services will best be met with the addition of a medical director in charge of pathology and with the creation of an advisory committee which will be representative not only of the government, but which will also have upon it representatives of the university in the fields of science which I have already mentioned.

**Mr. V. M. Singer** (Downsview): I wonder, Mr. Chairman, if at this point the Attorney General will permit a question?

**Hon. Mr. Wishart:** Yes, Mr. Chairman.

**Mr. Singer:** In this reorganizational renaming, do you intend to keep Dr. Ward Smith as the head of the forensic clinic, or the new setup?

**Hon. Mr. Wishart:** Well, I should think that Dr. Ward Smith, who has served the laboratory in the very high capacities and is very experienced and capable, would hold a very high position.

**Mr. Singer:** How high? To the top?

**Hon. Mr. Wishart:** You may be very close to the mark.

The advisory committee will be available to assist the laboratory in planning its long-range programmes and in ensuring that we obtain the best advice possible for the scientific matters which we must continually develop. This will also bring us into closer liaison with the universities which are our greatest source of scientific research.

I have mentioned this particular aspect of the department's work, Mr. Chairman, because I think it is closely associated with the whole area of the enforcement of law to which I have already made numerous references.

Another item of note is the fire protection service of the department. One aspect of this work which I feel merits particular attention is the expanding services which we are now providing in fire engineering. The fire marshal and his officials now advise the liquor licence board in respect of fire protection in all of the premises which are licensed by the board. Similarly, they are advising The Department of Tourism and Information in respect of the premises that they licence and, at the same time, they train the inspectors and advise that department, that is, Tourism and Infor-

mation, upon the regulations relating to fire safety and engineering in this particular area of responsibility. With the development of our educational facilities throughout the province, the fire marshal and his staff have reviewed the plans for 63 new university buildings, 1,591 school buildings and, in the area of other departments, has advised with respect to the plans for 125 hospital buildings and 52 welfare buildings. The significant feature of this, Mr. Chairman, is that it demonstrates our increasing collation of the features of the department which may be of significant use to other departments of government. This is being demonstrated in the work which is being done by the laboratory for The Department of Health in the assaying of drugs; by the emergency measures organization which is assisting departments plan for emergency government organization and by the probation service and the magistrates in their co-operation with the alcoholism and drug addiction research foundation, where the work of each of these agencies may be co-ordinated to further the research of that foundation.

I should report, Mr. Chairman, upon two relatively new additions to the responsibility of the Attorney General, each of which has great significance within its particular area of endeavour.

The Ontario law reform commission is familiar to all of us since many of the measures which have ben placed before this House have either had their origin with that commission or have been subjected to the scrutiny and review which this commission has provided upon my request. The perpetuities legislation, which is perhaps slightly strange to some of us, originated with the commission and will, within its own area, be of great benefit in the revision of property law. The Mechanics Lien Act, which has been brought forward for the consideration of the public, is as a direct result of a report which was submitted by the commission. Similarly, The Personal Property Security Act has been introduced for the consideration of the public after a thorough study and review by this commission of the work done by Mr. F. M. Catzman, QC, and the committee for the bar which provided the first draft of this statute.

The Ontario law reform commission presently has an extensive study with respect to the law of the family and all of the matters associated therewith. It also has under consideration the study on the basis for compensation for expropriation which is a subject that has caused every member of this House concern. The study, which was instituted on the law of condominium a year ago, is progressing, and we are looking forward to a report upon this area of our law in the near future. This subject, which deals with an entirely new phase of property law, is devoted to establishing reasonable principles for legislation to deal with titles of property in buildings as distinct from the land which we usually associate with real property law. While the subject may appear to be somewhat sophisticated, it has great significance in this time, when housing is becoming expensive and where shared services for dwelling within a common building may be an effective way to obtain more reasonable housing costs. Similarly, in these times when the multi-storey apartment buildings are becoming such a part of our way of life, the laws of comdominium will introduce a new way of holding title that will meet the needs of the citizens who wish to obtain title to an individual apartment within an existing building that may be vested in some other owner.

The commission continues to provide its research through the universities and law schools of the province and, in doing so, I believe it has provided financial assistance to the many faculties and graduate studies where persons have been retained to carry out specific projects rather than establishing a duplicate staff within the government for this highly specialized and varied type of work. At the present time, research is being done at the universities of Toronto, Queen's, Ottawa and Western Ontario as well as at Osgoode Hall law school. Since its inception, the Ontario law reform commission has been most helpful to both myself and the members of my department, as well as to many other persons who have had cause to meet with it. It will continue as a new but highly satisfactory adjunct in the administration of the laws of our province.

The board of negotiation, which undertook its activities just last summer, has demonstrated how effective a negotiating agency may be in bringing parties together to settle the compensation upon an exporpriation. As of the end of last year, the board had received 115 requests for a meeting and had held at that time approximately 85 meetings. By the end of March, of this year, Mr. Chairman, the board had disposed of the outstanding requests and the backlog had been virtually eliminated. This situation has now changed, and the recent requests are continuing to tax the resources of the board. So additional members have been

appointed representative of areas throughout the province, in order that the board may sit in these various areas with a representative from the local county or district. The board of negotiation has found that it has encouraged the settlement of approximately 60 per cent of the cases that come before it, and I believe that this is demonstrable proof of the desirability of continuing this agency as an intermediate step before the owner adn the expropriating authority proceed to the more formal type of arbitration.

Mr. Chairman, members have been most patient in permitting me to review just a few of the aspects of my department which may be of significance in the consideration of our estimates, and I propose to not trespass much longer upon the time of this House with my specific comments. However, I know that every member will recognize that I have not commented upon many features of the department which might have merited considerable description if time had not been at a premium. It does not seem proper that I should pass over the dedicated work of the legislative counsel which is so well known and appreciated by all of us, nor is it entirely reasonable that I should not go into detail with respect to all of the work which is carried out by the Crown attorneys and the law officers of my department in the day-to-day administration of justice, serving not only the government but also the best interests of the public. Perhaps it may be considered a tribute to all of the people in the department engaged in these areas that the quality of their work is such that it flows smoothly and efficiently and thereby causes little or no public comment which would attract the attention and commendation to which they are all due. I could only say that without the dedicated work which is carried out daily by all of the public servants within the department, we would not be able to maintain that standard to which we have all become accustomed.

I started with a brief reference to the words of Aristotle, Mr. Chairman, and I would close with his comments, "if liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons share alike in the government to the utmost." Over the last year I have enjoyed comment and criticism from both sides of this House and from many persons outside of this House who have a real and sincere interest in the administration of justice. Out of this dialogue, I believe that we have produced many things which will be of benefit to the people of the province and which will further enhance the just and equitable government for which we are all responsible. I welcome this dialogue, and I will continue to accept any constructive comments which I feel may be of assistance in the administration of justice and in the enforcement of law within this province.

Finally, Mr. Chairman, may I draw to the attention of this House two singular responsibilities which I have been privileged to have as the law officer of the Crown in this province, and which by their very nature represent, perhaps, the most important aspects of this office.

In recent years as we have watched the development of Canada as a nation, we must all be proud of the part that our province has played in that development. This has led, in turn, to the increasing participation by all provinces in the consultations that are now frequently held with the federal government to achieve the consensus of opinion that is necessary if our confederation is to remain strong and yet sufficiently flexible to meet the diverse needs and problems of our changing times.

The modest contributions that I may have been able to make in the conferences on constitutional amendment and on crime have to me been a unique experience: The conferences themselves represent a part of the greater government of this country which I respectfully suggest will become more important as the years progress. The duty of the Attorney General of this province in encouraging such conferences and in expressing the views of Ontario on his areas of responsibility will be an increasing challenge. I am looking forward to conferences of this nature on securities, law and consumer protection legislation, for these are prime examples of those areas where all of the provinces and Canada will seek the laws that may best serve the nation as a whole.

The second responsibility which is perhaps unique to the office of the Attorney General is the duty he has as the chief law enforcement officer in the province. In my own view it must be one of the basic tenets of any man privileged to hold that office that the laws we have enacted must be held in respect by all citizens. In the institution of proceedings, the chief law officer has some discretion which I hope will always be judiciously exercised, but when he does take action, it must be known that it is taken in the greater interest of our society so that we may all be assured of the maintenance of the rule of law.

This responsibility is the one that of all my duties will always cause the most search-

ing and trying concern. Without proper enforcement there would ultimately be no rule of law, and yet with it there will always be understandable and contrary opinion. In discharging this responsibility I wish to assure the hon. members of the seriousness with which I view it and the importance which I attach to it. In this area there is no place for political or personal considerations, and in carrying out this duty the Attorney General is entitled to ask and to receive the support of all members of this Legislature and, indeed, of every responsible citizen.

**Some hon. members:** Hear, hear!

**Mr. Chairman:** The member for Downsview.

**Mr. Singer:** Mr. Chairman, it is rather unfortunate that on July 5 at 8.25 p.m., these estimates should come before this House. It is a strange coincidence that a rather important dinner party was taking place in the Royal York hotel this evening when the government of Ontario was honouring a visiting delegation from Russia.

Unfortunately, my good friend, the hon. Attorney General and my colleague, the hon. member for Riverdale, who is not in his seat at the moment, my colleague, the hon. member for Sudbury, and myself and several other members of the House, were in the midst of a meal which dragged on rather a long time, and some of us had to leave in the midst of the salad—I do not know if the Attorney General got as far as the salad or not—in order to conduct the—

Interjections from hon. members.

**Mr. Singer:** Mr. Chairman, if the barracking group from over here, who unfortunately were not invited to the meeting and who did not get the opportunity to hear the erudite speeches which were to be delivered by the hon. Prime Minister of the province and several other visiting dignitaries, would rather barrack than listen to what I have to say, that is up to them.

Interjections from hon. members.

**Mr. Chairman:** Order, please!

I would ask the member, if he will, to please review the estimates of The Department of the Attorney General.

**Some hon. members:** Hear, hear!

**Mr. Singer:** Yes—it is a great group of trained seals that we have here tonight.

**An hon. member:** That is what they are; that is what they are!

**Mr. Singer:** Their noses are out of joint in that they were not at the meeting. But be that as it may, Mr. Chairman, it is unfortunate that we were not able to take in the whole of that meeting to which I referred.

Mr. Chairman, let me say that insofar as the 24 pages of remarks that the Attorney General made are concerned, the Attorney General is a good and able lawyer.

**Some hon. members:** Hear, hear!

**Mr. Singer:** The group is in good voice tonight and they are going to have lots of opportunity to pound their desks before I am through.

**Mr. A. V. Walker** (Oshawa): You just do not know what you are talking about—you should stay in the House or else read *Hansard.*

**Mr. Singer:** Let me say to the hon. member for Oshawa, through you, Mr. Chairman, whose voice I recognize fully and clearly, that if he would be as concerned about matters such as injunctions in labour matters as he is in heckling—

Interjections by hon. members.

**Mr. Singer:** —that the concerns of the people of Ontario, insofar as labour matters are concerned, would be much greater set at ease than by the inane soundings and brayings that come from that corner.

Mr. Chairman, let me say this. The Attorney General is a very disarming gentleman and early in his remarks he did pay a certain tribute to me for all that I have done and criticisms that I have levied and questions that I have asked, and I do appreciate that. But let me say, sir, that notwithstanding his remarks and the great respect that I have for him, that I do not intend tonight to temper my criticism of his performance and the performance of the government, insofar as the administration of law in this province is concerned.

I have been very interested really, as he has laid before us a programme of legislation during this very long session, perhaps the longest session that we have ever had in this Legislature. We have had some important and very significant legislation. We have had legislation concerning legal aid. We have had legislation concerning the securities commission. We have had legislation concerning securities commission. We have had legislation that is of very great significance, Mr.

Chairman, in the evolution of Ontario into the 20th century.

It has been rather hard, I recognize, Mr. Chairman, to bring Ontario into 1966. It has been with great reluctance that the government has been dragged, kicking and screaming, into the '60s. It has been very difficult, Mr. Chairman, to recognize that after several Royal commissions, after several Windfall scandals, after reports of such people as Mr. Justice Kelly and others, we do need a new law concerning securities and eventually it has come.

It has been unfortunate, sir, that after years and years of representations from the Opposition, after many, many resolutions of various law societies and so on, finally we have a not unreasonable law on our statute books concerning legal aid.

But I say, sir, that the government has turned its attention to, and taken action on, those problems into which it has been prodded by public opinion, by the Opposition and by the news media, and I say, sir, there has been nothing voluntary at all. There has been no real desire for reform emanate from the government benches.

Let me say that I have listened to the Attorney General rise in his place from time to time and say, "I believe in the enforcement of law." These are noble sentiments that we lawyers, having been schooled in the tenets of legal history and the traditions of legal scholarship and so on, applaud at great length. But each one of these important statements has rung with a hollow tone because we do not believe that the Attorney General has come forward with this type of statement on his own volition.

In fact, sir, in each new field into which he has moved, he has been prodded, pushed, urged, almost catapulted by the weight of Opposition criticism, of public opinion, and by the pressure of his own, now somewhat less than noisy, backbenchers. They believe —some of them, and they do not get too many opportunities to speak—that this government should be as advanced in thinking, as the Liberal policies have been that have been put before this House.

Interjections by hon. members.

**Mr. Singer:** Unfortunately, Mr. Chairman, they do not have too much opportunity, other than by their barracking at points like this, to put their views forward.

**Mr. Chairman:** Order, please!

**Mr. Singer:** I have heard very few of them—

Interjections by hon. members.

**Mr. Singer:** I have heard very few of this noisy second bench, Mr. Chairman, stand up as independent members in committees or in this House and criticize. As a matter of fact, without bringing personalities into it at all, one of the very few members that I have heard stand in his place in recent days in this House has been the hon. member for Eglinton, who has really delivered himself of opinions that have been critical of government. I have not seen the hon. members for Oshawa, or Lambton, or Northumberland, or Waterloo, or Renfrew, or Kent West—

**Mr. W. D. McKeough** (Kent West): Mr. Chairman, what has that to do with these estimates?

**Mr. Singer:** —stand up in their place and really deliver critical comments directed at the government.

Interjections by hon. members.

**Mr. Chairman:** Order, please! May I remind the members now that the speaker on the floor is the member for Downsview. And may I remind the member for Downsview that what we are doing now is reviewing the estimates of the Attorney General.

**Mr. E. W. Sopha** (Sudbury): You did not see them! I am glad the Russians did not see you.

**Mr. Singer:** Thank you very much, Mr. Chairman. I have difficulty expressing myself as well as you do directly to that second bench in the rump of the Tory caucus.

**Mr. Chairman:** Order!

**Mr. Singer:** Mr. Chairman, I was going to say that insofar as the constructive moves that have been made, and which we in the official Opposition, we in the Liberal Party applaud, we believe these moves have been brought about by the pressure of Opposition criticism, by the pressure of press criticism and by the pressure of public opinion, which has hauled the government into these fields, with reluctance, and with very substantial reluctance.

**An hon. member:** That is your opinion.

**Mr. Singer:** And I say this, sir, as we begin to analyse the sort of thing that has gone on and the sort of thinking that lies in the mind of my very good friend, the Attorney

General, we really wonder if he is the advanced thinker that he sometimes pretends he is. Now I wonder really.

At times he has stood in his place in this House, and he said, "No one will defy the law." He said, "It is a very serious thing that people will stand in defiance of an order of the supreme court of Ontario which grants an injunction in a labour matter." He said, on another occasion, "I am very concerned, I am most concerned about the sort of thinking that would allow farmers to put their tractors on the road." And if correctly quoted in one of the Toronto papers and several of the provincial papers, "I am most concerned about the sort of thinking that would allow farmers to bring their tractors onto the road and perhaps tie up traffic. It may well be—"

**Hon. Mr. Wishart:** Mr. Chairman, on a point of order. I never said I was concerned about the type of thinking that would permit tractors on the road. There is no question of the right of tractors to be on the road. What I did say, whether I was correctly quoted or not, was that I was concerned with the elements of danger in slow moving vehicles and in the concentrations of such vehicles and their disposition. But there was nothing to do with the thinking of that sort of thing at all, just the elements of danger that existed in it.

**Mr. Singer:** I accept my friend's definition of what he said. What concerns me very much about the specific quote that was attributed to him is this, that perhaps some of these farmers will know, if they are dragged from their tractors and their tractors are left on the road, that they are doing something that they should not do.

And another thing that concerns me, Mr. Chairman, about my friend's real thinking is the concern that he has expressed with certain drinking proclivities that some Indian citizens of Ontario seem to have in the northwestern part of the province.

So I really wonder, sir, if the advanced legislation that we have heard about is a real reflection of the—not capital "L," capital "L" Liberal by us—small "l" liberal-advanced thinking that pretends to project itself from the Tory Party into the 1960s and into the 1970s. In fact, sir, I say that I think this is a shame and a fraud. I do not really believe that this government has moved in any field of law reform other than that into which it has been pushed by the Opposition, it has been pushed by the news media, or it has been pushed by public opinion.

From time to time we get before us the real reflections of government thinking when we see what the government does about injunctions, and what the government feels about afrmers protesting by putting their tractors onto the road, when we see expressions of opinion about Indians, and when we see several other indications of what government thinks about bail, about accommodation in our courts, about legal defence, and about the four gentlemen that Ron Haggart wrote about in the Toronto *Daily Star* just the other evening. Perhaps at this point it is just as well to relate that story again, as any other time.

It is about our liquor laws, Mr. Chairman. Haggart, who is a columnist in the Toronto *Daily Star*, related at some length a very fascinating story about four gentlemen — MA students, PhD students — who had come out of the subway at Eglinton and Yonge streets carrying several bottles of beer in their hands. They were on their way to a party and their ticket of admission to that party was that they bring their own liquor. Suddenly they were descended upon by two plainclothes policemen, who said, "Oh, you cannot do that, not in this big metropolitan city of Toronto. You are commiting a horrible offence, you are carrying beer in a broken case. You have opened the seal of the case that you are bringing it in. Come along with us, you are all under arrest, we are going to charge you."

So they charged them with having liquor in an illegal place. Two of those gentlemen pleaded guilty and were fined $10 before Magistrate Coon, a very understanding magistrate, who said — and you could read between the lines as you read the transcript of his decision — "I am sorry that I have to convict you in any event. Two other gentlemen, who decided that really they had not committed any serious offence at all, decided to plead not guilty. They then found that they were unable to proceed to trial at that time; it had to be adjourned for a period of several days or weeks or a month, until the evidence against them could be assembled.

They then came before the court at a subsequent time and they were confronted by a Crown attorney who asked them, not when they were in the witness box, if they would admit that they had alcohol in them there beer bottles; they did admit it, not having had any legal advice along the line, and they were not even in the witness box. Then having proved that most important fact in the whole process of this prosecution,

they were later convicted and a second magistrate fined them, because they pleaded not guilty, to a fine of some $35.

It is rather fascinating, Mr. Chairman, that in this day and age four respectable gentlemen who are reasonable and normal citizens of our community, in fact comparative strangers to our community, who are here to study, who are here to advance our well-being, who are here perhaps to participate in the prosperity of this country, suddenly are descended upon by two plainclothes policemen and are arrested and charged with this horrible offence of having liquor in an illegal place. Then they are apparently denied any competent legal advice when they plead guilty or later when they plead not guilty, are berated by a Crown attorney who gets admissions from them when they are not in the witness box. In one instance, because they plead guilty, they are fined $10 and in another instance because they plead not guilty are fined $35. I wonder why?

The whole moral of this, Mr. Chairman, is why have I not seen the Attorney General rise in his place and say: "It is important that we bring our liquor legislation into the 20th century." I wonder why we have not had him defending the rights of people who are acting in a normal, reasonable human way –

**Mr. Sopha:** No, he says he is prosecuting, that is what he says.

**Mr. Singer:** I wonder why this does not happen? I wonder why we cannot see the Attorney General of the province of Ontario, rising with equal antagonism, equal zeal in his place to say: "I believe that where the law is wrong I must stand in my place and demand its reform"? I wonder why the Attorney General, through our labour disputes, through our farm disputes, through our discussions with Indians, through our ridiculous nonsense about liquor legislation, is not prepared to stand in his place and say: "I believe our law is wrong, I will work to change it"?

I wonder why we did not hear the voice of the Attorney General, when we had the debate on divorce reform, stand in his place and say: "The divorce laws in Ontario and in Canada are ridiculous"? I wonder why we did not hear the Attorney General say: "I have a programme of divorce reform for Ontario and Canada which I will advocate, I am the chief law officer of the province of Ontario"? Why have we not had the Attorney General stand in his place and say: "I am the voice of law reform"?

I say, sir, that in missing all of these opportunities, the Attorney General has revealed himself and his government in their true light, they do not really believe in law reform unless they are forced into it.

I wonder why when they read the book written by Professor Friedland of the University of Toronto law school about bail, why the Attorney General did not stand in his place and say: "We will reform the bail system in the province of Ontario?"

**Hon. Mr. Wishart:** It is a federal matter.

**Mr. Singer:** That is a federal matter, certainly. Now let me refresh the Attorney General's memory for you, Mr. Chairman, about what he said a year ago, when I suggested to him that bail means relief for the rich and not for the poor. He stood in his place and he said: "You are over-stating the case." That is in *Hansard*, and if he wants the exact page reference I can give it to him.

Then he said: "Let me assure you, hon. members of the Legislature, that we are not sitting idly by, we are going to do something about it." Then he said, as this whole thing progressed: "We are going to do something about it and don't you question it, we are going to take some action."

What action did he take? Out at Downsview, the riding which I have the honour to represent–

**Mr. J. R. Knox** (Lambton West): Not for long!

**Mr. Singer:** Not for long? I would invite my friend over there to come in and run against me. I would invite him tonight to seek the Tory nomination in that riding and come in and oppose me.

I would say sir, that when the Downsview rotary club came before the government of Ontario and said: "We believe that in the VERA project in the state of New York, there was substantial merit; we would like the co-operation of the government of Ontario," that the Attorney General in all his magnanimity he wrote a letter. I have it here and we will get to that later under vote 206, I think. He wrote a letter and said to Mr. Bull, the chief Crown attorney for the municipality of Metropolitan Toronto, "give them every co-operation."

I would suggest, sir, that if the Attorney General had bothered to read Professor Friedland's book; if he had bothered to examine the VERA project in the state of New York; if he had bothered to examine the results of that, then the Attorney General would have been true to his words of a year

ago. He would have embarked on a system of bail reform in the province of Ontario.

Bail today is still a privilege for the rich, and a penalty for the poor and the Attorney General knows that. There is not a single thing that he has done in the 12-month period that has passed since his estimates were last discussed to produce anything about bail reform. He has patted the rotary club of Downsview on the back and said: "Go ahead as long as the province of Ontario does not have to spend any money."

There is no zeal, there is no spirit of reform at all. There is no anxiety at all to bring justice at all—not law but justice, to the people of the province of Ontario. And this, sir, is my substantial criticism directed to the Attorney General and to the government of the province of Ontario.

I say this, that in face of all of the agitation that we have had about injunctions in labour disputes; in face of the preferral of charges by the Attorney General before the supreme court of Ontario for contempt of court; in face of the learned decision of Mr. Justice Gale; in face of the very severe sentences meted out by Mr. Justice Gale; and in face of no less a statement than the one delivered or reported in the last few days in the press, quoting the hon. Prime Minister of the province of Ontario that we are going to do something about this, somebody in this House by this time should have stood in his place, whether the Attorney General or the Prime Minister to say: "This is what we believe about our problem in labour disputes."

Let us make no mistake, sir, we are sitting on a tinder-box in the province of Ontario. We are throwing a challenge in the face of advancing times. We are inviting riots in the streets because we have not the realization in our minds that this is a problem that cannot be dealt with in legal concepts that were conceived 200 and 300 and 400 years ago. We have not as yet realized that what was law in the United Kingdom 200 and 300 and 400 years ago cannot be translated into the province of Ontario in 1966 and made to apply to the labour disputes.

We cannot as yet realize that judges are removed and remote in their thinking from the tenor of these problems. We cannot as yet realize, sir, that even though Mr. Justice Gale, as able a judge as he is, renders a legal opinion which in law and in my thinking and in my analysis at least, makes legal sense, that this is not the answer to the probelm. We cannot as yet realize, sir, that we have arrived at an age where labour speaks with an important voice and a voice which must be listened to. We cannot as yet realize, sir, that we have to have a specialized type of tribunal that must deal with these concepts.

Do I need to remind the hon. Attorney General that as late as February of this year, the Ontario section of the Canadian bar association passed a resolution—and I mentioned this on March 24 in this House—to this effect: They said that the government of Ontario be requested to appoint a committee representing the public, labour and management to undertake a review of the law of labour injunctions with a view to recommending fair procedures—and I underline the word, fair, Mr. Chairman—fair procedures and substantive roles for the regulation of picketing.

Now the hon. Attorney General, as good a lawyer as he is, and as conscientious a lawyer as he is, should have recognized the voices of his colleagues and should have recognized this call to action. He should have recognized the voice of my friend, the hon. member for Sudbury; he should have recognized the voices of the hon. members who sit on my left; he should have recognized the voices of newspaper and public opinion in the province of Ontario, that here we have an emergent situation which needs law reform.

I do not complain about him saying that the law must be enforced; that no one can hurl a deliberate challenge in the teeth of the judges of the courts and our system of law enforcement. But I do object to him very seriously sitting smugly in his place and not bringing before this House any measure by which this whole procedure can be reviewed. It is obvious to anyone who sees and to anyone who thinks that our system of dealing with picketing in the province of Ontario under these archaic laws is no good, and it is going to bring about bloodshed in the streets unless we have government action.

Now, Mr. Chairman, unless something is done, only the government has itself to blame. We do not believe, and I know that I speak for all my colleagues when I say this, we do not believe that the law of Ontario or the law of Canada should be deliberately defied, and we believe that where there is a deliberate defiance that steps should be taken. But I say, sir, when government lends itself to such deliberate defiance, then government must be condemned. Government must take action and we have not had, sir, a single authoritative statement in this House from the Attorney General, from the Prime Minister or from the Minister of Labour. The only one speaking authoritatively on behalf of labour to

say that they are concerned, that they are going to investigate, that they are going to do as the bar association suggests—

**Hon. H. L. Rowntree** (Minister of Labour): A statement was made by me during my own estimates.

**Mr. Singer:** Nonsense, nonsense!

**Hon. Mr. Rowntree:** The hon. member does not even read *Hansard*!

**Mr. Singer:** The Minister of Labour rises in his place to object. It was only after the very severe sentences levied by Mr. Justice Gale and a subsequent meeting with several labour leaders that the Prime Minister was quoted in the press as promising those labour leaders that he was going to conduct an investigation. The Prime Minister never rose in his place in this House. He never once rose in his place in the House to say what type of an investigation he was going to have.

The Minister of Labour did not lay the charges; he was not prosecuting. He was not standing, with his halo tight around his head, saying: "Your defiance of the law is going to be punished! No; his colleague the Attorney General was.

And I say this, sir: This government avoids one of the important social issues of this day when they turn their facts on the rights of labour when they refuse to recognize that the solutions that existed in law 200 and 300 years ago, do not apply today.

I say, sir, when the Attorney General was quoted, and I give him the opportunity again of denying that he was quoted correctly when he was saying to one of the newspapers that: "They may change their minds"—and he is referring to the farmers—"they may change their minds after being hauled off their tractors and having to leave them by the side of the road overnight." This is the true expression of the government of Ontario.

I say, sir, that if there is a reason to dispute—and I think that there is substantial reason, as the hon. member for Huron-Bruce has outlined to you and as the hon. member for Grey South has outlined to you—there is substantial reason to question the government's attitude in agricultural matters, and particularly in the matter of milk subsidies.

If a real problem exists, then it is far more important that the Minister of Agriculture stand in his place and say how he is going to meet it, rather than that the Attorney General stand up and say: "They may change their minds after being hauled off their tractors and having to leave them by the side of the road overnight."

I am certain, sir, as I speak here tonight, that a majority of members of this Tory back bench, who represent rural ridings, shuddered when they read that sentiment in the newspapers. They would far rather have an intelligent and ameliorative Minister of Agriculture stand in his place and say: "I understand that the farmers have problems; I understand that they have limited means of protest; I understand that they have to exerrise these means of protest in order to drive their points home; and we are going to have a Royal commission; we are going to meet with them in order to see if we cannot solve this very important problem in the Ontario economy."

This is the sort of sentiment, sir, that we would have expected from the hon. Attorney General of the province of Ontario; and then, sir—

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member said that he would give me the opportunity to clear up a quote which he attributed to me from one of the newspapers. I think that I should do it now.

The reference to the remark which was quoted in the newspaper was made with respect not to the tractor situation generally, but with respect to a farmer who was also quoted in the newspaper as having said the day before that he knew he was defying the law; he was prepared to defy the law and did not propose to accept any instructions from the police. No matter what the situation; he was prepared to break the law. And having pointed out the danger in the situation of vehicles—

Interjection by an hon. member.

**Hon. Mr. Wishart:** Just allow me to make my statement.

I then said that this farmer may feel differently, if he is defiant and determined to break the law and create a dangerous situation, if he is taken off his tractor and his tractor remains on the side of the road while he is facing the charge of obstruction and defiance. That is the context of that statement.

**Some hon. members:** Hear, hear!

**Hon. C. S. MacNaughton** (Minister of Highways): These are irresponsible concepts from the farmer from Downsview!

**Mr. Singer:** Mr. Chairman, it escapes me why—

**Hon. Mr. MacNaughton:** The farmer from Downsview—

Interjections by hon. members.

**Mr. Sopha:** Mr. Callaghan did not misquote the Attorney General when he asked for a jail sentence, did he?

**Hon. Mr. MacNaughton:** Completely irresponsible, I say!

**Mr. Chairman:** Order, please!

**Mr. Sopha:** Mr. Callaghan did not misquote the Attorney General when he asked for a jail sentence, did he?

**Hon. Mr. MacNaughton:** The great farmer from Downsview!

**Hon. Mr. Wishart:** Mr. Callaghan never asked for a jail sentence.

**Mr. Sopha:** He did not ask for a jail sentence?

**Hon. Mr. MacNaughton:** Tell a different story!

**Mr. Singer:** Mr. Chairman, the foolish remarks—

**Hon. Mr. MacNaughton:** Be responsible for a change instead of—

**Mr. Singer: Mr. Chairman,** the foolish remarks of the hon. Minister of Highways only highlight the point I am making—

**Hon. Mr. MacNaughton:** It is not a foolish statement, Mr. Chairman!

**Mr. Singer:** The hon. Minister of Highways is, as usual, out of order, Mr. Chairman. I wish he would sit down!

**Hon. Mr. MacNaughton:** I will rise on a point of order—

**Mr. Singer:** Mr. Chairman, the hon. Minister of Highways is out of order.

**Mr. Chairman:** Just one moment. The Minister of Highways has stood in his place on a point of order. Will he please state his point of order?

**Hon. Mr. MacNaughton:** Yes; I will say on a point of order that the Attorney General has clarified the point and any pursuit in defiance of the position taken by the Attorney General—

**Mr. Chairman:** I am sorry—

**Hon. Mr. MacNaughton:** —is out of order.

**Mr. Chairman:** Now this is not a point of order. Last week—

**Hon. Mr. MacNaughton:** I have said it and I think it is right!

**Mr. Singer:** Mr. Chairman, I am sure that if I asked the hon. Minister of Highways to write my speech for me it would be much more flattering to government than the remarks I have already made and the remarks I will continue to make.

**Hon. Mr. MacNaughton:** Well you have not asked—

**Mr. Singer:** I have no intention of asking him; either now, in the past or in the future, Mr. Chairman, because I—

Interjections by hon. members.

**Mr. Chairman:** Order. I would ask the member for Downsview to direct his remarks through the chair, please.

**An hon. member:** That is a good idea.

**Mr. Singer:** Mr. Chairman, may I say that the recent interjections that have been directed toward me only highlight the point which I am making. I say, sir, that the type of demonstration that has been put on by a large group of farmers in the province of Ontario indicates that there is substantial unrest with their fate as it is governed by the front benches of the government.

I say, sir, that far better than having the Attorney General rise in his place and threaten even one individual farmer, I say it would have been better had the Attorney General stood in his place and said: I have met with my colleague, the hon. Minister of Agriculture and together all of our colleagues are going to meet with these farmers and see if we cannot work out a solution which is going to help them all. And I say, sir, that threats should not be part of the armament, should not be part of the ammunition, that lies in the quiver of the Attorney General.

Now I say this, sir. I am disappointed when I read, and again I do not want to put words into the mouth of my friend the Attorney General, but when I read a news article that I have from the Toronto *Telegram*, dated April 21, 1966, under the byline of Peter Thurling, *Telegram* staff reporter.

**Hon. Mr. MacNaughton:** That does not mean anything.

**Mr. Singer:** Well let me read it first and see whether it means anything.

Interjections by hon. members.

**Mr. Sopha:** He has not got a right of reply, you know.

**Mr. Singer:** Well let me read it first, sir, and then let us see whether—

**Mr. Chairman:** Order, please! The member for Downsview.

Interjections by hon. members.

**Mr. Chairman:** I would ask the members to refrain from interjections, please.

**Mr. Singer:** Well I cannot help, Mr. Chairman, but draw to your attention the violent denial that emerges from the hon. Minister of Highways before I have even said what I am about to say. He says it is a complete misstatement. I have not even said it yet. Let me continue:

Interjection by an hon. member.

**Mr. Singer:** Well, all right. I would be very happy to have the Minister of Highways go on record as saying that I am quoting from the Toronto *Telegram* staff reporter named Peter Thurling, whoever he may be, and that it is obviously a lie. I would like that put on the record. If that is what the Minister of Highways wants to say, I am quite happy to have that on the record, and I am sure the Minister of Highways agrees with me on that.

Interjection by an hon. member.

**Mr. Singer:** So anything that is in the Telegram and anything that Thurling writes is a lie. All right, we accept that, Mr. Chairman. Neverthless, let me return to my friend, the Attorney General. Mr. Thurling attributed to the Attorney General these remarks:

> Attorney General Wishart indicated yesterday that Ontario must face the question of whether Indians should be legally allowed to drink liquor. The Minister said in an interview that he plans to raise the issue at the next meeting of the Cabinet committee on Indian affairs under Welfare Minister Cecile.

Then the article goes on—I can send it to my friend a little later, but he says it is a lie, so I will not send it to the Minister of Highways.

The substantial message, Mr. Chairman, that I get as I read this article is that there is grave concern in the mind of the Attorney General as to whether or not Indians are citizens of Ontario who should, or should not, have the same rights as other people of Ontario do.

Now, I say, sir, that when the chief law enforcement officer of the province of Ontario expresses sentiments of this type, I very seriously question his ability to continue as an impartial official of the Crown. I say, sir, that unless the Attorney General is prepared to come before this House and to indicate to us in a very well established form of documentary proof that Indians are second rate citizens; that Indians drink more poorly than other citizens; that Indians are more badly affected by alcohol; that Indians are being fairly treated, but notwithstanding this they have to be treated in a different manner, I say then, sir, that this sort of remark lies very badly in the mouth of the chief law officer of the province of Ontario. I give my friend the opportunity to reply to that if he has been incorrectly quoted.

**Hon. Mr. Wishart:** I only expressed concern for the welfare of the Indians.

**Mr. Singer:** I say that my substantial criticism of the work of the Attorney General is that he has not of himself sought law reform, that he has been pushed into these various fields. Having been pushed, he has not done a bad job. In the field of securities, yes. In the field of legal aid, yes. In the field of consumer credit, yes. But I say it is only after the loud public outcry, aroused by the Opposition, aroused by the media of the press, aroused by public opinion, it is only after this that these reforms come forward.

I wonder, and it occurs to me the debate that took place on the resolution of my friend from Wellington South on divorce, where the voice of government was. I cannot help but recollect the remarks of the member for Lakeshore who stood in his place and pounded the table, let us vote and let us vote now. There was not a voice from the front benches of government.

Nobody stood up and said: "Let us have divorce reform in the province of Ontario." There was not a voice from any of the Ministers on the Treasury benches, or any one of the senior government people, who said let us have divorce reform. There was not a single indication, Mr. Chairman, that came to the people of Ontario that this government believes that our divorce laws are bad. Not a voice. In fact, the hon. Prime Minister turned down the plea of his backbencher from Lakeshore when he refused to allow a vote on this important resolution.

One would have thought that an Attorney General devoted to law reforms would have

stood in his place and said: "I believe that the divorce laws in the province of Ontario are bad, and we shall do everything in our power to change these laws." But not a word was heard, sir, not a word was heard. There has been no real law reform come from the hon. Attorney General.

We have listened to this whole programme, this whole procedure that has emerged from the Attorney General, we have listened to his very plaintive criticisms. I can understand his feelings, he is a very human individual, and I can sympathize with him on occasion. But his complaints, his concern about being classed as a political person have bothered me. He is a big man, he is over 21, he is capable, he is a lawyer, he has had lots of training and he must have recognized that when he accepted the hon. Prime Minister's invitation to join the Cabinet as the Attorney General that he was doing it as a politician, and that he had to stand up in his place from time to time to justify what he was doing.

**Hon. Mr. Wishart:** I am not complaining.

**Mr. Singer:** Well, you are complaining, and you have complained all the way through the piece. You complained when you spoke to the lawyers' club on November 18, 1965, and I have the text of your speech right here.

It was a very interesting and historical speech, and you complained that maybe the Attorney General should be above and beyond politics.

**Hon. Mr. Wishart:** Maybe he should.

**Mr. Singer:** I say this, if the fire gets too hot, then get out of the kitchen.

**Hon. Mr. Wishart:** I am not finding it too warm. I am enjoying it.

**Mr. Singer:** If you cannot stand up as a politician, taking political views, then you have no right to that position –

**Hon. Mr. Wishart:** I have never complained anytime.

**Mr. Singer:** All right. You are not complaining. In your speech tonight, in the last paragraph in your speech, you say in discharging this responsibility: "I wish to assure the hon. members of the seriousness with which I view this, and the importance to which I attach it. In this area there is no place for political or personal considerations."

I agree with you, but I say that every action that you take is a political action. We hope it is good, and we hope that we can applaud you for taking good political actions. But I do not think anyone of the government, least of all the Minister, sir—through you, Mr. Chairman, least of all the Attorney General – or the Minister of Agriculture, who in high dudgeon the other night was saying that we are statesmen we ought to be above politics. Any one of the members of the Treasury benches can stand in their places and say this is government politics, but it is above and apart from politics.

They are all politicians. We are all politicians, and let us be proud of it. Let us not be embarrassed about it. They are making political decisions. The Attorney General occupies a political post. He makes political decisions. We hope, in the advancement of the province of Ontario that he will make good political decisions, so that we can applaud him, but if he makes decisions which we think are bad, we will criticize them for him. It means nothing really to say he is above and beyond politics, or "let me hope I could be above and beyond politics."

That is a different type of democracy than the one in which we live – one which will allow persons in the Attorney General's position to make decisions which are above and beyond politics.

Let me assure him, sir, through you, that as long as he is there and occupies that position – my colleagues and I anticipate it will not be any longer than the next election – that for every political decision he makes, we will have an opinion, whether it is a decision of approval or decision of criticism. We intend to stand in our place and express that opinion, and we make no apology for it.

The enforcement of law in this province is a political series of decisions.

**Hon. Mr. MacNaughton:** Big deal! Big deal!

**Mr. Singer:** Well, it may be a big deal. I did not hear my friend, the hon. Minster of Highways talking about a big deal when his colleague, the Minister of Agriculture – who saying how high and above politics he hoped to be, and how much it was everybody's fault except his. I wish my friend, the Minister of Highways, would listen a little more closely to the big deal—that is that we do our job here and we have no apologies to offer at all.

Interjections by hon. members.

**Mr. Singer:** Now, Mr. Chairman, I wanted to say a few other things. Insofar as law reform and the importance of the Attorney General in this role, I have not seen him

get at all incensed about the obvious breaches of the criminal code insofar as the laws relating to dissemination of birth control information are concerned. There are three public birth control clinics being operated in the province of Ontario — in the counties of Norfolk and Brant and in the township of Scarborough — in direct conflict to the provisions of the criminal code.

I would have thought, sir, that if the Attorney General was serious about the role in which he acts himself, as the great enforcer of the law, he would have sent some of his officials, and I do not know which ones, into Norfolk and into Brant and into Scarborough to arrest all those terrible people who are operating in direct conflict of the criminal code of Canada. I would have thought, sir, as he picked up the paper over this last weekend and observed that half-a-dozen citizens of Ontario made sums of from $150,000 down to $5,000 in the sweepstakes, another direct violation of the criminal code, that the Attorney General would have descended with all of his law enforcement authority and taken all those terrible people off to jail.

**Hon. Mr. Rowntree:** What about your Liberal friends in Ottawa?

**Mr. Singer:** What about my Liberal friends in Ottawa? I would say, and I am very glad that the Minister of Labour has asked this question, that if the Attorney General of Ontario speaks in a loud and clear voice for law reform, he should have risen in his place long before now to say that "our laws of our birth control information dissemination are archaic and ridiculous and I do not intend to enforce them". He would have taken the bit in his teeth and he would have hurled the challenge at the other jurisdiction. He has not done it.

**Hon. Mr. Rowntree:** Does the member mean that Ottawa will not act and that is their job; is that what he means?

**Mr. Singer:** Mr. Chairman, I am not speaking about the government at Ottawa; they are big enough and old enough to be able to defend themselves. I am speaking about the government in Ontario. I am saying this, sir, that if the Attorney General means what he says when he says "I enforce the laws for the protection of the people; I enforce the laws as they are written," and if he chooses not to enforce the laws about the dissemination of birth control information or about the selling of sweepstakes tickets and so on, or he chooses to enforce or have enforced our ridiculous laws insofar as liquor control are concerned, then he should have the courage to stand in his place and say, "This is what I believe." But this, Mr. Chairman, is what we do not see. This is what the Attorney General of Ontario has chosen not to do.

I say, sir, it really is no answer to say, "I have given you right answers in securities or in consumer credit or in a couple of these other fields." I say he has only done these things because he has been pushed into it. And I say that the people of the province of Ontario look to him and to his leader for a lead insofar as what can be done to solve the very serious problem about labour-management relations and reasonable and intelligent laws about the enforcement of injunctions, about the dealing with strikers, about the dealing with farmers who take tractors on the roads and about how we are going to deal with Indians.

I say that until this government comes to the point where they are prepared to stand in their places to enunciate in a loud and clear voice what they mean, what their views are, what their principles are, then the people of Ontario must of necessity say, "This is a government without principle, without concept, without a view, that is only an expedient government that moves from crisis to crisis."

I did not hear the Attorney General stand in his place and challenge the bill of his colleague, the Minister of Energy and Resources Management—The Water Resources Commission Act—the bill that is almost as bad as the infamous Police Act, Bill 99. It allows the Ontario water resources commission to come in and make arbitrary orders that are allowed to be carried out without really an appeal. An appeal is to be made only from the body that makes the decision to the body that listens to the appeal, an appeal from Caesar to Caesar. I did not hear the Attorney General stand in his place and say this was a bad bill, this was bad in principle. I did not hear a word of that. And that bill went through in this session with very little clamour. But I did not hear the Attorney General being concerned about that.

I wonder, Mr. Chairman, when we have talked so many times about the lack of accommodation in magistrates' courts in the municipality of Metropolitan Toronto, why the Attorney General did not see fit to make available to the Opposition the report of Chief Magistrate Klein concerning those courts. A year ago when he did make it available to me after many requests, he

pointed out three times during the estimates that the only reason I could criticize him was because he made that report available to me. I am sure, having a chief magistrate for the province of Ontario, that his report would be of interest to all of the people of Ontario, including the members of the Opposition. But I have asked my friend the Attorney General for that report for this year and it has not been made available to me.

Interjecion by an hon. member.

**Mr. Singer:** Oh, you can groan and you can grunt and you can complain, but I say, sir, as long as you carry on government in the high-handed manner in which you do, you are going to get, and you deserve to get, the type of criticism that you are getting tonight.

There is only one paragraph in the Attorney General's speech tonight that indicates there is some plan so that when the supreme courts move out of the city hall in Toronto into their new court building early in the fall, arrangements are going to be made to allow the magistrates' courts, which are scattered hither and yon all over the municipality of Metropolitan Toronto, to use those other facilities. I am very disappointed that the Attorney General did not take time to spell out the method by which it is being done.

And it is nothing less than a disgrace that we did not have before us, available to us, the report of Chief Magistrate Klein on the condition of magistrates' courts throughout the province of Ontario as he found them. It is only in this way that we can turn to the reports of civil servants to present the true picture, but that report was not made available to us and I think the government is subject to very substantial criticism in this regard.

Mr. Chairman, I could go on at very substantial length to talk about the bail system and I am going to do that under vote 206. I am very disappointed really that we have had nothing more than a very pious letter from the Attorney General addressed—

**Mr. McKeough:** Addressed to the rotary club from Downsview.

**Mr. Singer:** No, not addressed to the rotary club from Downsview, if the noxious member for Kent West—

**Mr. McKeough:** Mr. Bull—to Mr. Bull.

**Mr. Singer:** Yes, the letter addressed to Mr. Bull, saying they will lend every co-operation. I am suggesting, sir, that if this is the only effort that the government can make towards the improvement of the system of bail in Ontario, it is a pretty sorry excuse.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Sopha:** He would be surprised if it was addressed to Lucien Rivard and it said, "No bail."

**An hon. member:** That would have been something.

**An hon. member:** Have you concluded?

**Mr. Singer:** No, I am not going to conclude for quite some time yet, so just be patient, we are only getting started here.

**Mr. J. F. Edwards** (Perth): It is very difficult to be patient.

**Mr. Singer:** Mr. Chairman, it is very sad, it really is very sad, that the government, having saved these estimates for the very last, is now not prepared to sit and take its medicine, because these criticisms are valid, sir, these criticisms are substantial and these criticisms make some very good sense.

**Mr. McKeough:** Nonsense!

**Mr. Singer:** I want to criticize at some length, sir, the division made of the responsibilities of the department. This is a speech that I have attempted to deliver on two or three occasions and, I think, Mr. Chairman, you and your colleague, the Speaker, have ruled me out of order and suggested I should make it at some other time. Well, the other time has now arrived and this time I think I am in order.

**An hon. member:** Well, you are not advancing your career here, I will say that.

**Mr. Singer:** Let me say this: the Attorney General has failed to supply the people of Ontario with the system of justice that they deserve. His department is like an old steam engine trying to keep pace with the modern jet age.

**Mr. D. C. MacDonald** (York South): Who wrote that jazz?

**Mr. Singer:** Life in Ontario has been transformed by a burgeoning population, changing social attitudes and customs have changed, increased the complexity of business dealings, more sophisticated criminals, but The Department of the Attorney General has substantially remained static.

**Hon. M. B. Dymond** (Minister of Health): More sophisticated police.

**Mr. Singer:** Well, more sophisticated police, my friend, the Minister of Health, says. It is very interesting that he should bring that up, because that had just about slipped my mind for the moment. Let me turn to that one now. More sophisticated police. We are going to come to this shortly under vote 206, but just let me say this: In the select committee on company law and in several other opportunities that have been afforded to us, we have suggested that in these modern times, when criminals are sophisticated, when techniques are sophisticated, it is about time the law enforcement agencies became sophisticated. We have suggested that the least the Attorney General could do would be to take a leaf out of the book of the former Attorney General in the province of Quebec, Mr. Wagner, and set up a fraud squad consisting of accountants and lawyers, who would be able to read balance sheets and be able to understand the modern techniques of white-collared crime, and would be able to cope with bankruptcy frauds. Under vote 202, Mr. Chairman, I am going to deal with this at greater length, but one cannot escape mentioning at this time—since my good friend, the Minister of Health has—the remarks of the Ontario police commission.

They have said there is organized crime in Ontario, that they are concerned about it. They have confirmed the suspicions, the fears and the worries of my former leader, Mr. John Wintermeyer, who set these things forward and who was laughed at by government. These views have been borne out, sir, and when we come to vote 202, I am going to deal with that at greater length. But I suggest to the government the fact that a particular group of voters chose to ignore a warning did not mean that warning did not have great effect, did not have great substantial value. I suggest to you, sir, that when we come to vote 202 in the report of the Ontario police commission, there are several paragraphs in there which are the reports of Mr. Milligan, Mr. Graham and Major General Sparling, which are signed, which bear out the views and the concerns that we expressed in this House. The fact the government has not acted is another condemnation of government. Now, these views are there and they are going to be expressed later on.

I am very glad that the Minister of Health interrupted me at this time but we are going to deal with that at greater length.

**Hon. Mr. MacNaughton:** Back to the text.

**Mr. Singer:** Back to the text, yes. Thank you, Mr. Chairman, through you to the Minister of Highways, let me thank him for bringing me back to the text of my remarks.

The Attorney General has been continuously in hot water over the last few years. One ex-Attorney General, his immediate predecessor, fell foul of The Police Act and it was hurriedly withdrawn, and he as well, when it aroused public opinion. The long list of criminal and civil cases awaiting trial attest to the neglect of the administration of justice. And we are going to come to that. I am sure my friend, the member for London South, will share with me the great concern that I have about the fact that the city of London has such poor court facilities, that the administration of justice has just been bogged down in that great Ontario metropolis.

The long list of civil and criminal cases awaiting trial attest to the neglect of the administration of justice – stock frauds, Atlantic Acceptance, the MacMillans, Northern Ontario Natural Gas – are daily filling the press. The Attorney General turned down the most logical and reasonable amendment that we suggested, that people who are on the securities commission or members of the staff of the securities commission be forbidden from dealing in stocks that are listed on the exchange. The fact that apparently a certain gentleman who was one of his officials is – well, he was acquitted once, his case is now on appeal – the fact that the law is somewhat less than clear as presently written, insofar as dealing with persons who do that sort of thing, apparently did not disturb the Attorney General.

These are things that add up to condemn the position of the law enforcement procedure in the province of Ontario. I said before, there is one law for the rich and another for the poor in Ontario. I am going to deal at some length later on with the whole question of bail. Arrests are made in over 90 per cent of cases needlessly, when some other procedure will suffice normally. Bail is often denied or set at too high a figure to be raised. The rules of evidence and procedure are in dire need of modernization. Long delays and useless expenses are incurred because no one cares to reconsider the hearsay rule.

The Attorney General boasted about the performance of the law reform commission, and they have been into some important but

very obscure fields of law. They have been into the law on perpetuities, they have been into personal property, security, and they have been into the law on mechanics' liens.

**An hon. member:** Medical evidence!

**Mr. Singer:** Medical evidence, too, I had forgotten that one all right. But surely one would have thought that the law reform commission would have dealt with things that seemed to bother so many of the people of Ontario. Family relations, they are studying it, yes. He has one pigeon-hole where he puts all sorts of problems that bother him. That is the law reform commission.

And the other one over here is Mr. Justice McRuer, who is going to emerge with a wonderful report. It will be 12 volumes long, as soon as it emerges, and it is going to solve all the rest of the problems that we have. But the pressing problems that we have here in the province of Ontario seem never to get out from the studies of all these committees that have been set up.

**Hon. Mr. Dymond:** Typical legalese.

**Mr. Singer:** Typical legalese. Well, my friend, Mr. Chairman, through you —

**Mr. Chairman:** Could I ask the members if they will please direct their remarks through the chair?

**Hon. Mr. Dymond:** Sorry, Mr. Chairman.

**Mr. Singer:** The Attorney General's Department has had difficulty in recruiting bright young graduates from law schools because it is a lacklustre department and he really does not pay enough. Along the way, Mr. Chairman, I thought it would be of some interest: Question 7 that I asked last year in the 100 questions that the Attorney General made reference to earlier, and I think it is important enough to read it.

> Will the Minister advise department by department and for all government boards and commissions, Royal commissions and agencies for the 12-month period ending December 31, 1964, the names and addresses of all lawyers and legal firms that have been retained by the department, board, commission, Royal commission, or agency the nature of the work done and the fees submitted,

and so on.

Well, I received that answer, and we put a couple of accountants to work and a couple of computers to work in analyzing it. The essence of all this is, Mr. Chairman, that in the year ending December 31, 1964—and it takes pretty well a year or two before we can ask the question and get the answer back, analyze it, to be able to speak about it—but in that year it seems there were some $318,515 spent in outside legal fees, very fascinatingly. More than half of that amount went to four Toronto legal firms.

**An hon. member:** How many lawyers?

**Mr. Singer:** More than half of that amount, of $318,515 went to four Toronto legal firms. And only one of those firms, Mr. Chairman, by great coincidence, seems to have as a senior partner a former Cabinet Minister of this government.

Now I would suggest two things, sir. I would suggest two things emerge from this particular fact. $318,515 was spent because there are not enough lawyers in government employ to do the legal work that has to be done. But in the allocating of this work to outside lawyers, it seems that certainly more than half of it—and I have not broken down how much went to Toronto—more than half of it went to four legal firms in Toronto. Of that, more than half the amount, some $43,362 in the year ending December, 1964, went to the firm which has as its member a former Cabinet Minister of this government.

**Hon. Mr. Wishart:** Of the year ending 1964.

**Mr. Singer:** I agree. And I am sure that the Attorney General has later figures for the year ending 1965 that he will be prepared to present to us. Now, it has been my plea for a long, long time that the Attorney General should be all the law; that there are certain cases that it is important that leading counsel be retained, be retained to do a special type of work. But as you read through—and I am not going to bother to go through these pages and pages that are in the answer—the type of work that is done, I would suggest a substantial portion of it is work that could have been done by competent lawyers working for government.

Some of it could have been done, had to be done by outside counsel. But I suggest to you, sir, there was no reason in the world for farming out over $700,000 worth of legal business in the province of Ontario in the year ending December 31, 1964; and there was certainly no reason in the world if that had to be done, giving more than $150,000 to four firms in Toronto—and if it had to be done for only four firms in Toronto, I must ask the question: Why did one firm,

which happens to have a former Cabinet Minister as one of its senior partners, get over $43,000 in that type of business.

Mr. Chairman, those facts speak for themselves.

**Mr. G. H. Peck:** (Scarborough Centre): They do.

**Mr. Singer:** The Attorney General's Department has had difficulty in recruiting bright young graduates from the law school because it is moribund and lacklustre and it does not pay enough.

In Quebec, on the other hand, and in the United States, idealistic young men crowd to the Attorney General's Department to assist in the battle for equal justice under law, but the Ontario department is generally avoided, and those who do come soon leave because it is no honour and no challenge to serve in the department in Ontario.

I can think of no better example, sir, than the bright young lawyer who recently served as the secretary to the select committee on company law, who was a very able young man. I am sure that all the members of that committee will attest to the fact that he was a very able young man. He served, and he was getting very good knowledge and a good training, and suddenly he decided that he was going to go off where he could earn more money.

Now it would seem to me that when you do get a bright young man added to the department, it would show some intelligence and some sense that you make it interesting enough for him to stay. That bright young man has gone on into private practice.

The most substantial problem confronting the law is the need to make its content reflect the collective sense of justice of a modern society. Much of our modern law is crystalized in the halcyon days of the 18th and 19th centuries. I made earlier reference, sir, to the halcyon days of the 18th and 19th century, which seem to have formed the basis on which we now decide about labour injunctions; when society was rural rather than urban and Victorian morality ruled the land.

Some of the legal relics that still persist shock the layman and first-year law student. For example, no one need render assistance to a drowning man. Again, if the Attorney General had imagination, he would have listened to the voice of the public and of the Opposition, to the voice of criticism that is abroad in the land. He would have listened to pleas for an ombudsman; for pleas for a system of compensation for victims of crime; for pleas for a system of looking after people who go to voluntary aid of other people. But there is not even a sign or indication this is part of the thinking of the people or of the government of Ontario.

For example, no one need render assistance to a drowning man, a starving man or a man bleeding to death at the side of a highway. We can pass them by. It is not part of the morality of the law of the province of Ontario that this be done. One who fails to act as a Good Samaritan may have to answer to his Maker, but he is not responsible in law. The doctrine of no liability for non-feasance evolved centuries ago when the early courts experienced difficulty keeping peace within the realm. Since they had considerable trouble preventing flagrant aggression, they felt it advisable not to intrude into the area requiring positive action by one who merely failed to confer a benefit on another. Although the times have changed the common law has not; and although the times have changed the Attorney General has not seen fit to stand in his place and say that the law of Ontario is about to change in this regard.

Our law of divorce—and I made reference to that earlier—our law of divorce is incredible to the bulk of our population. In Ontario—

Interjection by an hon. member.

**Mr. Singer:** It is federal, yes; I agree with my friend it is federal. Has there been an Ontario voice to put forward our view. Surely the voice of Ontario, insofar as the federal law is concerned is as loud a voice as can be exerted in Ontario, and the Premier of the province of Ontario turned his back on this problem when it was debated in this House. He said he had no opinion. That is what he said.

Religious thoughts and social mores are vastly different in these days of the Kinsey report than they were in Victorian England. There has been a major reform of the divorce laws in tradition-minded England, but our laws remained unchanged. Our good neighbour to the south, New York state, has recently changed their laws, but not Ontario, not Canada. We continue to condemn to a life of loneliness or adultery the wife of a homicidal maniac who is serving a life sentence, as well as the wife who has been deserted by her husband for even ten years. And any divorce in Nevada or England by the wife of a man domiciled in Ontario would not be recognized by our courts. The

morality of a bygone age still rules our people today.

One could dwell on our barbarous criminal law which continues to treat as common criminals drug addicts, alcoholics, sexual deviates, children, and people who would be judged insane by all medical standards.

How many times, Mr. Chairman, have all of us in Opposition expounded on these facts; how many times have we said that it makes no sense to bring before our courts alcoholics and sentence them to $10 or ten days unless you are going to treat them? How many times have we not said that sexual deviates, who either can be treated or cannot be treated, should be separated from the general stream of malefactors and given a special type of care and attention?

How many times have we said that in Opposition; and not once have we even heard an answer to this from government. In the riots in Mercer, or whatever the hon. Minister of Reform Institutions wants to describe it as the other night, it is obvious, reading between the lines, what caused that.

**Hon. Mr. Dymond:** It is a different thing.

**Mr. Singer:** No, it is not a different thing at all, I say to my friend the hon. Minister of Health.

Obviously you mixed up a whole group of people and as a result of mixing up deviates and people with peculiar problems these riots took place. There is no attitude, there is no approach at all from government. There is no special, real treatment for alcoholics; there is no special, real treatment.

Interjection by an hon. member.

**Mr. Singer:** Oh go on; you only nibble at the problem.

**An hon. member:** We do not!

**Mr. Singer:** Oh certainly you do.

Has my friend, Mr. Chairman, the hon. Minister of Health, ever gone down into the magistrate's court at the city hall on a Monday morning to see the number of alcoholics who appear before the magistrates by rote, who get $10 or ten days, or if they have a record they may get 30 days, and who go through the mill time after time after time? What are you doing for them? Not a thing. You know it and I know it.

Interjections by hon. members.

**Mr. Chairman:** Order please!

**Mr. Singer:** Mr. Chairman, it is amazing in this day and age that this is the attitude of our government. In the 20th century the state persists in wreaking vengeance on those who depart from the criminal law by locking them up in cages, sometimes by whipping them and on occasion by hanging them by the neck until they are dead.

**An hon. member:** Vengeance is mine!

**Mr. Singer:** One could linger over the outmoded system of land law which remains relatively unaltered since the days of the English feudal manors. And there, Mr. Chairman, is a field in which I would think the Attorney General, as learned a lawyer as he is, would have had something to say. Although four decades have passed since it was largely abrogated by legislation in the first place, the feudal law flourishes yet in much of Canada where feudalism was unknown. Highly skilled and expensive lawyers, who could be contributing more usefully to society, waste lifetimes in searching titles in the dusty tomes of registry offices and grappling with hoary concepts like fee simple, tenure, dowry, dower and curtesy. The feather-bedding experts of labour unions could learn something from these practices of the legal profession.

Interjections by hon. members.

**Mr. Singer:** Yes. And I suggest, sir, that one would have anticipated that the Attorney General, having now been at his job for three years, would have had some new thoughts insofar as dealing with land registration in the province of Ontario.

**Hon. Mr. Wishart:** Two years!

**Mr. Singer:** One could discuss the whole of administrative law, the jungles of labour law, the laws of taxation, commercial and company law. One could point to examples of parents of the armless thalidamide children, or legless and limbless thalidamide children who may not be able to overcome the numerous doctrinal barriers placed in the way of tort compensation. The government in its wisdom has seen fit to give them some compensation, and I commend them for it. But have they changed the law so that those children can proceed in court in an action in tort against the people who caused these injuries to them? No, sir. They have not seen fit even to examine that.

Although much of the blame must rest on the arrogance and incompetence of the present Tory monolith, some of the blame must be borne—not all of it—by the surging course of history.

**An hon. member:** Who wrote that?

**Mr. Singer:** I did. In days gone by, the legal administration in this province—

**An hon. member:** They do not sound like your words.

Interjections by hon. members.

**Mr. Chairman:** Order, please! I know you all want to hear the member for Downsview.

**An hon. member:** You are a joker, Mr. Chairman, a real joker.

**Mr. Singer:** Mr. Chairman, I might point out for the edification of my friend from York South that this is a speech I have tried four times to deliver. Now I have the proper form and apparently am in order, and I am going to deliver the speech that I wrote. It is a couple of months old, but it is still in order.

Interjections by hon. members.

**Mr. Singer:** In days gone by, the legal administration in this province could be handled by one man. But this is no longer the case and the department—and this is the point that I made at some length last year, and this is the point that I am going to—

**Hon. Mr. Wishart:** We heard that all last year.

**Mr. Singer:** Well, you did not do it. You did not do it properly. You did it, but I do not think you did it properly. The department must be divided in two if it is to deal effectively with our complex society. The federal government has undertaken the creation of a new department of the solicitor-general.

**An hon. member:** He got last year's speech by mistake.

**Another hon. member:** Yes, he did.

**Mr. Singer:** But we have done it in a different way. The function of Parliament must be re-examined, and new institutions will have to be created if we are to conquer the pervading crisis in judicial administration. We must be prepared to deploy a greater share of our resources to the task. Let us once again recognize that the provision of equal justice for all is the most important function of government.

Now, insofar as the reorganization of the Attorney General's department is concerned, I am going to repeat the same general theme as I put forward last year which the Attorney General has not seen fit to follow.

I suggested that there should be created a new ministry of justice. I said it then and I say it now, sir, that the time has arrived to create a true ministry of justice in Ontario with the sole responsibility for law reform and judicial administration. By isolating responsibility for this work in a single department with no other responsibility, attention will be focused on the problems and energy applied to their rectification. I do not think I need to expand by one single word on the importance of law reform. I suggested earlier, and at some length, that the whole message of law reform has been missed by this government.

Recruitment of idealistic law reformers must be facilitated as well. There must be continual consultation with other law reform officials, professional organizations, the judiciary, and the new bi-partisan justice committee of the Legislature, and I am going to suggest that you are not using the members of the Legislature properly in this regard.

If a spirit of co-operation and a common goal is promoted much progress could be made. Responsibility of this new department of justice, Mr. Chairman, would include the creation of other new law reform machinery, the co-ordination of their efforts and the appointment and training of judicial officers. Legal research projects both short and long term could be encouraged. The suggestions of the present and new institutions could be studied and, if merited, should spur legislation. A major new qualification and revision of all the laws of Ontario should be undertaken to simplify, to modernize and to make them more responsive to the aspirations of our people.

The Department of Reform Institutions—and I am sorry my friend, the Minister, is not here tonight—should be abolished and responsibility be placed in the hands of a correction board which could report to the Minister of Justice. I think this is a step long overdue.

**Hon. Mr. Wishart:** Mr. Chairman, would the hon. member permit a question?

**Mr. Singer:** Yes.

**Hon. Mr. Wishart:** I would just like to ask how long ago that speech was written?

**Mr. Singer:** Well, I would say it was written not more than two months ago, and I would suggest that it could not be more current, Mr. Chairman. It could not be more current because all of the faults that I am

referring to tonight are not only existing, but they have been aggravated since the speech was first written.

**Hon. Mr. Wishart:** Your speech is out of date.

**Mr. Singer:** I am sorry, I really feel deep regret, Mr. Chairman—we had thought so long and, I had thought, so effectively—but we have failed to make even a dent in the stubborn and atrophied thinking of the Tories who run this government—

**Hon. Mr. MacNaughton:** Have failed to make a dent?

**Mr. R. F. Nixon** (Brant): And the roads are bad, too.

**Hon. Mr. MacNaughton:** Sure, they may be. You have failed to make a dent anywhere.

**Mr. Chairman:** Order, please!

Interjections by hon. members.

**Hon. Mr. MacNaughton:** You agree with me, do you not?

Interjections by hon. members.

**Mr. Singer:** Mr. Chairman, insofar as the remainder of the department is concerned, it would be my submission that the department should continue to be responsible for public protection and legal services, but it should be internally divided with two Deputy Ministers in charge of two sub-departments in the department.

A new solicitor-general should be appointed with Deputy Minister's rank from amongst eminent members of the bar to be in charge of all government legal services. I gave the illustration a little earlier of the amount of money that has been expended in seeking outside legal help, and the way that favouritism has obviously been exercised in the expenditure of such money.

All of the lawyers working for all of the departments of government should be supervised by the solicitor-general. All of the Crown counsel, the lawyers that do everyday legal advice and draw up the statutes, should be unified in this one office. Branch offices should be opened across the province, as well, to eliminate the present patronage methods of hiring outside lawyers and to provide a greater variety of work for the new legal personnel who would then be attracted to this vigorous office.

The present Deputy Attorney General, a very able man, could and should continue to be charged with the public protection aspect of the Attorney General's role, which presently is his most onerous job. This section should protect our people from crime, crooked dealings and corruption. In addition, the Attorney General should protect and promote civil liberties in Ontario, and to do this the human rights commission should be removed from the labour department—why it ever got there, nobody could tell us, unless perhaps the hon. Minister of Highways—and made responsible to the Attorney General.

To elaborate on the McRuer commission report, the Attorney General should create the machinery required, such as the office of ombudsman and a bill of rights to see that civil liberties are protected. Mr. Chairman, there should not be anyone whose voice is louder in the province of Ontario, insofar as the protection of civil rights is concerned, than the Attorney General. He should be the one who speaks loudest about the protection of civil rights and he is the voice whom we so seldom hear.

In this section of the department should be the Ontario provincial police, the coroner's office, fire protection, licensing, the Ontario securities commission and other functions.

The most important benefit to be derived by this shake-up, in my opinion, is the separation of control over police, Crown counsel and magistrates, the three different streams.

Now, Mr. Chairman, I just cannot understand why this has not got through to the government.

Interjection by an hon. member.

**Mr. Singer:** I will ask my friend here, do you think—

**Hon. Mr. MacNaughton:** Kindly address the chair.

**Mr. Singer:** To the member who just made the last noise: Does he think it is logical that you should mix up into one hodgepodge judicial functions, police functions and administrative functions? If this is his idea of how government should be run, then I say, sir, this is typical of the Tory approach. Let us confuse, let us mix up, let us draw the line so easy so that no one can see. Let us not know who the police are and who the policed are, let us not be able to distinguish the judges from the policemen, let us mix the whole thing up in one big melting pot and then we will be able to confuse anybody and do anything we want and Bill 99 will not cause us any trouble. That is the view of my noisy friend here on my left.

At the present time, the Attorney General controls the police, Crown counsel and the appointment of magistrates. Too often police become magistrates and Crown counsel, who for their whole lives have been associated and identified with the police. Or worse than that, Mr. Chairman, they become appointed chief magistrate of the province of Ontario and then they deliver themselves of the eloquent statement that we do not need legal aid in the province of Ontario because, after all, the Crown attorneys will protect everyone who comes before the courts.

**An hon. member:** Ouch!

**Mr. Singer:** That is what the new chief magistrate said just a year ago.

**An hon. member:** Have they not fired him for saying that?

**Mr. Singer:** No, no. He is still there, but he delivers reports which we cannot get a look at. It is not too easy to forget one's past attitudes toward crime and criminals, even when judicial robes are donned and even when efforts are made in this regard. One cannot help but be worried over the present closeness among these three groups and therefore, Mr. Chairman, by giving the Minister of Justice responsibility for magistrates, the solicitor-general responsibility for Crown counsel and the Deputy Attorney General for control over the police, the danger will be minimized and at least the present appearance of such an alliance will be shattered.

Finally, sir, I think that the time of our Legislature has not been used as effectively as it might be. It is generally recognized that extensive committee work can speed the flow of legislation by permitting serious and full study of draft bills. Opposition to bills can be foreseen, compromises made and redrafting done. Law reform legislation has been impeded by the absence of the justice committee of our Legislature.

We have, sir, an abundance of talent in this Legislature that could substantially contribute to the advancement of law reform and I charge this government with having ignored the usefulness of that talent. Everything that is done is done within closed walls at secret meetings, and so on, and the availability of talent on government benches and on Opposition benches has been completely ignored.

Surely, it would make good and abundant sense to comprise an effective committee of justice from amongst the members of this Legislature and one need not name any particular members. Look around you, Mr. Attorney General, in your own benches and you have all sorts of talent there which is being wasted and has been wasted over these several years because you are not calling on them for constructive suggestions. There is equally good talent in Opposition benches but those talents are not being used. Surely, the government should make use of that talent that is available within this Legislature.

Finally, sir, as a centennial project, let me suggest – and this is something that my leader has suggested before and I think warrants repetition – we should and could establish a legal research centre at Osgoode Hall, the birthplace and home of the law for almost a century and a half.

The hon. Minister of Highways seems to think that this is very funny.

**Hon. Mr. MacNaughton:** Not at all.

**Mr. Singer:** It may, Mr. Chairman, be very amusing to him, but it is unfortunate that as funny a man as he is, he has no real concept of justice, of law and of fair treatment for all the citizens of Ontario. It is a pity, and the people of Ontario are going to recognize this, Mr. Chairman, in due course.

**Mr. Sopha:** I knew there was a waiting list –

**Mr. Singer:** The Ontario research centre should be granted at least $1 million a year – and I think you could begin by chopping off $300,000 that you spend in outside legal help or a substantial portion of it – to conduct research into the effect of our present laws, public attitudes toward them and the development of better laws and procedures. This should be independent of government and should be financed partly by government, partly by the law society, the Canadian bar association, foundations, corporations and the public.

Far better, sir, to use the funds of the Ford foundation and to use the energies of the Downsview rotary club to conduct studies like this than to do something as obvious as studies into bail reform which the Attorney General should have been on top of. This centre should be independent of government; it should promote and engage in social and economic research, into law and legal institutions, comparative legal studies, orthodox doctrinal research and production of Canadian legal predices.

Professional legal researchers should be hired and good salaries and supporting services supplied. We must discard the notion that legal research must be only a part-time hobby of law professors. If we are going to get real legal reform in this province, Mr. Chairman, we have to go about it in a proper way. Effective research requires sustained effort and this should be made possible. Graduate studies in law could be done here. Law students could spend the summer months working here, and visiting scholars, judges and lawyers could be invited to participate.

By instituting these reforms in the province of Ontario, one would hope that we will have legal justice for all some day—something, sir, I say with regret, that in my opinion we do not have in 1966.

As the estimates go on, sir, there will be substantial remarks from my colleagues and myself on each of the individual votes. I would hope that before we get past vote 201 the Attorney General will rise in his place and chart a new course for law reform in the province of Ontario.

**Hon. Mr. MacNaughton:** Mr. Chairman, I beg your indulgence, please, having captured your eye, sir. I recognize very well that there is a prescribed order of debate here—

**Mr. Chairman:** Yes.

**Hon. Mr. MacNaughton:** —but having captured your eye, sir, I would like to claim the floor briefly, if I may.

**Mr. Chairman:** I must ask the Minister to resume his seat, if he will, at this time. He knows that it is the practice of the House to hear from a lead-off speaker from both Opposition parties—

**Hon. Mr. MacNaughton:** I am going to be very brief, Mr. Chairman, and only touch on one point that the hon. member made—

**Mr. Chairman:** The member for Riverdale.

**Hon. Mr. MacNaughton:** —and ask if the hon. member for Riverdale would defer in this instance.

**Mr. J. Renwick** (Riverdale): I would be quite happy to yield the floor to the Minister of Highways.

**Mr. Chairman:** The member for Riverdale may be happy to do so, but I think we must—

**Hon. MacNaughton:** Mr. Chairman, my thanks to the member for Riverdale. I appreciate this—

**Mr. Chairman:** I must ask the Minister of Highways, if he will, to resume his seat at this time. There will be an opportunity to speak as soon as the member for Riverdale has finished and the Minister has replied.

**Hon. Mr. MacNaughton:** I take it, sir, that notwithstanding the deference of the member for Riverdale—

**Mr. Chairman:** If he has yielded the floor, then we will have answers from the Attorney General.

Interjections by hon. members.

**Mr. Chairman:** After hearing the Attorney General, then we will go back and start into vote 201, and at this particular time, I would ask the Minister, if he will, to resume his seat so that we can continue with the policy that has been established.

**Mr. Sopha:** One, of course—

**Hon. Mr. MacNaughton:** Mr. Chairman, I am quite happy to bow to your ruling, of course.

**Mr. Renwick:** Mr. Chairman, the estimates of The Department of the Attorney General always leave me a little bit at a loss. We have the strange situation that this Minister comes into the House and meanders through a 24-page statement of the affairs of his department. He requests that the Opposition should concur in voting substantial sums of money for him, and this is the only information, apart from the reports of the Ontario police commission and of the commissioner of the Ontario provincial police, that is available to the Legislature prior to the estimates of his department.

I am in full agreement, Mr. Chairman, as I know many members are, that if there is an adequate annual report by a Minister which is placed before the assembly, then there is no need for the Minister to stand up and give a lengthy rehash of the information which is in his annual report. But of course, with the tradition of the Attorney General's department in the province of Ontario, it never crosses anyone's mind that there should be an annual report of the Attorney General to this assembly.

I would suggest to the Attorney General that it is about time that he got up to date in this respect, if in no others, in his department. Here we have a Minister of the Crown who is charged not only with the administration of many statutes directly related to his department of the government, but he is the repository of all the statutes which cannot be assigned to any other Minister. I have not lately

counted the statutes that the Attorney General is responsible for, but it is well in excess of 100 statutes—in addition to the multitude of activities in this department, about which he has commented in a cursory and brief fashion in his opening remarks.

I would suggest to the Attorney General that the time has come when the Attorney General's department should report to this House, using the full facilities of statistics, to enable this House finally, once and for all to get a comprehensive view of what the Attorney General and his department are accomplishing in the administration of justice in the province of Ontario.

We have no statistics other than the rather useless statistics which are available in the Ontario police commission's report and in the report of the commissioner for the Ontario provincial police. We have no idea in this Legislature whether, for example, the land registry offices throughout the counties in the province of Ontario are able to cope with the job and the way in which they are going to cope. One of the ways is to use the techniques of statistics to present the information which allows people, as one of the tools for making an assessment, at least to make some effort to decide whether or not in that one field there is an adequate administration of the laws of this province. I could go on, Mr. Chairman, and each member of this House could go on, through the courts of this province to find out, and we never know, we never have the basic information. All we have is little bits and pieces of information which we may garner from one place to another.

We have no idea in the legislature of the province, for example, whether in the division courts throughout the province of Ontario where many, many claims of many small people are dealt with, and dealt with, in the little knowledge which I have, in a totally inadequate way. We have none of that information before us on which we can make an assessment as to whether that system of the administration of small claims and small disputes between people can be settled in civil court.

Similarly in the magistrate's court we have the same lack of information. Mr. Speaker, what this department needs and what I would do if I had the physical strength to do it, would be to pick the department up by the scruff of its neck and give it such a shaking that when it was settled back again its animus and its relationship towards the people of the province of Ontario would be completely reversed. And I suggest, Mr. Chairman, to the Attorney General, that he should first start not with the rights of people, not with their position in society and with his administration of justice—his burden of responsibility, as he says in his opening remarks—not even there. I would suggest he just start at the point of view of the convenience of the citizens of the province of Ontario.

The convenience of the administration of justice to the citizens of the province of Ontario in all its aspects. It may be theoretically true that we are all subjects of the Crown and that we have no rights because we are subjects, but in this modern, democratic society the administration of justice exists for the convenience of the people in the province of Ontario.

Let me give you just a few examples from my own brief experience in a short period of time, in the province of Ontario. I am sure each member, if he thought about it, would recognize the kind of thing in the administration of justice which is affecting its relationship in the eyes of the people of the province. And I would refer once more to the Tilco Plastics case. Just as an incident for the convenience of the citizens of the province of Ontario, it was necessary in the administration of justice to bring 27 men from Peterborough to the city of Toronto in order that they could be tried for criminal contempt. The trial took eight or nine days, I forget which. The persons who were charged either had to come from Peterborough each day, or stay in Toronto over that period of time. I would suggest that those men—if to the Attorney General it meant anything at all, that a man is innocent until he is proven guilty—the citizens of the province of Ontario are entitled to better treatment.

And let me come to—and this will be for these particular remarks—the last comment I make on the Tilco Plastics case, simply for the purpose of illustrating the need for the Ontario Attorney General to pay attention to the convenience of the people of this province. The day of judgment came along on the 27th of June. It was to be at 10 o'clock in the morning. It was all laid on. The public who were interested attended. The men who were charged attended to find out what judgment would be meted out to them. And 80 minutes late, the court convened because the chief justice and the other justices of the court were engaged in admitting to their positions as judges in the province of Ontario two recent appointments to the high court of justice.

The strange thing is, Mr. Chairman, that they did not even consider that it was impolite and inconvenient to the people of the province

of Ontario. They thought that the administration of justice was intimately embodied in the little formal ceremony in which they were going to partake in certain formalities at Osgoode Hall, rather than that the court should have met at 10 o'clock on that morning as it was announced that it would meet. I am suggesting that in my mind this is a discourtesy in the system of justice of the province of Ontario.

Now, let me just turn to another and entirely different and unrelated field, because the Attorney General in his remarks has dealt at some length with the magistrates' courts in Metropolitan Toronto, and referred to the magistrates' courts throughout metropolitan areas other than in the city of Toronto. They are now all going to be moved into the old city hall but, of course, the old city hall is then going to be sold and in all likelihood demolished under some new arrangement, so we can look forward to a period, I would say, of another five years, before there will be adequate magistrates' court accommodation in the city of Toronto.

I cannot speak for other parts of the province, but I would suggest that the accommodation in other parts of the province is somewhat similar to that in Metropolitan Toronto. In February of this year I had occasion to be in the magistrates' court H at the city hall, which deals with highway traffic offences. At that time, I asked the Attorney General if he was aware that the docket listed over 300 cases to be dealt with by April 15 next, and that was, I believe, on February 21. And the Attorney General, after juggling around with the figures, came up with the proposition that I was somewhat wrong. I said 300 cases; he found that there were 337 cases that were on that docket to be heard in the due course of time.

> Since these cases will be dealt with in the period specified, that is three months, we do not contemplate talking special steps with respect to this court.

Well, Mr. Chairman, I was out on Queen's Park crescent on May 19 about 6 o'clock in the evening when I witnessed an accident. A man made a left turn and the car immediately following it had to stop suddenly and the third car crashed into the second car and did considerable damage.

As I was a witness and as I was standing right there, I made myself acquainted with the driver of one car and left the scene there, expecting in due course to be subpoenaed to attend a traffic court in the city of Toronto to deal with this matter. Now, what could one expect? I received in the mail yesterday a subpoena to attend as a witness at that particular traffic incident on September 8 next at 10 o'clock in the morning; over three months after a minor traffic accident takes place the matter will come up in the magistrates' court in the city of Toronto.

And I would suggest that the Attorney General turn his mind to the convenience of the citizen whose car was damaged in that accident and in all likelihood will have to await any settlement of his insurance claim. Likely it will have to wait until the decision is made in that traffic court as to whether or not there was any negligence on someone's part. It is true that that is not evidence in any civil case, but anyone knows that it is the usual and customary proceeding for the criminal charge or the traffic charge to be tried first before any settlement is made of any civil claim. That is just not good enough. And until there is some adequate concern expressed by The Department of the Attorney General for the administration of justice, this kind of petty inconvenience will persist in the system of justice in the province of Ontario.

Let me deal with another incident which took place and concerns the police. I am not suggesting that the Attorney General was in charge of all the police in the province of Ontario, but he singularly is the one who must have the thrust and the initiative to make certain that the police system is working in the province of Ontario.

In the municipality of Metropolitan Toronto on Good Friday, detectives questioned a nine-year-old boy in the city of Toronto, to find out whether that little boy knew anything about some 20 windows having been broken a week previously in a factory in downtown Toronto. They took the little boy, after informing his mother that they were doing so, to the police station. The detective questioned the little boy and as a result of questioning the nine-year-old boy, the police then went around the district and informed the parents of five other boys, two of them nine years old, one of them seven years old and two of them 15 years old, that they were to attend at the police station in the city of Toronto. When? When, of all days in the year? At 10 o'clock on Easter Sunday morning. That is known as the youth bureau of the municipality of Metropolitan Toronto police.

It happened, of course, that this was south of Gerrard street or south of Bloor street and you do not find many nine- or ten-year-old boys being summoned to go to the police station in North Toronto at 10 o'clock on

Easter Sunday morning. I was asked if I would go because one of the parents felt, not righteously indignant about it, but just that she did not know what her rights were and what her boy's rights were. I went and explained to them that of course the boys did not have to go to the police station if they did not want to go and they were quite surprised. The parents were quite surprised. They assumed that they had to go.

And I said, "Not only do they not have to go, if they do choose to go they do not have to answer any questions. And if they do not want to answer any questions and if at any point they get sick and tired of being questioned, they can just stand up and leave." They just did not believe it. I said, "On the other side of that coin, the proposition is that it is just as much in the interest of you as citizens in this city to attend in the police station if the police request you to go there, and to answer questions, because it is in your interest to make certain that vandalism does not take place. But," I said, "it is your choice and your decision." The people said that was fine.

So on Easter Sunday morning I went with the boys and the mothers to that particular police station and it was 10 o'clock. The detective, of course, did not appear until 10:40. You see, he was late by 40 minutes and it would not really have mattered to anybody except that he was going to inconvenience just some plain ordinary people in the city of Toronto. Of course, when he asked who I was, I said who I was and that I simply wanted the boys to know what their rights were and what their position was. I said they were certainly going to co-operate with the police, but I wanted the boys to understand that if they did not want to be questioned, they could leave, and one of the boys said, "Well, all right, Bill, let's get out of here." But they stayed and they answered what few silly questions the police were substituting for the investigation of the crime for about five minutes, and the whole thing collapsed.

Those particular incidents—and there is nothing unusual about them — are what bothers me about the administration of justice and the failure of the Attorney General's department. This is why there has got to be a new attitude to the administration of justice in the province of Ontario. This happens day in and day out in the courts of this province and in the police stations of this province. I remind the Attorney General I am not now talking about rights, I am talking about the convenience of the citizen in the administration of justice.

Another minor incident I recall is not terribly important but it is indicative not of criticism of any particular magistrate or person that I might comment upon, but because the system, Mr. Chairman, by and large is providing a very uneven, undignified administration of justice in the province.

The other incident was quite simple, it happens to all of us I suppose. It was a Monday morning in the magistrates' court and the magistrate leaned forward in his chair and tapped the clerk of the court on the shoulder, sent out for a paper cup of coffee, it was brought back in, and he sat up on the dais dispensing justice while drinking this cup of coffee.

The Crown attorney that particular morning did not quite know what the work in the court was, but he got to one case and he was speaking about a woman who was standing, of course, behind the bars, because we keep the people who cannot afford bail behind the bars regardless of whether or not there is any likelihood of them not returning to the court. He went on to explain why this woman was up before the magistrate, and halfway through he said, "I am sorry, Your Worship, I have got the wrong information. Lady, what are you here for?" and she did not know either.

Again, Mr. Chairman, I comment on these particular incidents not because they are important, in any real sense of the term, not because anybody has been dreadfully hurt by them, but because the system at the present time is so slow, so bound up with the traditional view that the only thing that really matters is if it happens in the county courts or higher in the province. The convenience of the citizen, Mr. Chairman, has to become one of the hallmarks of the administration of justice in the province of Ontario and at the present time it is not so.

Let us move perhaps into the area of rights, the area of what perhaps the citizen is entitled to do and to know about his position in the course of being either questioned by the police, or arrested and charged with an offence, and what he can do.

Mr. Chairman, every effort is made to confuse the issue which is involved in this matter. And for some reason or other, this government, a Tory government, is unable to bring itself to accept the proposition that for practical purposes the safeguard of the liberty of the subject lies in the procedures by which the police and the courts operate. We have to look at those procedures.

The hon. member for Grey North—he is not in his seat at the moment — raised the ques-

tion of the Danny Escobedo case recently with the Attorney General and the Attorney General, I think unconsciously, ducked the problem, because Danny Escobedo was not under arrest at the time. But the supreme court of the United States decided that because he had asked for counsel and had been denied it and because he had not been told by the police that he did not have to answer — because those procedural rules had been broken — the case against him was dismissed. I think that is a fair summary of what the Escobedo case is about.

In the province of Ontario, no one has ever stood up to say that it is the right of a citizen to be advised by the police, whether he is being questioned before arrest or after arrest, that he has no obligation to speak if he does not wish to do so or that he is entitled to be represented by counsel.

Mr. Chairman, the Attorney General gave the reason why we have that in our system. It is because the supreme court of Canada has said that in questions of the admissibility of statements made by prisoners or accused persons of one kind or another, all that the court has to decide is that they were voluntary, and the whole paraphernalia of how the court assesses that it was voluntary or not is brought into play to decide it was a voluntary statement.

The court, the supreme court of Canada, was engaged in a task, and this task was to test the truth of the statement, not whether it was voluntary or not. They decided that if they could find that it was voluntary, in all likelihood it was true. What they were really after was the truth of the evidence. They were not commenting upon the procedures of the police officers. They were not commenting upon them, they were saying that in a particular case we will deal with this question of evidence as to whether or not it was voluntary or otherwise.

Now, I am not certain that I can locate at this particular moment the particular—yes, I have it—Mr. Justice Rand in Boudreau vs. the King. I realize this is not the case of Regina vs. Fitton, but he was talking about the same information, the same problem, that was before the court. He goes on to elaborate all the things which the Attorney General elaborated in his answer to the question from the member for Grey North.

But there is a paragraph in there where Mr. Justice Rand specifically dealt with this question that I am trying to raise. He says: "I do not mean to imply any right on the part of the officers who interrogate or to give countenance of approval to the practice."

I do not think it lies in the mouth of the Attorney General to quote the supreme court of Canada as authority for the proposition that there was an approval of the police methods in those cases. The Attorney General should be particularly concerned about police methods in these cases which come before him, and I would like, at the risk of taking a short period of time, to deal with an extract from the report of the hon. Mr. Justice Roach in the matter of the investigation into the arrest and detention of Robert Wright and Michael Griffin, which was given—

**Hon. Mr. Wishart:** I wonder if the hon. member would permit a question? If the Attorney General is not to cite the supreme court of Canada in his rulings on these matters, what authority would the hon. member suggest he do cite?

**Mr. Renwick:** Well, Mr. Chairman, I was attempting to draw the distinction that the problem the supreme court of Canada was dealing with was a different problem to the problem of police procedures.

Interjection by an hon. member.

**Mr. Renwick:** As I say, it may well be a matter of opinion, and I am suggesting to the Attorney General it is about time that he and his law officers change their opinion.

Mr. Justice Roach, on December 23, 1954, in dealing with this matter, went on to complete the story of the arrest and the custody of these men. These are men who, to me, were held an undue period of time. It was four hours from the time they had been taken to No. 1 Court street station till ten o'clock at night during which they were denied the right to see their relatives and denied counsel during that period of time. After a period of time, Justice Roach said:

> However, there is another important piece of evidence to which I direct your attention. I think it is most important. It is contained in Sergeant Davies' evidence and without quoting it, this is the substance of it. It is Sergeant Davies' understanding that the police are entitled to refuse a lawyer permission to confer with his client who is in custody until the police investigation is complete, provided it is completed in a reasonable length of time. The main reason for refusing permission is so that the prisoner may not have the opportunity of being told not to say anything, and that if a lawyer tells his client not to say anything, that is a definite obstruction.

Well, that is the piece of evidence which the justice then goes on to deal with in his report.

> The matters which you require me to investigate bear so vitally upon the liberties of the citizen that at the posible risk of exceeding the terms of my reference, or including in this report statements that you may think are unnecessary to it, I am persuaded to make these further observations.

I will skip over some of them:

> They should also understand that it is their duty, once they arrest a citizen, to tell him at once the charge on which he is arrested. Arrested with or without a warrant, the subject is entitled to know why he is deprived of his freedom, if only in order that he may, without a moment's delay, take such steps as may enable him to regain it. They should understand, too, that there can never be any justification for holding a prisoner incommunicado. We are told that such a practice exists behind the iron curtain.

**Hon. Mr. Wishart:** Well, Mr. Chairman, perhaps I should wait until the hon. member is finished, but this is the very law that I was citing, laid down by the supreme court. The statements that they made in the review of this type of thing, which I think is good law, is that it is the most authoritative law we have. The hon. member is reading what the court said when they laid down the rules for the protection of the accused. This is what I was citing to the member for Grey North in response to his question.

**Mr. Renwick:** Well, Mr. Chairman, I will certainly cut short these parts of my remarks. I would not dream of taking up the time of the House on the problem if the Attorney General will answer me one question.

Will he instruct, and will he make certain that the police forces throughout this province are instructed, that before they question a person, whether he has been arrested or not, and if he has been arrested and told of the offence, will he then make certain that for a second time the person is told that he does not have to say anything? If the Attorney General will answer that question, I will go on to the next part of my remarks.

**Hon. Mr. Wishart:** Mr. Chairman, in answer to the hon. member for Grey North, I set forth the law which the hon. member has read as to the rights of police, the rights of accused, to be interrogated, to have counsel, to answer questions. I will take a moment or two to answer this in detail and give it publicity.

The courts have determined the rules, and I gave it such publicity as I knew how on that occasion, and furthermore pointed out that in every single case where there is any question that an accused has not been treated properly within those rules as determined by the highest court in our land, then the trial is vitiated and the accused is either set free or given a new trial.

**Mr. Renwick:** Well, Mr. Chairman, you can understand why I will now come back and complete the remarks that I am going to make. The point, the sole point and the main point, in this particular sequence of remarks that I am making is that it is about time in the province of Ontario that a person who is charged with an offence be told immediately by the police that he does not have to say anything. The Attorney General refuses to make that statement that that has anything to do with the law of this province.

**Hon. Mr. Wishart:** I will answer the hon. member.

**Mr. Renwick:** I take the further step, that beforehand, prior to arrest, when the police are conducting their very necessary investigations which involve questioning a person, that they should be directed to tell the person that he need not answer any questions. I just heard from my friend from Halton that that is very naive, but I would just point out—

**Mr. G. A. Kerr** (Halton): I was referring to something else.

**Mr. Renwick:** Oh, thank you. I had mistaken the remark, I thought that he said such a suggestion was naive. But this is the particular point that I want to deal with, and I will complete the remarks of Mr. Justice Roach in this connection.

> They should understand, too, that there never can be any justification for holding a prisoner incommunicado. We are told that such a practice exists behind the iron curtain. There is certainly no room for it, under our system of freedom, under the law. If that were permitted then a citizen could disappear.

And so on.

> The prisoner, if he has to remain in custody, is certainly equally entitled to his relatives or friends to gather up evidence that will prove him innocent, as the police are entitled to gather up evidence that will prove him guilty. The suggestion that any detective or other police officer is justified

in preventing, or attempting to prevent, a prisoner from conferring with his counsel is a most shocking one. The suggestion that counsel, if he is permitted to confer with his client who is in custody, might thereby obstruct the police in the discharge of their duties, is even more shocking. The prisoner is not obliged to say anything and the lawyer is entitled to advise him of that right.

Mr. Chairman, I am simply asking that it is time in the province of Ontario, that those persons who are in the circumstances to which Mr. Justice Roach referred, should not have to have a lawyer present to tell them that they need not say anything. The police should be instructed that they should tell any such person that he need not say anything. This is a very essential procedural safeguard in the liberty of the subject.

It is very interesting, Mr. Chairman, to try to drive this point home to the Attorney General, because he, for some reason or other, is not prepared to consider procedural safeguards in the matter of liberty of the subject. In the United Kingdom, a number of rules were approved in England by the judges of the King's Bench to guide police officers, as follows, and I am going to read them into the record:

1. When a police officer is endeavouring to discover the author of a crime, there is no objection to his putting questions in respect thereof to any person or persons, whether suspected or not, from whom he thinks that useful information can be obtained.

2. Whenever a police officer has made up his mind to charge a person with a crime he should first caution such person before asking him questions or any further questions as the case may be.

3. Persons in custody should not be questioned without the usual caution being first administered.

4. If the prisoner wishes to volunteer any statement, the usual caution should be administered. It is desirable that the words "against you" of such caution should be omitted and that the caution should end with the words "be given in evidence."

5. The caution to be administered to a prisoner when he is formally charged should therefore be in the following words: "Do you wish to say anything in answer to the charge? You are not obliged to say anything unless you wish to do so but whatever you say will be taken down in writing and may be given in evidence." Care should be taken to avoid any suggestion that his answers can only be used in evidence against him as this may prevent an innocent person making a statement which might assist to clear him of a charge.

6. A statement made by a prisoner before there is time to caution him is not rendered inadmissible in evidence merely by reason of no caution having been given but in such a case he should be cautioned as soon as possible.

7. A prisoner making a voluntary statement must not be cross-examined. No question should be put to him about it except for the purpose of removing ambiguity in what he has actually said. For instance if he has mentioned an hour without saying whether it was morning or evening or has given a day of the week and a day of the month which do not agree, or has not made it clear to what individual or what place he intended to refer in some part of his statement, he may be questioned sufficiently to clear up the point.

8. When two or more persons are charged with the same offence and statements are taken separately from the persons charged, the police should not read these statements to the other persons charged but each of such persons should be furnished by the police with a copy of such statement and nothing should be said or done by the police to invite a reply. If the person charged is asked to make a statement in reply, the usual caution should be administered.

9. Any statement made in accordance with the above rules should whenever possible be taken down in writing and signed by the person making it after it has been read to him and he has been invited to make any corrections he may wish.

Those are the rules that the judges of the court of King's Bench in England saw fit to issue to the police in England. I would suggest that during the course of these estimates, perhaps the Attorney General could tell us what rules, if any, are issued on a uniform basis through the police commission to the police forces in the province of Ontario relating to this specific and important matter.

**Hon. Mr. Wishart:** You will note that they were prepared by the judges.

**Mr. Renwick:** Mr. Chairman, I note they were prepared by the judges. There is no merit in who prepared them. There is nothing to prevent the Attorney General of this province adopting them if he wished to do so.

**Mr. Singer:** Is not that a matter for the police commission—

**Hon. Mr. Wishart:** I think they are very good, too.

**Mr. Renwick:** There must be some way in which these matters could be dealt with so that people would know what their position is when they come into the court.

Mr. Chairman, in this same context of this question, I would like to show how far the deterioration in the administration of justice has gone in this province in another incident which occurred in a magistrate's court in the city of Toronto.

The accused men did not answer any questions after they were arrested and they asked to see a lawyer. The deterioration has so taken place in our system of justice that the Crown attorney, not maliciously, simply drew this to the attention of the magistrate as evidence against these men, that they had not chosen to answer any questions. Because they were recent immigrants from the United Kingdom, from Scotland, as it turned out to be, and had suggested to the police that they were not going to answer any questions and they wanted to see their lawyer, this became a matter of comment by the Crown attorney in the court.

The Attorney General may very well say to me, "Well, certainly, why was not that case appealed?" It was not my case and I do not know whether it ever was appealed, but I do not think it should ever have to be appealed, because it should be so ingrained at the level of justice where most of the citizens come into contact with the law that it would be just taken as read that that kind of a request and that kind of a denial would be part and parcel of the administration of justice.

Mr. Chairman, if one moves now into the area of time between the moment of arrest and the moment that the person appears before the magistrate in the court, I would suggest that the Attorney General should give very serious consideration to pre-arraignment proceedings on a standardized basis throughout the province of Ontario. I guess there is not a lawyer in this room who has not been in magistrate's court to see some embarrassed person standing in the dock on Monday morning or on Tuesday morning for some particular offence.

The case which particularly comes to my mind was of a 19-year-old boy who was charged with indecent assault and was in magistrate's court for the first time in his life. He is standing behind the bars. He has had no advice whatsoever up to that point. He is now in open court. He is asked by the magistrate on the bench whether he wants to consult a lawyer through legal aid, and the boy is simply so overcome with embarrassment, all he can think of is to get it over with.

It does not matter—the question of whether he is guilty of the offence. Whether he is properly charged ceases to be of concern to him at that point. All he wants to do is to get it over. He pleads guilty to the offence and he is sentenced by the court. I am not commenting on the fairness in that particular case. The magistrate was quite reasonable, but without any advice whatsoever that boy has that particular criminal record against him.

I would suggest that before citizens of this province are brought into magistrate's court, in the wire box, they be advised as to what their position is; what the charge is against them, to the best of the lawyer's ability; what the evidence is against them; what the alternatives open to that person are. In my mind, this was a miscarriage of justice. That boy did not have any trial of any kind that morning. And he did not have any advice, but out of sheer embarrassment, and in order to get the whole damn thing over with, he pleaded guilty. That happens regularly in the court, not just in those particular specific instances, but in many cases.

I would hope that the Attorney General would take into consideration this other field that my friend from Downsview spoke about at one point, this question of alcoholism. I would hope that the Attorney General would see fit to do what he can to make certain that alcoholism is a defence against drunkenness in this province. It is about time that that simple proposition be established in our courts.

What the member for Downsview says is perfectly right and despite what the Minister of Health said about the trouble being with the magistrates, the fact of the matter is that there are men who are suffering from the disease of alcoholism appearing in the magistrates' courts in the city of Toronto. The magistrates have, for practical purposes, to deal with this.

I had asked the Attorney General several weeks ago, when I had seen a reference to a study which was going to be done for the Attorney General's department by the foundation on alcoholism and drug addiction on this question of drunkenness and the courts. Unfortunately, somewhere in the various shuffles of Attorneys General in this

government that report appears not to have turned up from the foundation to the Attorney General.

I would urge the Attorney General, if it is a dead letter now, to reactivate it and to get such a report, and to get us the information so that we can come to this kind of conclusion because it is just not civilized, any longer, to see alcoholism as anything other than a disease which requires medical treatment and not imprisonment or the limited avenues of concern which can be given by a magistrate.

Now, let us point out another incident, Mr. Chairman, not for the purpose of piling one on the other, but to illustrate the problem in the area where the citizens of the province come in contact with the law. This magistrate for the best of reasons in the world, tried to see whether he could not get some help for this particular girl, who had been picked up on the most minor offence that there is—she had been picked up in a restaurant on vagrancy A. Vagrancy A for a first offence would never get her more than a fine, at the very most five days. And the magistrate out of his interest in this girl, and in his attempt to do something for her within the limited areas that are available in the courts for this kind of work, in fact committed a serious breach of the law because by the time he had tried to do what was available to him, this girl on that vagrancy A charge had spent 24 days in jail—because somebody was trying to help her, illegally as it turned out. I am quite certain that that particular magistrate, in similar circumstances in the future, will simply say: "I am the magistrate—five days or $10," or whatever it is, and will not attempt to get himself involved. It could only have been a serious reflection on him as a magistrate.

These are the areas Mr. Attorney General, Mr. Chairman, these are the areas which are of crucial concern to people in the province of Ontario. Basically they are not concerned with the county court, with the county court judges criminal court, with the supreme court of Ontario, with the Ontario court of appeal, with the supreme court of Canada, with the exchequer court of Canada, with the high level of courts because once you get into those courts you are in the area where, by and large, people have the funds to make certain that all the rules work.

But the place where the administration of justice is not adequate, and is not functioning properly, is in the juvenile and family court, in the magistrates' courts, in the division courts—if my information, and it is not personal information, is correct—and in the traffic courts of this province. This is the area where the administration of justice is, in my opinion, deteriorating before our eyes, partly, and only partly due to lack of accommodation. But lack of accommodation is a very real indicia of the lack of concern by the Attorney General and the administration of justice throughout the province of Ontario in these crucial and vital matters.

Mr. Chairman, I would like to move on to another area where I think that following along on this proposition of the convenience of the courts and the citizens of their rights, particularly in the areas of police investigation and questioning and interrogation and charging, the right to be represented by counsel, the right to be warned. I would pass on to the actual processes by which the courts are now governed. One of the things which really bugs the administration of justice is what I call bargain justice. That is the accepted practice of the police laying the double-barrelled charges, so that if you consent to pleading guilty to the lesser one, they dismiss the more serious one.

All sorts of that bargaining goes on because there is no clear separation, Mr. Attorney General, in this province, between the police, the Crown attorney and the magistrates. There has got to be a clear distinction between each of those three layers, but in our tradition of justice as they got broken off into these various areas they still overlap and, in a very real sense, sir, they are into each other's pocket.

I mean that in the sense that there is a bargaining of justice that is involved. They are all part of the same club and group, and one reaction of this, one indicia of this, of course, is this habit of having judges on police commisisons. They should not be on police commissions. It seems impossible to get it across to the Attorney General that judges should not be sitting on police commissions. There should not, in the city of Toronto, be a metropolitan police commission where three of the five members are two magistrates and one county court judge. Why? Because there is not this clear distinction between the magistracy, the judging part of the apparatus, and the police part of the apparatus and the Crown attorney's part. It is not sufficient to say that because they are judges they can therefore deal with the police better than anybody else. They cannot deal with them better than anybody else. They are involved in the same game of protecting the machinery, and one need not elaborate

and deal in any great detail with the case, which was elaborated by Ron Haggart, of the seaman who was beaten up by the police and the problem which is now before the courts, in that particular instance.

One need not go through it, but the fact of the matter is that a study of that whole procedure is needed—nobody has denied the accuracy of the facts as set out in Ron Haggart's several columns on it—since the system does not work. The police commission by and large is protecting the police. They seem to think that the balance is in favour of the police. Well, Mr. Attorney General, the balance has got to be in favour of the citizen in police commissions.

As one illustration of it I simply ask that at least the judges and the magistrates, if they are going to be on the police commissions, be in a minority to the elected members of council who sit on those police commissions, because this is where you get the responsiveness to the people. This is one of the ways in which we can reconnect the administration of justice to the people of the province, because right at the moment it is severed so wide that it is very difficult either for the police or for anybody connected with the administration of justice to get the co-operation of the ordinary citizen to make the system work because he has no confidence in it; not because he is opposed to it—he has no confidence in it.

What the Attorney General is going to have to do—and I know he enjoys the conferences at Ottawa when he is dealing with the law of the land—but one of the things I would like the Attorney General to put in the back of his head for the day, if and when, The British North America Act is amended, is to make certain that the appointment of county court judges is brought down to the point where it is the responsibility of the government of the province of Ontario to appoint the county court judges as well as other lower members in the judicial hierarchy.

I think it would be a very good thing for this province if the judges of the county courts were appointed by the Lieutenant-Governor in council.

**Mr. Sopha:** Why would you say that?

**Mr. Renwick:** Because what we have had—and this is a digression and I will not digress too far—but when you have all the judges of the senior courts from the supreme court of Canada to the exchequer court to the supreme court of each of the provinces down to the county courts appointed solely by the government at Ottawa, then you do not have any real differentiation of attitude and outlook and connection.

I am not concerned in the way that other lawyers are concerned about taking politics out of the appointments of judges, that is not the point. The important point is to get judges who have been involved either in politics or with people so that they understand what is going on. I simply suggest to the Attorney General for his consideration that the county court judges should—under our Constitution—fall within the appointment of the Lieutenant-Governor in council.

**Mr. Sopha:** I hope I never live to see that day.

Interjections by hon. members.

**Mr. Renwick:** I would like to move on to the appointment of magistrates. I think in this particular area I would suggest—and I would suggest it as a trial, I know it runs so counter to tradition that I am sure the Attorney General will shudder at it.

I am suggesting, because of the defaults and the deterioration of the administration of justice which, to my mind, are patent, that the Attorney General seriously consider the proposition of providing on a test basis for the election of magistrates by popular ballot from amongst the barristers and solicitors in the municipality of Metropolitan Toronto.

I would like to suggest that at this particular time I am certain that men of calibre and of character and ability would contest and stand for such an election, and I am suggesting—

Interjection by an hon. member.

**Mr. Renwick:** I am not going to argue whether they should be lawyers or not. I know that the Attorney General will not consent to any other ones, and I am suggesting this as a trial. I am not suggesting that it is a cure-all, but I am suggesting that there is very good evidence that in the United States, in some of the leading jurisdictions, the election of certain of the judicial officers is not a bad thing in a democratic system.

**Hon. Mr. Dymond:** Some of the worst administration of justice in the world!

**An hon. member:** Oh, get off it!

Interjections by hon. members.

**Mr. Renwick:** What did the Minister of Health have to say just then?

Interjections by hon. members.

**Mr. Chairman:** Order, please! I am going to suggest the members refrain from interjections, and allow the member for Riverdale to continue with his remarks.

**Mr. Sopha:** Mr. Chairman, on a point of order.

**Mr. Renwick:** If I may, I would just comment—

**Mr. Chairman:** The member for Sudbury has stood up in his place on a point of order.

**Mr. Sopha:** Let it be put in the record that the Minister of Health said: "It is the worst administration—"

**Mr. Chairman:** That is not a point of order—

**Mr. Sopha:** "—of justice in the world."

Interjections by hon. members.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, there is a valid point of order—in view of the fact that our normal procedures have collapsed and we do not get interjections on the record. There is nobody at that table because we are proceeding so late, and we may on occasion have to rise and get this kind of significant interjection into the record, because it is—

**Mr. Sopha:** Will you stop banging the gavel so I can get in the record what he said!

**Mr. Chairman:** I am suggesting to the member for Sudbury that he does not have a point of order—

**Mr. Sopha:** I hope that *Hansard* has it; I hope it has it!

Speaking of a country that is an ally of ours—such a canard, such a canard. It is disgraceful!

**Mr. Chairman:** The member—

Interjections by hon. members.

**Mr. Sopha:** On a point of order, it is disgraceful for a Minister of the Crown to say that about—

**Mr. Chairman:** Order, order, order!

**Mr. Sopha:** And will you stop banging that gavel—

**Mr. Chairman:** No, I will not stop banging the gavel; I will not!

**Mr. Sopha:** Apparently you will not.

**Mr. Chairman:** No.

**Mr. Sopha:** I am going to report you to the Speaker!

**Mr. Chairman:** That is right; you may do so.

Interjections by hon. members.

**Mr. S. Lewis** (Scarborough West): On a point of order, Mr Chairman—

Interjections by hon. members.

**Mr. Chairman:** Order, please! Order, please!

**Mr. S. Lewis:** On a point of order, Mr. Chairman, what is the Chairman going to do and what is the Prime Minister going to do about the recording of relevant interjections in the House in the absence of any *Hansard*?

**An hon. member:** Right, right!

**Mr. S. Lewis:** Well, what is the Chairman going to do?

**Mr. Chairman:** I will say to you that interjections are out of order as far as the rules of this House are concerned, and at this particular time I would ask all the members, if they will please, to listen to the member for Riverdale.

Interjections by hon. members.

**Mr. Renwick:** Mr. Chairman, I would just record—

Interjections by hon members.

**Mr. Renwick:** Mr. Chairman, I would just record my dissent from the Minister of Health in the statement that the administration of justice in the United States is bad.

**Mr. MacDonald:** Typical arrogance!

**Hon. Mr. Dymond:** Nonsense! That is the only adjective you know—arrogance!

**Mr. MacDonald:** That is right.

**Hon. Mr. Dymond:** Look in the dictionary, there are a few more.

Interjections by hon. members.

**Hon. Mr. Dymond:** Mr. Chairman, I apologize for the unnecessary interjections.

**Mr. Chairman:** Order, please!

Interjections by hon. members.

**Mr. Renwick:** It may have been unnecessary, but it was well-spoken from your point of view.

Mr. Chairman, I would suggest that the Attorney General give consideration to the proposition that as an experiment, he try an election of magistrates in the municipality of Metropolitan Toronto.

There is a very real place in our system of justice for the magistracy to be elected by the people whom they are going to judge. The traditional system again—

**Mr. MacDonald:** Instead of being controlled by the Tory party.

**An hon. member:** What about the Liberal Party? Who appoints them?

**Hon. Mr. MacNaughton:** The people!

**Mr. Renwick:** Mr. Chairman—

**Hon. Mr. MacNaughton:** The people appointed this party.

**Mr. Chairman:** Order, please.

**Hon. Mr. MacNaughton:** The people elected 77 people to sit on this side of the House.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Renwick:** Mr. Chairman, in this same area, I would suggest that the Attorney General give serious consideration to advising the police commission that they should instruct the police forces throughout the province of Ontario that there may be advisory committees of citizens to deal with these recurring problems of allegations of police brutality which are almost impossible to track down, if they do take place.

One of the ways in which this can be done is to have an advisory committee of citizens; not members of the judiciary, not former police officers, but respected citizens of the community who would have the right to investigate any such allegations. This would give the opportunity to the citizen in the particular municipality rather than to appeal to the police commission—where he will get little, if any, solace—to appeal to a committee of citizens of his own calibre, before whom he can place any allegation of brutality or mistreatment and have it properly investigated and be satisfied that it will be done in an impartial and proper way.

Having dealt with what I believe to be this question of pre-arraignment of people and the question of the judiciary and the magistracy in the province of Ontario, let me deal with the sentencing procedures. I am going to deal with this within the framework of the Attorney General's department, and not within the framework of The Department of Reform Institutions where it is often dealt with.

**Hon. A. Grossman** (Minister of Reform Institutions): Good!

**Mr. Renwick:** I am going to suggest to the Attorney General that a system of justice in our courts which provides for a prolonged consideration of whether or not the person is or is not guilty as charged, if you go the full gamut of the trial, compared with the length of time taken to sentence the person, that there is a great discrepancy. I know there are some people in the area of reform work and reformation who do not believe that the magistracy or the judges have a place in the sentencing procedure at all. I believe that they do have a place, but I think that once a conviction has been registered on the evidence, that sentencing should be dealt with by a board composed of persons who are competent in the field of sociology, of medicine or psychology, and in the field of law.

I think that a sentencing board is better, rather than to leave it up to whether or not the magistrate in scratching his head can remember whether or not the sentence he is about to mete out is consistent with all the other sentences which are passed on people throughout the province of Ontario. I know that the magistrates will say they are making some progress in this uniformity of sentencing throughout the province, but I question whether except within broad limits, uniformity is the goal.

I think the old saying is probably still true, that you must make the punishment fit the particular—not necessarily the crime—but certainly the person, because if you are going to reclaim him, then I think you have to have the kind of people who understand all the factors about sentencing. I do not think —and I am certain the Attorney General, if he is frank with himself, will agree with me— that the magistracy is not trained in all the aspects which are required in order to adequately sentence a person in a civilized way in the province of Ontario in the 1960s. This, I think, is one thing in which the Attorney General can make a very significant contribution to the administration of justice.

I would hope that he would give serious consideration to some such experiment. I do not ask him to put systems into effect without trying them, but let us get some sensation of experimentation into the administration of justice in this pre-arraignment

before trial, in the question of trial in the court, in the bail system which my friend, the member for Downsview, has dealt with at some length, and in this question of sentencing. There is a time and a place for an experiment in the administration of justice just as much as today there is a time and a place for experimenting in the field of education.

The administration of justice has settled into a mould which is now so inflexible and rigid that it is almost impossible to provide for the kind of imaginative experiments which are necessary in order that the administration of justice can be improved or at least to prevent the dry rot setting in, to which I have referred.

**Hon. Mr. Grossman:** Mr. Chairman, I wonder if the hon. member would permit a question?

**Mr. Renwick:** Yes.

**Hon. Mr. Grossman:** Would he care to give us his opinion as to whose jurisdiction the sentencing committee would come under?

**Mr. Renwick:** I have no view on it as a constitutional matter. I would rather see it within the framework of the government of the province. I think that one of the things that we have a real problem with, if we attempt to do anything new in this country at the present time, is that if you try to do it at the federal level you do not ever get anywhere. But I think without formalizing it, or facing up to whether or not it is constitutional, there is a very real area where experiments can take place before this question develops at all.

**Hon. Mr. Grossman:** Mr. Chairman, I was presuming that the hon. member meant provincial jurisdiction, but I was really inquiring as to which department he felt this could come under. May I ask the member?

**Mr. Renwick:** Mr. Chairman, in answer to the hon. Minister of Reform Institutions, I would think that this is the connecting point between The Department of the Attorney General and The Department of Reform Institutions. I think on balance, the sentencing procedure is part of the administration of justice and that is where it takes part. But it should take part in a co-ordinated way, with presumably representatives from the Minister of Reform Institutions' staff, who could well sit on the kind of board to which I refer and could as well have an important say in who the persons are who would be sitting on such tribunals.

I think in such a way we could very clearly begin to deal with, if in no other way, this question of alcoholism. I think we could start to deal in an intelligent way with a wide area of offences which are committed, when they come before the courts; for practical purposes, what the magistrate can do is very limited. I can give an example that happened quite recently on a new year's eve party. The party got somewhat boisterous and the husband for the first time in his life beat his wife up. When he was in jail a couple of days afterwards he was very chagrined about it—

**Hon. Mr. MacNaughton:** How many times are you allowed to beat your wife?

**Mr. Renwick:** There was a certain realization that for the man who was charged, this was not only a first offence, it was done in a state of having had too much to drink, and that the man did have a drink problem. The magistrate then properly referred him for treatment as part of his probation. He put him on probation, and made it, in this weird way that they do, a condition of his probation that he attend the particular clinic. The only trouble was the magistrate then had to inform the man they were very crowded in these facilities and it might take six or seven months before he would have his first attendance at that clinic.

This is the kind of block that the magistrates run up against every day with the best intentions in the world. I would suggest that sentencing boards to deal with these matters would focus a great deal of public attention on the various classifications of people who come before them and would also focus attention on the lack of facilities in our society for effectively dealing with people who have run into—

**Hon. Mr. MacNaughton:** Beat up their wives!

**Mr. Renwick:** —trouble with the law. Beat up their wives, all right.

Let me suggest, Mr. Chairman, that this is one area where the Attorney General could very well do a great deal for the administration of justice in this province. But he has so many things that he has to do about the administration of justice that until he gets the whole department shaken up and some sense of imagination working in a new framework, with a whole new attitude toward the administration of justice, I do not think there is going to be any significant change in the administration of justice in the province of Ontario.

It is not a question of the quality or calibre of the people the Attorney General has; they are able and competent people. That is not a problem of any kind whatsoever. The problem is that the Attorney General has to give effective new direction and leadership to his department; he has to make it an exciting department.

Unfortunately, Mr. Chairman, in the wisdom of this government, which is beyond me, even though they are going to have a new Minister to administer all the statutes, it has been the Attorney General who has had to pilot through the Legislature at least four or five important pieces of legislation for which he will not have any responsibility in a very short time. Surely the Attorney General should not be wasting his time on those areas where he will no longer have any responsibility. As to the time and energy that the Attorney General has devoted to the framing and the passage of The Securities Act in this province, I guess he alone would know the number of hours that he and his staff have spent on that particular piece of legislation. It is not going to be under his department from now on and therefore the benefit of all the discussion and the benefit of all the meetings which have taken place is going to rest with him who will no longer have anything to do with it.

That is only illustrative of the kind of drastic revision of responsibility within the department that the Attorney General must undertake in order to give and to imbue some sense of importance to the administration of justice at the points at which most of the citizens have their brushes with the law.

Mr. Chairman, I would like to move on into another area of concern in this area of the relationship of the individual to his government—which is the perennial problem of government, the freedom of the individual within a society which provides him with that freedom. I am one of those who subscribes to the belief that apart from society, man does not have any liberty; it is within the way in which that society is ordered that liberty is achieved for any individual, he is not apart from society and that society in some way only impinges on his freedom. His freedom is dependent upon him being in society, and our job as the government and the Legislature is to make certain that the way in which that society operates will maximize that kind of freedom for the individual.

I move away from that particular field that I have been discussing for some time, Mr. Chairman, on to the area of the question of the administrative tribunal and the question of the ombudsman, which has been dealt with time and time again. I have attempted since my remarks last year, to spend a little bit more time trying to understand in what way these particular innovations, if you want to call them that, can be introduced into our system. They are not really innovations, Mr. Chairman, because slowly, by and large, the government departments are instituting their own administrative tribunals of one kind or another. They are doing it in a typical Tory way. They keep it within the department. They have very little to do with any rules or regulations.

A perfect example, of course, is this negotiation committee which has got a sort of semi-legal way of solving problems related to arbitration of property. The Attorney General takes some solace out of the fact that a tremendous number of people want to make use of it, without realizing that the other side of the coin obviously is that the traditional method just bloody well did not work and that this particular system, poor as it is, of the negotiating committee requires a considerable amount of improvement before it will meet the kind of open public scrutiny that is required of any form of appeal procedure within any department.

I am suggesting to the Attorney General that one of the things that he could well give consideration to—my friend from Downsview has spoken about it—is an administrative procedure code and an administrative tribunal to deal with this vexed question of the exercise of administerial discretion, and the exercise of discretion by boards, not just by boards, Mr. Chairman, but by Ministers.

One of the myths of our society is that the exercise of administrative discretion by a Minister of the Crown is not open to review by anyone. So long as he says it is reasonable he does not have to give any reasons for it. Well, it is about time, in the kind of society that we live in, that there be an administrative tribunal before which Ministers and other boards would be required, if they have not done so, to give their reasons why they have exercised their discretion in a particular way where a subject of the Crown is involved. This is essential.

The other side of the same system is to provide for the ombudsman. It is true that the members of the Legislature in their own way, one way or another, attempt to perform that kind of a function and get a high degree of co-operation from the various departments of the government. There is certainly not a member in our party here who does not receive a great deal of co-operation in process-

ing matters of concern to constituents, but I would say that there is a very real place for the ombudsman as a rather more formal way in which people in this province could register their objections to the way in which government impinges upon them, whether it is the provincial government or the municipal government.

I think we have a perfect example now of the situation, where nobody knows what the rules are and nobody knows what the rights are, but everybody is disclaiming responsibility. That is the case that my colleague from Yorkview raised about these backyards which are disappearing into the valley. It would seem to me that that kind of thing where there is a complete vacuum. Rather than leaving it up to the individual who has suffered the misfortune to start the processes at work which will provide an answer for him as to whether he is entitled to compensation or not, now is the time for such a person as an ombudsman who could make at least the first preliminary investigation and give some kind of opinion as to whether or not there was either a legal responsibility or a moral responsibility in any branch or department of the government, at the provincial level or at the municipal level.

I am suggesting, Mr. Chairman, that these are not importations of foreign ideas. They are absolutely essential parts of an evolving system of democratic government in which concern is expressed and felt by government for the relationship of the individual to his government, at a time when now and in the future the government is going to impinge and to intervene and to be involved more and more in decisions which are made.

Mr. Chairman, I believe the Attorney General was in the House when this constant and continuous debate went on about this nebulous distinction between a needs test and a means test. Well, when we ever get to the level where we can start to deal only on needs tests, and adjust things to individual needs, no matter how good the people are who are administering it, you are going to have to have a method by which an individual can appeal as to whether the assessment of his need has been properly made or not.

These are the kind of things where I think the Attorney General should be providing the initiative. I do not think he is. I am concerned because I think he has the ability. I think perhaps if he could stop operating The Attorney General's Department like an English country solicitor's office, it would be possible for him to come to grips with these kind of problems. I think this is absolutely essential and necessary, and I cannot help but shudder when we have the law reform commission held up to us as an example of how our law is being reformed and brought up to date.

We have the rule against perpetuities. We have this study going on about condominium. We have got another study going on about mechanics lien, which has been under study for a long, long time. We have this study going on about personal property security law.

All of them are very important, in a very very relative sense, but within the perspective of what the administration of justice now requires in the province of Ontario, they are marginal, peripheral and fringe problems.

I do not think that the province of Ontario is going to come to an end if the study of condominium is not completed for another ten years.

**Hon. Mr. Wishart:** What about the whole series of family law studies?

**Mr. Renwick:** Mr. Chairman, I do not know the terms of reference of family law. I think that that is a very useful field to study and a very necessary field of study, but I would make this comment, that the Attorney General must not allow the law reform commission and its studies to stand in the way of immediate and necessary reforms.

I pointed out last year that throughout Canada, the province of Ontario is the only province where the courts do not have jurisdiction to declare judicial separations. They do not have that jurisdiction by an accident of history, a freak, nothing else, nothing to do with the rights of people or anything else. I do not think we have to wait for the family law study to be completed before this Attorney General takes the initiative to provide that the courts of the province of Ontario should have jurisdiction in that kind of a case.

I think that there are many, many other cases that the Attorney General need not wait upon the law reform commission, because frankly, I do not think that the law reform commission is able to cope with all the questions that have been referred to it. When you add to that that the chief law reform commissioner is engaged in this mammoth study of the question of the rights of citizens, which obviously is not going to be presented this year—whether it is to be presented next year one would never know—then I think that the Attorney General has got to give

some serious thought to not saying that the law reform commission is the place to which we refer everything. Because, if so, it is going to get lost in the shuffle the way the personal property security law got lost in the shuffle.

It was in the late 1950's that the Catzman committee first sat on the personal property security law. It was, I believe, in 1962 that the Osgoode Hall law school brought together in one place for a three-day conference, everyone that they thought could contribute, from the United States and the United Kingdom, if my memory serves me correctly, on the question of personal property security. The law has been drafted, redrafted, revised, redrafted, submitted again to the law reform commission, and finally has been presented.

I do not think it takes eight, nine or ten years to renew and reform a branch of the law which is crying for reform, particularly when the basic spade work had already been done in the United States. I just do not think it was necessary.

My point is not to argue that point. I have expressed it before—it is simply to emphasize the need—the essential need—for the Attorney General taking a hold upon and a grasp of all these questions relating to upgrading the laws of the province, but basically, to upgrading the administration of justice and providing the impetus and the incentive to let people know that he, the Attorney General, is not pleased with an uneven administration of justice in the lower courts of the province, where so many of our citizens come in contact with the law.

Mr. Chairman, I have gone on at some length but I wanted to make these particular points to the Attorney General in his estimates. I think there is a tremendous amount which can be done within the scope of his department but, until he shakes it out of this traditional mould in which he operates, modernizes it, streamlines it, gets it interested in the kind of problem that I have attempted to point out today, then all I can say is that my opinion is the Attorney General's Department is failing. I do not think we can afford to have it fail and I would suggest that the Attorney General get on about his business.

**Mr. Chairman:** Now we will give the Minister the right of reply if he feels so inclined, to any of the submissions that have been made.

**Hon. Mr. Wishart:** On the contrary.

**Hon. Mr. MacNaughton:** Mr. Chairman, may I—

**Mr. Chairman:** It has been the practice in this House, and the members of this House have already voted upon the procedure, that we would have a lead-off speaker from the Liberal Party, a lead-off speaker from the New Democratic Party and then the Minister could answer any questions. If the Minister does not wish to speak at this time, we are ready then, of course, to carry on with our vote.

**Mr. Sopha:** Well, if nobody else will speak—

**Mr. MacDonald:** I am willing but I cannot speak now. I did rise earlier.

**Mr. Sopha:** Yes, if the Minister is not going to speak at this time we will have to proceed with vote 201.

**Hon. Mr. Wishart:** Mr. Chairman, I did not rise immediately to the suggestion that I follow the procedure you had outlined because I had understood from the member for Sudbury that he wished to make some very wide-ranging remarks upon the general field of my estimates and his address would occupy some time.

I have made notes of the two speakers who have led for the other parties. If the member from Sudbury is not going to be permitted an opportunity to add his remarks in this area now—

**Mr. Chairman:** Only on the vote; that is what has been decided by this House.

**Hon. Mr. Wishart:** Then I will deal with my points in the separate votes also.

**Mr. Chairman:** All right.

On vote 201:

**Mr. MacDonald:** Mr. Chairman, there is no point of order here. The Attorney General is choosing not to reply at this point. He is violating the rules of the House, because after the lead-off speakers from the two Opposition parties have spoken, the Attorney General replies, and we go to the first vote. The proposition that the hon. member from Sudbury should now come in with wide-ranging remarks—

**Mr. Sopha:** Just a moment, nobody puts words in my mouth. Those are the Attorney General's words.

**Mr. MacDonald:** Well, I am quoting the Attorney General. If the Attorney General is correct that he is awaiting the member for

Sudbury to come in with wide-ranging remarks, I submit the member for Sudbury would be out of order. Now is the time for the Attorney General to speak, and presumably then we get into policy issues and such other things that fit into the main office.

**Mr. Chairman:** This has been the policy of the House, it was voted by the House, and I would say at this time that if the Attorney General would like to summarize, this is the time to do it.

**Hon. Mr. Wishart:** Mr. Chairman, I have no desire, of course, to infringe on the rules of the House. I do not think, however, as I understand the rules, that the Minister, whoever he may be, must reply to these remarks and I defer my reply. The two members who have spoken have ranged over the whole field of estimates, and actually the remarks of the member for Downsview had nothing to do with my estimates in a great deal of the content.

**An hon. member:** And that is normal.

**Hon. Mr. Wishart:** And that is normal. And the member for Riverdale was going, I thought in my view, considerably wide of my estimates. So the many points which I have noted, and I have many pages of notes, I propose to deal with on the individual vote.

**Mr. Chairman:** In that case, then, we will start with vote 201.

**Mr. Sopha:** Mr. Chairman, may I interpolate that we have heard two very fine speeches that I listened to with great interest by the lead-off speakers. I spoke to the Attorney General during the dinner hour, when we were at the function that has been referred to, and asked him if he was agreeable that the matter of injunctions should be raised under this vote, the main office. I think it is the appropriate vote under which it should be raised, sir, because it goes to the very root of the policy connected with the carrying out of his responsibilities as the chief officer of the Crown.

**Mr. Chairman:** I wonder if the member for Sudbury will permit an interruption? I also made inquiries along those lines in studying the votes, and I thought that it would either come under the specific procedures for injunctions, under 205, or the administration of justice, under 207, and I will be guided by the Attorney General.

**Hon. Mr. Wishart:** I should think, Mr. Chairman, it would come under the administration of justice, which is vote 207.

**Mr. Sopha:** I want to put it on the record that I discussed this with him at an earlier time—and I do not suppose he is bound by any agreements—but he said to me at that time that it was perfectly proper to raise it under this vote.

**Hon. Mr. Wishart:** Mr. Chairman, surely the member recalls that the discussion he refers to took place earlier this evening in one of the provincial rooms at the Royal York hotel. I did not have before me any of the material telling me what the headings were and I indicated to him that I was not particularly concerned when he made his remarks--whether he made them at the first vote, or ever.

Now that he asks, "Where should injunctions come?" and there is a vote 207, it would seem to me it properly comes under the administration of justice. But I have no particular, personal objection as to when his remarks are made.

**Mr. Chairman:** No. In order to expedite the work of the House, I would ask the members at this time to stay with vote 201.

**Mr. Sopha:** So I take it your ruling is that injunctions will be dealt with under 207.

I wish to address some remarks to the function of the Attorney General and to his performance in carrying out his duties as the Minister of this department, which I assume comes under the main office vote, 201. I want to refer to the statement made by his own lips tonight in concluding the opening and preliminary survey of the work of his department. I reiterate it for the purpose of the record so that all who listen to me will understand the context in which he spoke and he said this:

> The second responsibility which is, perhaps, unique to the office of Attorney General is the duty he has as the chief law enforcement officer in the province. In my own view, it must be one of the basic tenets of any man privileged to hold the office that the laws we have enacted must be held in respect by all citizens. In the institution of proceedings, the chief law officer has some discretion, which I hope will always be judicially exercised, that when he does take action, it must be known that it is taken in the greater interest of our society so that we may all be assured of the maintenance of the rule of law.

The very last phrase, "the rule of law," is of course one that throughout the generations since the development of our system began

in the mists of recorded time, springs very quickly and very happily to the lips of the lawyer. The only bothersome thing about the phrase, "the rule of law," is that most lawyers are not agreed on what it means. But the Attorney General appears to be saying in his pregnant statement at the end of his introductory remarks, that he marks it as a high function of the performance of his office that he is a law enforcement officer. With that statement I hasten to quickly disagree. Surely the office of Attorney General is something more than that of chief prosecutor.

The two members who have preceded me have used up something like three hours and 20 minutes of the House's time in attempting to point out to the Attorney General some other functions in which he might interest himself, for the orderly development and the evolution and the perfection of the law in a liberal democratic state.

Now he comes here tonight and very affably and very gratuitiously says that the member for Downsview is off the track and the member for Riverdale wandered away from the estimates, when they tried to suggest to him some areas in which he might initiate some investigation, but there remains his own conception of his office, that he is the chief prosecutor in the province.

Let me give an illustration of what I mean. Three years ago—and probably before this Attorney General took office, although he did take office some three years ago, it is getting on to three years—but three years ago there was a little case in Chapleau. Some hon. members may not know where Chapleau is, but the hon. Minister of Municipal Affairs and I know. The Attorney General knows, and up in Chapleau there is a lumber company operated by some expatriates from the Saar by the name of Wameer. And there went up to Chapleau to their domain—which they run like a feudal fiefdom, as if they had got it from William the Conqueror himself, this landed gentry—a man by the name of Damien Labelle. He is a very respected and a very law-abiding, and a very honoured citizen of the city of Sudbury. He dared to go into Chapleau for the purpose of organizing a union, in 1963.

Well, that did not sit well with the Wameers, their lumber domain, so they initiated a charge in the magistrate's court under The Petty Trespass Act, a hoary statute that sits on the books of the legislation of this assembly for the purpose of keeping somebody off your lawn—that type of thing. So they initiated their prosecution of Labelle under The Petty Trespass Act for daring to wander on their barony, where they cut down the trees. And the magistrate very sensibly dismissed the charge. Very sensibly. He is a lay magistrate, so he was not bothered with the intricacies of the law. One of the better appointments made by The Department of the Attorney General in the last four decades. He is a layman. But he could see through this law. He dismissed the charge.

Well, this did not suit the Wameers. Let me tell you this about the Wameers. The Wameers have such a high conception of themselves and their lumber domain, that they think the member for Nickel Belt is their own private member, that he serves them alone. When he goes to Chapleau they crack the whip and get him in and tell him their latest complaints. So they appealed the dismissal of the charge against Labelle, the union organizer. I forget the name of the union, but I believe it is the same one as was in Cochrane, involved in that Kapuskasing woodworkers dispute.

They appealed to the district judge. The district judge got out the books, no doubt, and he looked into the background of this petty trespass and he came to a different conclusion than the magistrate. He convicted Labelle and fined him the monumental sum of $10 and costs.

Well, that was not the end of it. The woodworkers were not going to be dissuaded by this sudden change of fortune, the tortuous way through the courts, so they appealed to the court of appeal on a point of law. I think you have to show there is a point of law. Well, who appears for the Wameers this time? None other than that brilliant young servant of the Attorney General, Clay Powell. Mr. Clay Powell is in the court of appeal, responding to the appeal of Labelle, of the woodworkers, who has now been convicted under The Petty Trespass Act for daring to organize a union on the Wameers' domain. And my question is simply this. A simple one. What is Mr. Powell doing in the court of appeal? What is any emissary of the Attorney General doing in that appellate tribunal?

**Hon. Mr. MacNaughton:** Mr. Chairman, I would like to rise on a point of order. With respect to you, sir, and without being as knowledgeable as I should be, I submit to you that this could come under vote 207. This does not have to do with the administration of justice. I have nothing more akin to that particular subject. This was the ruling of the previous Chairman.

**Mr. Sopha:** I am dealing with policy.

**Hon. Mr. MacNaughton:** It is not policy, it is the administration of justice. You have talked of nothing else.

**Mr. Sopha:** Policy—decided by this department that Mr. Powell will be used as a matter of policy to assist the Wameers—that is my allegation—to keep a union out of Chapleau. That is the charge I make.

**Hon. Mr. Wishart:** Mr. Chairman, could I ask the hon. member when did this case, which he is relating now, occur?

**Mr. Sopha:** 1963. And reported in the *Ontario Reports* of that date.

**Hon. Mr. Wishart:** I therefore have no knowledge of it, except by what is reported.

**Mr. Sopha:** Well, I say it fits in with what I say in the Attorney General's own statement that he is the chief prosecutor.

**Mr. MacDonald:** It does not—

**Hon. Mr. Wishart:** It is not my policy.

**Mr. Sopha:** Yes, that he is the chief prosecutor.

**Mr. MacDonald:** Right!

**Mr. Sopha:** And I want to say that as a matter of policy and for the benefit of the Minister of Highways, who is not presently engaged in building his bad roads, but is interfering in the—

**Hon. Mr. MacNaughton:** Oh, Mr. Chairman, that is particularly out of order. I really submit that to you. You are allowing him to range over the subject that you denied somebody else to discuss, or at least your predecessor in the chair did so.

**Hon. J. P. Robarts** (Prime Minister): There is the usual method—not this talk about anything which leads to breakdown of procedure.

**Mr. MacDonald:** Mr. Chairman, the conduct of the House breaks down because the House should have adjourned at 11 o'clock if any intelligent ordering of the business of this House were conducted.

**Hon. Mr. Robarts:** If we have to listen to this kind of nonsense, we will sit here and listen to it. We will give lots of time, we are quite used to it.

**Mr. MacDonald:** It is all very well, when half your members have gone home.

**Hon. Mr. Robarts:** Well, you may go home if you choose.

**Mr. Sopha:** So, let us get that on the record, that remarkable intervention.

**Hon. Mr. Robarts:** This is nonsense.

**Hon. Mr. MacNaughton:** Are we going to rule on the point of order, Mr. Chairman?

**Mr. Sopha:** This is becoming impossible.

**Mr. MacDonald:** Are you running the House?

**Hon. Mr. MacNaughton:** No, I am on a point of order. If the chairman rules me out of order, I sit down, but he has not yet—

**An hon. member:** You have been out of order all night.

**Mr. Sopha:** When one complains about the intervention of this important department in what are purely union-management affairs, whether a union shall be organized or not, up in the bush at Chapleau, the hon. Prime Minister calls it "this kind of nonsense".

**Mr. MacDonald:** The usual anti-labour reply.

**Hon. Mr. Robarts:** But you are on the wrong vote. We have got features here for you to make these statements. I would say also, I have listened—was the member involved in this case, I wonder?

**Mr. Sopha:** Not at all.

**Hon. Mr. Robarts:** Because we have listened to quite a few stories of his own cases.

**Mr. Sopha:** Yes. Because I happen to be in the courts a lot. And I want to say to the member for Riverdale, I want him to harken that when he spoke so long about the magistrate's court tonight as he did, when the Prime Minister was not here, he spoke at great length about magistrate's court, the most important courts in the country. And I want to put on the record that one day at a meeting of the legal bills committee, the former Attorney General, the now Minister of Lands and Forests, hurled at me the epithet "police court lawyer". It is a term of opprobrium to show the contempt of an occupant of the high office of Attorney General for that important court.

**Mr. Chairman:** I wonder if the member for Sudbury would just get back on to vote 201 and then we will stay with that vote.

**Mr. Sopha:** I have finished the point I wanted to make about the case of Regina and La Belle. By way of interpolation for

the Prime Minister's benefit, let me say to him through you, Mr. Chairman, that I will never be dissuaded about speaking out for justice because I happen to be involved in the case. I have been involved in a good many more cases in the criminal courts of this land than the Prime Minister has. A good many more, though I am younger in years. His favourite was the highway transport board. Mine is the criminal court.

**Mr. Chairman:** Would the member go back to 201?

Interjections by hon. members.

**Hon. Mr. Robarts:** My comment is relevant in that I object to the hon. member discussing under this vote something that properly comes under another vote.

**Mr. MacDonald:** I say, what relevance was the Prime Minister's comment that the hon. member for Sudbury was dealing with a case that he had dealt with in the courts? Completely irrelevant. Absolutely and completely irrelevant.

**Hon. Mr. Robart's:** Well, that is the member's opinion. I mean, if he is going to describe my remark as irrelevant. I do not think so. I think the hon. member objected to my comment about this case. I remarked that we have listened to a lot of nonsense in this House and I think we do. I think every member who sits in this House listens to a lot of nonsense, and I am just pointing out that time after time in this House we have listened to the hon. member for Sudbury describe some of his own cases in the courts, which I do not think are necessarily relevant to the business of the House.

Interjections by hon. members.

**Mr. Sopha:** I promise not to talk about my own cases. May I make that vow, that I will not talk about my own cases, but I just want to say about my own cases, that I win more than the securities commission wins.

I want, on this vote, at this time to make one more point, and I hope I am allowed to do it. We have listened to constructive suggestions for reform and to suggestions for the taking of a new direction in the administration of justice in this province—The British North America Act, after all, charges the provincial government in solemn terms in section 92 with the responsibility for the administration of justice. The province of Ontario, we must remember, is rather unique among the ten across the country—there may be one or two others—but we are rather unique in that we also assume under the rubric of that responsibility, the actual policing of our province and the enforcement of the law through a body of policemen which we hire and equip.

Most of the other provinces do not do that, they do not have that intimate connection with the enforcement of the law that we have arrogated to ourselves in Ontario. They are content to make contracts with the Royal Canadian mounted police, although, as I say, there may be one, or at the most two others, that have a provincial police force. That shows the concern and interest that we have taken in the overall rubric of that phrase "the administration of justice" in the province.

It is in that light I am sure that the member for Riverdale, my friend, the member for Downsview, made their statements tonight, based upon principle and pleading as much as the human voice could, for a new direction in the evolution of our laws, and the departure from the concept inherent in this second last, penultimate paragraph, of the Attorney General where he visualizes himself as the chief prosecution officer in the province. He is not that, he is much more than that. He ought to be the protector of the rights of the citizen.

**Hon. Mr. Wishart:** I did not visualize myself as a chief prosecution officer, that word is not used at all.

**Mr. Sopha:** Well, in the department, we have an official known as the director of public prosecutions, a terrible name to give to any official, "director of public prosecutions."

**Hon. Mr. Wishart:** Sometimes they are necessary.

**Mr. Sopha:** I am not going to belabour it because the Attorney General either does not understand the point that has been made over here or does not want to comprehend it.

But there is one small reform to chart the new course that I want to advocate at this time. I hope that we have arrived at the point of time in this enlightened era in which we live where we could do away with the concept of the Crown attorney and his assistants as being concerned only in the securing of a conviction of the offender.

It was said a long time ago by W. B. Common, probably 15 or 16 years ago, the former Deputy Attorney General, that in the administration of the law the Crown never wins or loses. The Crown must occupy a disinterested opinion. And that is really

what the member for Riverdale was talking about when he was advocating that the police be instructed to acquaint accused persons of their rights.

The one small physical reform that I would like to live to see and see it soon occur in the administration of our criminal justice is a matter of policy. I would invite the hon. Attorney General to consider during the ensuing year whether we could abolish the prisoner's dock in our courts. Let the prisoner, innocent until he is proven guilty, sit at the counsel table with his lawyer and advocate. The whole atmosphere in the criminal courts as the assizes open and the man is given in charge to the petit jury, when he is put in the prisoners' dock under guard, is that here is a man who is guilty from the outset and has the onus of proving his innocence.

I transgress on the vow I made a minute ago when I promised the Prime Minister that I would not refer to a case, but I had one last fall—

**Hon. Mr. Robarts:** The member is not bound by any comment. I would not see him bound by that vow.

**Mr. Sopha:** Thank you. Now there is a gentleman. It shows how Mr. Polyansky rubbed off on him.

At the opening of the trial, lo and behold the fellow charged with manslaughter not only is the prisoner in the prisoner's dock, but the jail guard is also beside him, sitting beside him in the prisoner's dock, as if this was some kind of ferocious animal that needed to be guarded at a distance of not more than six inches.

I said to the trial judge: "Surely this is improper? The guard does not have to get in the dock with him." I added, because I have my obligations to my client and I got it out quick, I said: "He has been on bail until the trial."

You see, you let the jury get the message.

The trial judge said: "You did not need to make that comment."

Well, I did not need to make it, but it was certainly helpful to make it. But really I ask, and my plea is solemn, have we not arrived at a point of time when this holdover from an age perhaps originating three or four or five centuries ago could be swept away in obsolescence? Put it aside and recognize that the right of the accused to be considered innocent until he is proven guilty is a meaningful one. We really believe it, we believe in it. That is what the member for Riverdale means when the man is entitled to counsel—the Gideon case; the Wainwright case and Escobido—all those in another jurisdiction that the Minister of Health typifies as having the worst administration of justice in the world.

**Hon. Mr. Dymond:** Mr. Chairman, I did not say "the worst." I said: "Some of the worst administration of justice in the world."

**Mr. MacDonald:** You have some of the worst here, too.

**Hon. Mr. Dymond:** Well, that is a qualifying word, but the hon. member does not know it.

**Mr. Sopha:** Then I can document one other thing. I think this is an appropriate place to add, as an appendage, to the remarks of the hon. member for Riverdale when he read from the Boudreau case. Boudreau's case, of course, was changed by Fitton when the court had another look at it.

"Hard cases make bad law." Fitton was a terribly evil individual, and Fitton had to go to the gallows. That is the type of case that makes bad law. But the supreme court of Canada took another look at Boudreau under the law relating to confessions in Fitton, and they narrowed their doctrine.

But in the same way, having been shocked by Isabel LeBourdais' book on Steven Truscott, I was reminded of the case of Anthony Wayne Yensen, and I put a question on the order paper about Anthony Wayne Yensen, whether the procedures of the provincial police had been changed in respect of the questioning of juveniles accused of serious crime. I do not need to go to *Hansard* to read it out because I have committed to memory what the Attorney General said.

His answer was simply this—given off the top of his head: "The police officers and the police authorities are familiar with the remarks of the chief justice in the Yensen case."

That is not good enough for me, whether they are familiar or not. I do not know if they have to con those by rote, or whether they have to pass an examination on them.

What I want to know is, whether after the chief justice, Mr. McRuer, made his remarks in the Yensen case, were steps taken by the chief prosecutor of the province to familiarize the law enforcement agencies, about the rights of juveniles when they are apprehended by the police?—and I might inform the House that Yensen was not my case either. I might inform the House that the

learned chief justice excoriated and condemned the police for the type of inquisition they carried out on Anthony Wayne Yensen, and at the end of the Crown's case, Anthony Wayne Yensen went free. The case did not even go to the jury because the chief justice removed it from their jurisidiction, because ruling out the confession, there was no case to be put to a jury.

And that is what the members for Riverdale and for Downsview were talking about. Those are the policy matters.

**Hon. Mr. Wishart:** Mr. Chairman, may I ask a question of the member?

Does that not illustrate to the ultimate degree, the protection which the courts throw around the activities of the police in questioning not only juveniles, but all accused—the very fact, as the hon. member has recited, that because the police went outside their authority, the accused went free? Now that is the point that I make.

**Mr. Sopha:** The point is that if the Attorney General, in the exercise of his high office, sees himself other than the chief prosecutor, the chief law enforcer, in the province, then the Attorney General should send a directive down to the Ontario police commission and to the heads of the Ontario provincial police, and say that he wants this drawn to the attention of the CIB, and that he looks with grave disfavour on the remarks made about them in the investigation of this case, and should say, "I am the Attorney General. In the exercise of my public responsibilities I look with disfavour." But lo and behold, in the realm of policy in this office, we wait in vain for some initiative step by the Attorney General to show that he is at least equally concerned with guarding the rights of the individual as he is with enforcing the law.

Enforcing the law must surely be only one side of the coin. The protection of our fundamental rights and liberties must at least have equal claim for attention by the occupant of this office.

I say, with no apologies to any person, that I sat in this House through the reign of three Attorney Generals. Two of them were hopeless failures in the exercise of their office; we have some hope for this one, this fair and reasonable man who now occupies this office, who shows us at the committee that he has an open mind and that he is ready to adopt suggestions.

Who will forget the first time he came to the legal bills committee with his amendment to The Police Act? And what did he say as he introduced the amended statute? It is worthy of recording and informing the members of the House what he said. He said:

> The statute now contains protection, every protection we know, for individual liberties.
>
> If anybody here wants anything else included to protect liberty in this province, tell me and I will put it in.

There is a statement made by an honest, fair-minded and open-minded man. When the members for Downsview and for Riverdale spoke in the way that they did, pleading for a new direction in this department, they spoke to a man who they assumed to be open-minded and impartial and objective.

I am glad that I had the opportunity to make those remarks because they provide the proper background on what I am going to say later on the subject of injunctions—tomorrow, I hope. The *Globe and Mail* says: "It is time the public was told the facts on injunctions." I accept the challenge; it is time they were.

The sun will rise tomorrow and we will meet here again, and I will be given the opportunity to say something about them. But now I add my plea to those of these two able lawyers who have spoken tonight. And let it be noted that of the six lawyers that we have on this side, five of them are here tonight. There are 14 lawyers on that side, but most of the time there were only three present.

I want to say this in closing, I hope that they are here tomorrow because this is a debate for lawyers, and I would like to have a jury of the 14 over there, the whole 14, so that they can sit and listen to what we have to say—

**An hon. member:** We are reasonable.

**Mr. Sopha:** We are reasonable too. We are reasonable people too, and if we are wrong in what we say in our interpretation and application and meaning of the law, then let them get up and show us how we are wrong, and we will change our minds too, if they can show us how we are wrong.

Vote 201 agreed to.

On vote 202:

**Mr. Singer:** Mr. Chairman, if you are going to start vote 202 at midnight—we have been at it since—well, the legal bills committee met at nine o'clock this morning and it is now midnight and if you want to start

that, then we will go on all night. Is that the Prime Minister's intention?

**Hon. Mr. Robarts:** No, it is not my intention, Mr. Chairman.

Hon. Mr. Robarts moves that the committee rise and report that it has come to a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report a certain resolution and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, tomorrow there will be five bills, I believe, to be dealt with in the House and the committe of the whole. We will then proceed, Mr. Speaker, with the estimates of The Department of the Attorney General.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12.00 o'clock, midnight.

No. 166

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Wednesday, July 6, 1966

Morning Session

Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JULY 6, 1966

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** Petitions.

Presenting reports by committees.

**Hon. C. S. MacNaughton** (Minister of Highways): Mr. Speaker, I would like to table the report prepared by the Deputy Minister of Highways in answer to the questions raised in the Legislature by the hon. member for Bracondale.

**Mr. Speaker:** Motions.

Introduction of bills.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, before the orders of the day, there were some questions directed to my department and I was not here to answer them earlier.

The member for Brantford submitted a question:

> Would the Minister explain to the House the reasons why Mr. Bryan Cooper, a recent immigrant to this country from England – as stated in the Brantford *Expositor* of June 29, having passed all medicals as prescribed by The Department of Citizenship and Immigration for entry to this country as a landed immigrant, and been cleared by British medical authorities as an inactive case of TB, now 11 years old—would the Minister explain the reasons for his department refusing to grant a work permit to this gentleman under these circumstances, causing him considerable hardship and possibly his having to return to Great Britain because of this condition?

Mr. Speaker, the complete answer to this question would lead to the revealing of confidential information which I could not in conscience do in this House without the express permission of the gentleman involved, Mr. Bryan Cooper.

However, answering it in general terms I would say The Silicosis Act was the Act under which we were asked to provide a work permit for this man. This Act was framed by the province of Ontario; only one other nation in the world has such an Act, that is South Africa, set up specifically to protect workers who are exposed to the damaging effects of silica dust.

Because of Mr. Cooper's history and the clinical findings, it was believed it would be dangerous for this man to be put in a position where he would be exposed to silica dust, and for this reason the work permit was not granted.

This does not mean to say that Mr. Cooper cannot work. The fact is that the British medical authorities cleared him for immigration purposes only, and of course this was quite in keeping with fact. But it is rather interesting to note, and we have been in contact with the British doctors concerned, that they also stated he should not be in a position where he would be exposed to silica dust.

Another question put by the leader of the NDP was: "Has the government refused to pay grants for the use of measles vaccine now available and in use in other provinces? If so why?"

Mr. Speaker, the government has not refused to pay grants for the use of measles vaccine now available. Rather, we in The Department of Health are very much concerned and have not encouraged the use of this vaccine in mass immunization programmes because of the very high incidence of unfavourable reactions in the recipients. This is a live vaccine, and the reaction rate has been running as high as 12 to 15 per cent.

However, I am able to advise you, sir, that studies and research are now very actively in progress by Connaught laboratories here in Toronto, to develop a measles vaccine which can safely be added to those agents now in use, all proven and highly effective. Without being specific concerning this research, I can state the work is progressing and is most promising of success in the near future.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I wonder if I might ask the Minister a supplementary question?

Has this incidence of a reaction rate, as high as 12 per cent, been the experience in other Canadian provinces where it is now in mass use?

**Hon. Mr. Dymond:** This is the information that I have, sir, from the scientific journals.

The same member posed another question, which was directed in the first instance to the Minister of Labour and then was referred to my department:

> Can the Minister indicate whether the workmen's compensation board will conduct tests to ascertain the effect of sulphur dioxide on the human body in light of recent studies as requested by the welfare officer of local 6500 of the United Steelworkers of America in Sudbury?

We contacted the workmen's compensation board concerning this and we learned that the board may authorize any necessary tests in dealing with individual claims, to assess disability resulting from sulphur dioxide.

The requests contained in the letter from the welfare officer of local 6500, USW of America—a copy of which was forwarded on June 29 to our environmental health branch of The Department of Health—involved a group study of respiratory effects in workers subject to exposure over prolonged periods. There is no definite evidence that such chronic exposure causes respiratory disability. The studies referred to in the union submission all antedate 1942. While there is no evidence at present of increased respiratory disability in the workmen at Sudbury, our staff is presently considering conducting special studies in this field.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): Mr. Speaker, before the orders of the day, there was a question asked of me yesterday by the member for Wentworth East. At that time I said I could not reply to his question because I did not have the correspondence involved in this matter.

I just wish to report that I have now the correspondence and in due course of time I shall reply to the correspondence coming from the city of Hamilton.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The second order; committee of the whole House; Mr. L. M. Reilly in the chair.

**Hon. J. P. Robarts** (Prime Minister): Before we deal with this, Mr. Chairman, Bill 101 was dealt with in the legal bills committee yesterday. It is not reprinted, so we will not deal with it here until it is back on the desks in the reprinted form, which will then contain the amendments made in the committee. We will deal with that sometime later today, perhaps, which will require us to revert to this order. So we will deal with Bill 183.

## THE ASSESSMENT ACT

House in committee on Bill 183, An Act to amend The Assessment Act.

Sections 1 to 22, inclusive, agreed to.

Bill 183 reported.

## THE MUNICIPAL ACT

House in committe on Bill 192, An Act to amend The Municipal Act.

Sections 1 to 12, inclusive, agreed to.

On section 13:

**Mr. V. M. Singer** (Downsview): On section 13, Mr. Chairman, I wonder if the Minister could explain why he does not include the municipal solicitor among the people who should take an oath?

**Hon. J. W. Spooner** (Minister of Municipal Affairs): I believe that the municipal solicitor would take an oath, in the form attached to and forming part of this bill, as an appointed official.

**Mr. Singer:** Section 1(a) says:

> Every clerk, treasurer, assessment commissioner, assessor, collector, engineer, commissioner of industries, clerk of the works and street overseer or commissioner, before entering on the duties of his office, shall take and subscribe a declaration of office.

Surely the municipal solicitor is an officer of the municipality, of equal status to those people already listed. It would be a simple and obvious thing to put in "solicitor" at some stage there, and I do not see why it should not be done.

**Hon. Mr. Spooner:** It has been suggested to me by my learned friend in the law, the Minister of Labour, that The Solicitors Act probably takes care of your problem, sir.

**Mr. Singer:** No, it is a different thing entirely. There are certain obligations that all orders owe to the supreme court of Ontario and obligations that they owe to the law society of upper Canada and generally to their oaths as practitioners. But here you are dealing with municipal officials, and there is a specific oath of office that you are requiring clerks, treasurers, assessment commissioners, assessors, collectors, engineers, commissioners

of industry—almost everybody of importance in the municipal setup—to take. Why do you not put in the word "solicitor"? I think it should be there, I think it makes some good sense.

Sections 13 to 20, inclusive, agreed to.

On section 21:

**Mr. Singer:** Mr. Chairman, on section 21, the amendment is complementary to a bill to amend The Police Act, in which the Ontario police commission is given general control over lockups. If this extension of control over police lockups is given to the Ontario police commission—and I think it is logical—is the government not faced with the problem —that is, they have had so much trouble all over the province, that they should be taking over the cost of administration of justice?

We are going to get into that with our friend, the Attorney General, very shortly, but here there is a very minor recognition. You are giving the Ontario police commission the supervisory authority over local lockups; why then do you not go the reasonable step and say that lockups should be provided at the expense of the province, instead of putting an obligation onto the local municipalities which they cannot properly discharge because they have not the funds?

Section 21 agreed to.

On section 22:

**Mr. F. Young (Yorkview):** Mr. Chairman, in section 22, subsections 5 and 7, there is an advance on the original Municipal Act. It provides for an increase in the amount of the fringe benefits that may be negotiated between the employees and the councils. For quite a while now the municipal employees in many areas have felt that this clause should be removed completely, and that bargaining should take place up to the 100 per cent of fringe benefits. In many of our municipalities, the employers are now paying up to 100 per cent of pensions, of sick benefits and all the rest of it, so the feeling has grown up that civil servants, employees of municipalities, should not be held down to the old limit. In recognition of this in part, the Act has been amended in this way. But this does not go far enough. In many cases, municipalities are faced with getting help and drawing them away perhaps from industries that are paying up to 100 per cent of fringe benefits. The result is today that the bargaining takes place on wages where perhaps some of it should be taking place on fringe benefits. Many unions in the municipal field feel that they want to increase their security benefits rather than the dollars they get. This bill goes a little distance, but does not go far enough.

So I would like to move that subsection 5 and subsection 7 of section 22 of Bill 192 be struck out. And then to accomplish the total purpose, I would add to that that clause (a) of paragraph 61 of section 377 of The Municipal Act be repealed; clause (a) of paragraph 62 of the said section 377 be also repealed. This would accomplish the purpose of simply knocking out the whole section dealing with limitation of bargaining between municipal councils and the unions.

**Mr. Chairman:** Would the member let me have that in writing, please?

**Mr. Young:** Yes, I will have it for you in a moment.

**Hon. Mr. Spooner:** Mr. Chairman, I might say that this same resolution by the same amendment proposed by the hon. member for Yorkview was proposed while the bill was before the standing committee yesterday. It was thoroughly debated at that time and the committee did not accept the amendment. I would suggest that the amendment be voted down at this point also.

**Mr. Chairman:** It is just debatable whether the amendment is in order if it was discussed in committee yesterday and ruled against at that time.

Mr. Young has moved that subsection 5 and subsection 7 of section 22 of Bill 192 be struck out. All those in favour of the motion—

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, I meant to lend my support to this because when it was in committee stage I spoke in favour of the amendment, saying that this is one avenue of wage increases that should be left to the discussion of the employer and employee. I know in my community—I may be mistaken, but I am fairly certain—at one stage they were paying 75 per cent of the fringe benefits and I certainly think this should be left to management and employees to decide.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, there are quite a number of members in the House who are not members of the municipal affairs committee. Therefore they did not have an opportunity to be present and vote and express their views. I, for one, certainly would support this, and I find it just a little strange that this government feels it must intervene in the free collective bargaining process and set limits. Invariably

these limits restrict the kind of benefits that might be decided upon by the two parties for the benefit of the workers themselves. If the government were to move in and place restrictions that suggest it was going to establish an even balance, that would be one thing, but invariably their action is in this direction and I think it is a bit invidious and we should remove it.

**Mr. Singer:** Mr. Chairman, in connection with this and your suggestion that this might be out of order because it should have been raised in committee—

**Mr. Chairman:** No, it was raised in committee, and this House adopted the committee's report.

**Mr. Singer:** Well, all right, Mr. Chairman, let me say this. On July 5, yesterday, two meetings ran concurrently, the committee on legal bills and the committee on municipal law. Now there many of us who are members of both committees, and we had to make a choice between which meeting we would attend. That is point No. 1. The second point is, it has been the habit of the Clerk of this House to send to members of the committees notices of meetings. When the notice of the meeting of the municipal law committee came forward, there was on it only a reference to The Assessment Act. There was no reference to The Municipal Act at all. The government gets itself into this position because a few days before apparently the end of the session it introduces a long and a complicated bill, and then it rushes it through and does not give a reasonable opportunity for examination or a reasonable opportunity for committee discussion. It seems to me, sir, that the government should take careful note of the lack of democratic process it uses, particularly towards the end of the session, when it introduces a bill with 39 sections or 40 sections, a bill that runs 22 pages, and then pushes it through with almost no time for discussion. That is all I wanted to say about whether or not this amendment might be in order.

The second point insofar as the content of the amendment is concerned, I just cannot understand why the government is so loathe to leave to the collective bargaining process the settlement of matters of this kind. Is the government afraid of something? Do they not trust management, that is municipal management, or are they afraid that municipal civil servants are going to be so convincing that they are going to steal all the municipal treasuries in their bargaining with municipal councils? It makes no sense at all, why the government should keep on nibbling away and taking away from municipal civil servants the right to bargain.

Mr. Chairman, our fight about stacking or integration is the same sort of an indication, and it was only after the great public furor arose that the Minister of Municipal Affairs' views were reversed and he had to come in here and eat humble pie and bring in a bill reversing the very positive and definite statements that he made previous to that. Now, this is part of the same process. The Minister is getting his own way peevishly and pettily by tucking away into a long and complicated Act a section which again nibbles away at the collective bargaining rights of municipal civil servants.

For all of these reasons, I think this amendment should be supported by all members of the House.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, I support the amendment and I do not think the government can talk out of both sides of its mouth in relation to the collective bargaining process, and the so-called municipal local autonomy. Certainly the Minister of Labour has indicated to the House many times, that many of these things—when we have asked for amendments to various Acts that would increase benefits such as hours of work and vacations with pay and so on—should be left to collective bargaining; left to the rights of the union and the employers.

I think in a lot of cases that municipalities would rather have the right to bargain for fringe benefits, such as welfare and hospital insurance coverage, and they may wish to pay the full amount because there is a great deal of administrative work in paying just a share of it, particularly in the case of leaves of absence, lost time and all these things where adjustments have to be made.

I recollect quite well that the hon. member for Oshawa, last year, either during the Throne debate or the Trenton hospital affair, supported the idea of this amendment. He supported our party in trying to convince the government that municipalities should have the right to bargain and pay as great a share of fringe benefits as they wish.

**Mr. Singer:** Maybe it is just that the Minister can.

**Mr. Gisborn:** I notice that he left the House just about the time the amendment was put to the floor and I am a little disappointed. I thought he would have been here this morning and supported this amend-

ment. I feel that the time has come when hospital workers and municipal workers should have the right to bargain for their fringe benefits, the same as other people in other unions, and we will vote for the amendment.

**Mr. Chairman:** You have heard the motion by Mr. Young.

All those in favour will please say "aye."

All those opposed will please say "nay."

I declare the motion lost.

Call in the members, please.

All those in favour of Mr. Young's motion will please rise.

All those opposed please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 16; the "nays" 48.

**Mr. Chairman:** I declare the motion lost, the section carried.

Seitions 22 to 40, inclusive, agreed to.

Bill 192 reported.

The Honourable the Lieutenant-Governor recommends the following:

That,

> the real and personal property vested in the art gallery of Ontario and any lands and premises leased to and occupied by the art gallery of Ontario are not liable to taxation for provincial, municipal or school purposes, and are exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the art gallery of Ontario,

as provided in Bill 193, An Act respecting the art gallery of Toronto.

Resolution concurred in.

## THE ART GALLERY OF TORONTO

House in committee on Bill 193, An Act respecting the art gallery of Toronto.

Sections 1 to 3, inclusive, agreed to.

On section 4:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, on section 4 would the Minister explain who are the college of founders referred to in that section of the bill?

**Hon. W. G. Davis** (Minister of Education): Yes, Mr. Chairman, the college of founders is the group who initiated or originally established the art gallery, and they are still an organization. Under this bill there will be five people appointed by the college of founders of the art gallery itself. This organization goes back many years, I understand, and this was the initial organization that set up the art gallery here in the city.

**Mr. Renwick:** Mr. Chairman, could the Minister tell us who the present members of the college of founders are; how many they are; and what form of organization they have?

**Hon. Mr. Davis:** Mr. Chairman, I cannot. I would be delighted to get this information for the hon. member. I cannot tell you who the members of the college of founders are at this point, but I could get this information for you.

**Mr. Renwick:** Well, Mr. Chairman, I would not suggest you hold up anything if the Minister would let me have that information at some time.

Sections 4 to 14, inclusive, agreed to.

On section 15:

**Mr. Renwick:** On section 15 of the bill, I propose to move an amendment. The committee will note that the section simply provides that the only control that this Legislature would have over the gallery is if the Lieutenant-Governor in council chooses to ask for the annual report, or any other report. I think that we have expressed our concern about bodies which are incorporated by this province which undoubtedly received funds from time to time from the province and have complete autonomy as to the conduct of their own affairs. In this particular case it is the board itself which is constituted as the continuing corporation, and the board is made up of ten members appointed by the Lieutenant-Governor in council, ten appointed by the members of the art gallery, and five appointed by the college of founders to which we referred recently.

I believe that the very minimum connection that such bodies should have—and this is a field which we could talk about at some length in connection with all the bodies which are so established—but the very minimum connection would be an obligation on the board to furnish to the Lieutenant-Governor in council each year its annual report, and not simply to leave it on the basis as to whether or not the Lieutenant-Governor in council chooses to request that annual report.

With that in mind, Mr. Chairman, I, therefore move that section 15 of Bill 193 be amended to read as follows:

15. The board shall submit to the Lieutenant-Governor in council the annual report of the board, and shall submit such other reports as he may request from time to time.

May I comment, Mr. Charman, that in our view that is the very minimum requirement that should be contained in such a statute as this.

**Mr. Chairman:** You have heard Mr. Renwick's motion, amending section 15.

All those in favour will please say "aye."

All those opposed will please say "nay."

I declare the motion lost.

Call in the members.

Are you prepared to take the previous vote count? Section 15 carried by the previous count.

Section 15 to 18, inclusive, agreed to.

Bill 193 reported.

**Clerk of the House:** The Honourable the Lieutenant-Governor recommends the following:

That,

the real and personal property vested in Sunnybrook hospital and any lands and premises leased to or occupied by Sunnybrook hospital shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation so long as the same are actually used and occupied for the purposes of Sunnybrook hospital,

as provided in Bill 194, An Act to incorporate Sunnybrook hospital.

Resolution concurred in.

## SUNNYBROOK HOSPITAL

House in committee on Bill 194, An Act to incorporate Sunnybrook hospital.

Sections 1 to 15, inclusive, agreed to.

Bill 194 reported.

Hon. Mr. Robarts moves that the committee rise and report two resolutions and four bills without amendment and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report two resolutions and four bills without amendment and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The sixth order; House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

*(continued)*

On vote 202:

**Mr. V. M. Singer** (Downsview): Mr. Chairman, on vote 202, this is the vote that deals with the Ontario police commission and the Acts that relate to the Ontario police commission, The Police Act, and so on, and deals pretty substantially with the system of policing throughout the whole of the province of Ontario.

There is an exception, and we will save our criticism of the Ontario provincial police until the separate vote which comes a little later. But there are several points of very substantial importance that I think should be dealt with in connection with this vote.

The first point that I want to deal with, Mr. Chairman, relates to the number and size and effectiveness of Ontario police forces.

You will recall that in the last session of this Legislature there was some considerable discussion about the size and the strength and the number of police forces. This discussion revolved around the very positive recommendation and statement by the Ontario police commission that in their opinion no force having a size of less than ten men can be an efficient force in the province of Ontario. Then there were certain discussions about how this situation could be cleared up, so that we could move to a smaller number of police forces of larger sizes, better training, and better pay.

The government came forth with a typical Tory series of suggestions. They said, "We have got three methods. Voluntarily forces can be amalgamated and if all those small forces do not volunteer, we are going to try and persuade them, we will be persuasive. And then, if everything else fails, in the far, far distant future—and if we fail to succeed in any other way—perhaps we will take mandatory action and order this sort of thing to happen."

There are some wonderful quotations by the Attorney General as to how the approach of this government is justified. Of course, it is anathema for the Tories to use the words

"mandatory" or "compulsory." The system of justice and the system of policing in the province can go down the drain, but let us not use that horrible word, "compulsion." It is not in the Tory dictionary.

The policing in the province of Ontario can be falling apart, but let us not direct, let us not order, let us not have anything that is mandatory. One of the Attorney General's excuses last year was that he only got the report of the Ontario police commission recently, so there really was not too much time to figure out how we were going to proceed.

What has happened a year later, Mr. Chairman? A year later, in accordance with the report of the Ontario police commission—and I am looking at page 6 of it—as of December 31, 1965, we have 48 one-man forces in the province of Ontario; 191 two-to-five-man forces in the province of Ontario; and 41 six-to-nine-man forces. Of the 268 forces in the province of Ontario, 190 forces have a strength of nine men or less; 190 of the 268 forces in the province of Ontario, Mr. Chairman, are inefficient in the opinion of the Ontario police commission, the Attorney General's own group, the group that he has appointed, the group that he has entrusted to recommend to him. What has the government done about it? I suggest to you, Mr. Chairman, not a single, solitary thing.

Are there any examples of this deterioration? My friend from Grey South tells me of a small community in his riding that has a one-man police force. The one-man police force receives the munificent salary of some $3,000 a year. The man thought that he would try to improve his qualifications and went down to the police college and took a course and came back with the certificate. He went back to his local council and said, "Now, not only am I the one-man police force, but I have got a certificate from the Ontario police college that says I am an efficient one-man police force. Can I please have some more money?"

And the town fathers threw up their hands in horror, and said, "We would like to pay you some more money. It is too bad that you are married and have a family. But $3,000 is all we can pay you, take it or leave it." So that village in the riding of my good friend from Grey South has a policeman, who may be a very good policeman, who may perhaps not be a very good policeman, but who certainly, in the opinion of the Ontario police commission cannot operate efficiently because he is a one-man police force, and as a one-man police force who is being paid the munificent salary of some $3,000 a year—less than the most menial workers that we have here in the Parliament buildings.

You cannot get day labour for that kind of a salary, but this is the kind of policing, Mr. Chairman, that we have in the province of Ontario.

By coincidence, in this morning's paper, there is story datelined Petrolia, that I think is another symptom of this same disease and I am going to read it. It is just a short one. It is headed:

CHIEF QUITS; SAYS PUBLIC LACKS RESPECT

Peter Edmonds, 31, has resigned as the chief of a three-man force here [and that is in Petrolia] because he feels there is a lack of public respect for authority. Pete Edmonds, who came to Petrolia from Wawa in 1962 to form the town's first police force, says he is tired.

"I am only 31 but I feel and look 51." The chief, a six-foot-three naval reserve officer, said there has been an increasing defiance of authority. "There was a day when a policeman was respected and looked up to in the community."

Chief Edmonds said he submitted his resignation to clerk Harry Kirby last Thursday and that an early Sunday outbreak by a crowd of 300 teenagers was not the reason for his resignation. Nine youths protested against the arrest of one of their group after a dance and were joined by other revellers. The crowd forced Chief Edmonds and his men into their office and 40 provincial police had to be called for help.

"That mob snarling at me is unfortunately what a policeman gets from the public most of the time," he said. Chief Edmonds said the entire force has worked for the last 11 weeks without a day off. He had been four days and nights without sleep when the mob confronted him on Sunday.

The chief also listed low pay as his reason for resigning.

Mr. Chairman, what greater condemnation can there be of our system of policing in the province of Ontario, than this tale from the municipality of Petrolia? A three-man force that works 11 weeks without a day off. A chief who says that he has been four days without sleep and then he has to take on a mob of some 300 and call in assistance from 40 Ontario provincial policemen. A chief who says that he is underpaid and he just cannot stand it any more. Is this policing in this big

and modern and important province? The answer, Mr. Chairman, is obvious.

Then there is a story about the town of Pembroke and the police dispute in 1966 and I think this should form a part of the record. The Pembroke force, an 18-man municipal department, entered into an agreement with the Pembroke police commission, consisting of Judge Galligan, Magistrate Platus and the then mayor, Angus Campbell, on July 17, 1965. This agreement called for a $522 increase in salary for a first-class officer for the year 1965, and included an escalation clause to give the Pembroke police force a wage parity with the Ontario provincial police.

Following the signing of the agreement, the government of Ontario announced a substantial increase in wages of the Ontario provincial police officers as of July 1, 1965, and a succeeding increase on July 1, 1966. The officers of the Pembroke police department have never received their initial $522 increase; they have never received the increase of $600 as parity with the OPP, effective on July 1, 1965. And they have not received the July 1, 1966 increase which would give them parity in wages with the OPP as outlined in their agreement.

Consequently, the officers of this force have back pay coming to them in the amount of $1,122 per man as of June 30, 1966, and presently are working for $4,878 per year, when they should, according to their contract, be working for $6,300 a year as of July 1, 1966.

The police commission cannot or will not honour the agreement, claiming that the municipal council of Pembroke will not authorize the budget. The council will not make the necessary funds available to the police commission because it is claimed that the town cannot afford to pay a police officer his just wage—and the wage that was agreed upon, the wage that was bargained for and agreed upon. "We simply cannot honour the agreement made between the commission and the police"; and that is a direct quote from the incumbent mayor.

The police officers served notice on the commission that they wished to proceed to have the matter adjudicated by a single arbitrator as provided in The Police Act to settle this dispute. The corporation of Pembroke refused to allow this course and have served a writ on the commission and the police presumably to get an order restraining the right of the police to seek mediation before an arbitrator. This is nothing more than a manoeuvre to delay this matter and hopefully to force the policemen in the town to abandon their contract, relinquish their just wages and either seek other employment or settle for starvation wages.

The police officers of the province of Ontario, I am advised on the best of authority, will support the officers in the town of Pembroke and well they should. And well should the Attorney General. And well should the Ontario police commission. And well should every member of this Legislature.

But what happens, Mr. Chairman? If the police cannot depend on the integrity of the local police commission, then the whole system of policing in this province is thwarted. The local police commission sits and bargains in good faith with the representatives of the police officers. They make a bargain, it is written out, and then they are repudiated by the municipal council.

Here is an 18-man police force in a large municipality—larger than those municipalities I was talking about earlier, those municipalities that have forces under 10—and the whole police system is disintegrating before the eyes of the Attorney General.

These pious words that we heard last year about voluntary amalgamation, about using persuasive ability, fall on deaf ears insofar as affecting the conduct of police commissions in municipalities throughout the province of Ontario. We are reaching, in our smaller communities throughout this province, a real police crisis and this is being reached because the Attorney General and his colleagues in government do not have the courage to take hold of this situation and produce a system for policing for the province of Ontario that is effective, efficient and meaningful.

They do not have the courage to say that if we want the policemen and good policemen, in our smaller communities, we have to have trained men. We have to have ample police college accommodation to give men training and in addition to that, to attract capable young men, ambitious young men into police business in these small communities. We are going to have to be prepared to pay them a reasonable living wage that has some relationship to salaries being paid to police officers on the OPP or in the municipality of Metropolitan Toronto.

What excuse can there be, Mr. Chairman, for the salary paid to the one-man police force in the riding represented by my hon. friend, the member for Grey South? What excuse can there be for the situation that exists in the municipality of Petrolia? And most obviously, Mr. Chairman, what excuse

can there be for the situation that now exists in Pembroke? What excuse can there be that on this 6th day of July, 1966, we have 190 forces that have nine men or less?

I repeat again, and I am going to say it again and again, the words of the Ontario police commission—that in their opinion no force that has less than ten men can function efficiently. We are living in a sophisticated and scientific age. The training of police officers has to deal with the sophisticated pace with which we live. The salaries have to be reasonable in accordance with the responsibilities that we give to these policemen.

In all of these facets, Mr. Chairman, the Attorney General has failed, and we have in Ontario, in our small communities, a second- or third- or fourth-rate system of policing. It is a public disgrace. We have talked about it before. We get pious words from the Attorney General, we get no action. The government must stand condemned for their lack of courage to move into this very important situation and enact effective control.

I have a second point that I want to deal with at this time, Mr. Chairman, and that is in connection with organized crime. I hold in my hand the Ontario police commission fourth annual report for the period January 1, to December 31, 1965. I suppose a very good title for this report would be "The Vindication of John Wintermeyer."

You will recall, sir, the discussions that took place in this House and outside this House about organized crime in the province of Ontario. You will recall a former Attorney General who lost his seat because of the fuss, who denied that there was organized crime in Ontario. You will recall a Royal commission whose substantial conclusion was play on semantics, that all crime is organized, but syndicated crime to a danger point is the thing that has not arrived here yet.

Then there are slow and painful definitions of what is syndicated crime. There is some use of the word "monopoly." Well, it seems to me, sir, that rather than play with words, rather then embark on an exercise in semantics, we should read just a few of the words that the Ontario police commission wrote in this report.

I am reading from page 1, this what they say:

> Organized crime: Let us not hide the fact it is here operating amongst us, and there is evidence of syndicate organizational control, or at least infiltration into criminal activity with an attempt to exercise a measure of control with an eye towards complete control, with the results detrimental, to put it mildly, to the welfare of our people.

That is on pages 1 and 2.

I do not think there can be much room for doubt about the wording there. But they get even more positive when they come to the last pages of their report. Starting at the bottom of page 33 and going on to page 34, they say:

> From the facts ascertained during the year, it has been established there is collusion among major criminals in Ontario and Quebec and bordering centres of the United States. It has been determined that the fields in which this collusion is present are narcotics distribution, bankruptcy, arson and insurance frauds, gambling, counterfeiting, planning of major robberies and large-scale disposition of stolen bonds, jewellery and furs.
>
> There have been several criminal occurrences in Ontario during the year which have clearly indicated the existence of syndicated crime control with tentacles reaching into such U.S. centres as Los Angeles, Chicago, New York, Buffalo and Detroit, and in Canadian centres, such as Montreal, Calgary and Vancouver.

I pause at that point, Mr. Chairman, to smile a bit at the omission of the cities Toronto and Hamilton. I suspect that the police commission left those two cities out because it did not want to get too localized. Well, I am certain that even the Attorney General will agree with me that if this conclusion that the Ontario police commission has come to is correct, there have been several criminal occurrences in Ontario during the year which have clearly indicated the existence of syndicated crime control; that the tentacles reach into not only United States centres such as Los Angeles, Chicago, New York, Buffalo and Detroit, and Canadian centres such as Montreal, Toronto, Calgary and Vancouver, but there must also be Canadian centres in the province of Ontario. Two of them would be Toronto and Hamilton with possibly London, possibly Windsor, and possibly some others.

**Mr. R. Gisborn** (Wentworth East): What about Hamilton?

**Mr. Singer:** Well, Hamilton is more pure, I suppose, than any other city.

But I do not understand, Mr. Chairman, how the Attorney General and how the police commission when confronted with these statements can again play with semantics and say that there is no syndicated crime here, it is

really nothing that we have to worry about very seriously. The commission goes on to say this, on page 34:

> Additionally, close attention has been paid to the infiltration of legitimate businesses by known criminals, a trend which has lately become more prevalent. As yet we have not been able to assess all the fields of crime in which this state of organization exists, nor the full extent of control which is exercised by the leaders of organized crime, but there are indications that other areas of crime are also within the orbit of organized groups. We are optimistic—

One shock that goes through all government thinking in these fields is that they are always optimistic, they are always hopeful that something is going to happen in the future that is going to clear up this situation. "Let us hide our heads in the sand and hope that these nasty things will just disappear overnight."

Now, Mr. Chairman, you know and I know that these situations just do not disappear overnight; these are diseases that affect our modern society and they get worse unless they are treated. Eventually they rot away society unless there is some treatment given, and this government of Ontario sits by, hiding its head in the sand, issues pious phrases and plays with semantics about definitions.

These words of the Ontario police commission are clear and unmistakable and the warning they sound is loud and echoes forth with a clarion call to all of the people of Ontario. One would only hope, Mr. Chairman, that the Attorney General would turn on his hearing aid and hear this clarion call as it comes forward, as it has come forward in this province since the year 1961, when Mr. Wintermeyer, the then leader of the Opposition in the Liberal Party, sounded the alarm. Unfortunately, he did not sound it loud enough and the situation continues to deteriorate.

As yet we have not been able to assess all the fields of crime in which the state of organization exists, nor, sir, the full extent of control which is exercised by leaders of organized crime, but there are indications that other areas of crime are also within the orbit of organized groups. We are optimistic that the formation of the CISO and the liaison which has been established with other forces and agencies will enable the police of Ontario and this commission to determine the extent of the criminal network and take counteractive measures to thwart and check its activities.

Well, there it is. There it is, Mr. Chairman, and there is the condemnation.

What action have we had? We have been after the Attorney General on several occasions; we were after his Deputy on one occasion in the select committee on company law, to try and find out what they are doing about bankruptcies, and the Attorney General said: "Oh, it is a terrible situation, a terrible situation. The trouble with our bankruptcy law is that it is all a federal responsibility, and as soon as they amend the laws up in Ottawa everything is going to be fine."

I asked him a question a few days ago and he said, "Oh, yes, there has been an amendment introduced into the House of Commons and there will be a stronger Act; there will be more teeth in it and, hopefully, something good is going to emerge." But, Mr. Chairman, that is no answer, because you can have the best laws in the world on the statute books but unless there is somebody around to enforce them, all laws are meaningless. The laws are completely meaningless.

The Attorney General knows, as we all know, while it is the responsibility of Ottawa to enact laws about bankruptcy, it is the responsibility of the government of Ontario to enforce those laws. I suggest to you, sir, that we do not have the machinery in this province to properly deal with the sophisticated criminal who makes bankruptcy a multi-million dollar racket in this province of Ontario. I suggest to you, sir, that setting up fraud squads with able policemen on them is not enough. If you are going to deal with the modern business-type criminal who makes millions and hundreds of millions of dollars out of bankruptcy frauds, you have to have people trained in accountancy, and trained in law, who are available around the clock to deal with investigations, people who can read balance sheets and make them understandable, people who can spot dodges which are designed to avoid the laws of the province of Ontario and the laws of the Dominion of Canada. We do not have that type of approach. We do not do what Mr. Wagner, the former Attorney General, did in the province of Quebec; we do not set up a special fraud squad consisting of trained people, and why? I do not know why. I say that this government does not show sufficient concern to really get down to the meat of this problem.

What does the press say? The press says that "good policing is the best answer" to the warning sounded by the Ontario police commission—in the report that I have been referring to, and I am quoting from an

editorial that was in the Toronto *Daily Star* of June 24, 1966. It says:

> The commission, however, has made no suggestions. Instead it calls for measures to improve the quality of Ontario police forces. These include amalgamation of local police forces and elimination of those too small to be effective; better training for officers . . .; an improved code of discipline; better equipment; and a central registry of criminal records and statistics.

Other editorials, far too numerous, Mr. Chairman, to read into the record, deal with the wave of modern crime, with solutions or attempted solutions that other jurisdictions are trying and trying successfully.

On March 1, 1966, a news story datelined Quebec City, had this to say:

> The creation of a special investigation bureau to zero in on fraudulent bankruptcies was announced yesterday by Revenue Minister Richard Hyde. Twenty-four accountants and assessors will be available to investigate all bankruptcies and liquidation of accounts. The immediate objective will be to defend the interests of the Quebec government in bankruptcy cases as regards sales tax and corporation profits tax, but the long-range purpose will be to clean up business practices and give more protection to the legitimate businessman.
>
> The bankruptcy bureau which will have officers in Quebec and Montreal was first proposed by the Mercier report on fraudulent bankruptcies last summer. Head of the bureau will be the author of the report, Lucien Mercier. Deputy Revenue Minister, Robert Despres, explained yesterday that as soon as legal steps have been taken in a bankruptcy, all revenue department files pertaining to the company involved will be forwarded to the bureau for examination.
>
> The trustees' report on the company's financial standing will be compared with those that have been submitted to the government previously for sales and income tax purposes—

And it goes on to deal with some of the mechanics of this.

Mr. Chairman, it is only a few weeks ago that one of the leading credit men in the Dominion of Canada said that the incidence of bankruptcy frauds in the province of Ontario is now the largest of any province of Canada, and we have no government answer at all.

Surely anyone who can see, anyone who can read, is aware of the scale that this kind of fraud has reached in the province of Ontario. There was an article written in some depth by Alistair Dow of the Toronto *Daily Star* in November, 1965, dealing with bankruptcy frauds. In that article he quotes one Herbert Gordon, a trustee in bankruptcy, and he says this:

> According to Herbert Gordon, a trustee in bankruptcy, a detailed investigation could not be undertaken because nobody was willing to come up with the funds to finance an inquiry.

And this is the story in bankruptcy after bankruptcy. The creditors are hit, they have lost a lot of money, they suspect fraud, they even know that there is fraud. But are they prepared, or should they have to be prepared, Mr. Chairman, to throw more of their own good money after bad, in an effort to send to jail the criminal who has already gotten away with their money? I suggest to you, sir, that is the responsibility of those charged with law enforcement. That is the responsibility of the people of Ontario through its government, and the government in this field speaks through the voice of the Attorney General, and the voice of the Attorney General has been awfully mute in this regard.

Then there is a story here of a man named —I think this story is just interesting enough that it should form part of the record—a man named Bill Milley, who was a bankrupt. William Archibald Milley got a job three years ago as an electro-mechanical technician at Litton Systems in Rexdale for $50 a week. He was only 21 then, but he had already done more than most of us to contribute to the rising cost of prisons. Milley was and still is a bankrupt with unpaid debts of more than $30,000. Milley and the business he owned, a men's clothing store on St. Clair Avenue West, called 711 Style Shop, showed how a man with no money of his own and little business experience can run up bills in the tens of thousands of dollars.

This is not only the concern of men like Milley and the persons who chose to give him credit. The cost of unpaid debts is ultimately passed along to the public in the form of higher prices or lower income.

Milley's case also illustrates the curious and often unsatisfying method whereby creditors are given the responsibility of policing the affairs of bankrupts. The creditors of 711 Style Shop, when they got together

to study the remnants of the business after it went broke in May, 1962, decided to investigate the affairs of Bill Milley. Whatever motivated the creditors to spend $1,000 or so on this investigation, it was not the prospect of getting more money out of Milley. His statement of affairs at the date of bankruptcy showed assets of $10,900 and liabilities of $39,000, or $40,000.

As a result of the investigation, with the consent of the court, Milley was charged with two offences under The Bankruptcy Act and one under the criminal code. While Milley was arrested and appeared three times in court, he was never brought to trial, and I ask the Attorney General through you, Mr. Chairman, why Milley was never brought to trial, in relation to these charges, the charges under The Bankruptcy Act and the charges under the criminal code.

To this day, the creditors who paid for the investigation and who initiated criminal proceedings do not know why the charges against Milley were withdrawn. Milley was 19 when he bought the 711 Style Shop in August, 1960. His previous experience was that he had worked in the store for a few months under the previous owner.

According to his own report, his only investment in the store was $6,500, which he borrowed from the bank on his mother's signature. The business cost him $5,000 and the remaining $1,500 he spent "fixing up the store and what-not before I opened it."

In the 21 months before the 711 Style Shop went bankrupt, its sales, according to the trustee in bankruptcy, totalled $119,185. Why Milley went bankrupt in a business where the mark-up ran from 55 to 60 per cent, never was made clear. According to the trustee, the business bank account showed a deposit of only $68,754 from the sales. It remained to account for the $50,000, or so, which was not deposited.

Shortly after he went bankrupt, Milley was asked, during an examination under oath, about his personal finances. He said his personal drawings from the 711 Style Shop for householder personal expenses amounted to $20,000, $12,500 of this during the first year of business. "How did you use the money?" "Just extravagant spending, I guess."

During a later examination, Milley said that he did not keep weekly sheets of accounts for every week of business. "Why not?" "That is why I went bankrupt." A very elucidating answer. "Why did not you keep the weekly sheets?" "I never kept them every week, that is all."

In a report to the court, the trustee said that Milley had failed to explain satisfactorily what happened to the $50,000 in sales revenue which had not been deposited in the bank. Harris also reported that Milley had failed to explain satisfactorily his neglect to keep proper books of account. Harris was authorized by the court to lay charges and he did so. The matter was then in the hands of the Crown attorney assigned to the case.

And the Crown attorney, Mr. Chairman, pays some attention to the words of the Attorney General, I would think, or if he does not, he should. Last summer, the charges against Milley were withdrawn, that is the summer of 1965.

The Bankruptcy Act is a federal statute and it provides that the superintendent of bankruptcy, a federal officer, and a series of other people who believe that an offence has been committed, can file a report with the courts. If the court decides there are reasonable grounds to believe an offence has been committed, the trustee of the bankrupt estate is authorized to lay charges. The trustee then sends a report to the Crown attorney in the district where the alleged offence was committed. In practice it is usually the creditors who institute criminal proceedings but this does not happen very often.

It does not happen very often, Mr. Chairman, because it takes the creditors and the trustee outside the basic intent of The Bankruptcy Act. The Bankruptcy Act experts, like Carl Morawetz, a Toronto lawyer, say it is not the function of the trustee to be a prosecutor. Persons like Lloyd Houlden—a gentleman who is well known to the Attorney General, has been called for advice and has appeared before several committees and so on; a very learned lawyer, particularly in the field of bankruptcy—says it is very difficult to ask creditors who have already lost heavily, to put in more funds to investigate a debtor.

Sir, that is the story of one bankrupt and lots of questions are open. It would appear that at least a prima facie case of fraud was established. Charges were laid—it is unusual—the charges were laid, but they were laid and then mysteriously they vanish into the night.

I want to say, sir, my particular message is that unless this government is prepared to pay serious attention to the warning sounded by the Ontario police commission, this situation is going to get worse. We are not doing anything to rectify the situation and the situation is deteriorating from day to day.

There is just one more quote that I want to put on the record, and this is a quote

from the Toronto *Telegram*, in a column written by Harry Halliwell, on March 17, 1966, and Mr. Halliwell says this:

> Even in business offences covered by the criminal code, the Attorney General's Department has appeared reticent to stir up anything by tough enforcement.
>
> The prima facie evidence of this is that last year in Quebec, where the tough and determined Claude Wagner has been calling the shots, bankruptcies were sharply reduced and the bankruptcy fraud artists started killing each other off to break the chain of detection.
>
> In Ontario, bankruptcies sharply increased despite assurances that we had nothing here to compare with the situation in Quebec.
>
> In the enforcement of business law, there is a good deal of middle ground between plain pussy-footing and the policy pursued on occasion by the U.S. securities and exchange commission, that of aggressively trying to extend its powers through the interpretation of laws.
>
> One hesitates to be cynical about such things, but on the record one also hesitates to accept the new Ontario law at face value until one sees a strengthened and well-heeled enforcement body determinedly protecting the public interest.

**Mr. Chairman:** Shall vote 202 carry?

**Mr. J. Renwick** (Riverdale): Mr. Chairman, is the Attorney General going to comment at all on the questions raised by the member for Downsview?

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, to deal with the points raised by the hon. member for Downsview, first of all he makes reference to the police situation in the province of Ontario and makes some comment with respect to municipal forces. It is true that small forces are not regarded as the most efficient. This is admitted, and we have had considerable progress in the taking over of some of those forces and the policing of small municipalities by the Ontario provincial police.

**Mr. Singer:** Mr. Chairman, the progress in taking over, according to this report, is five in the whole of last year. Have there been any more that are not referred to in the report?

**Hon. Mr. Wishart:** I was about to refer to this. On page 6, the report of the Ontario police commission points out that 36 municipalities discharged their obligation under The Police Act by entering into a contract with the Ontario provincial police. We have had a survey done through the Ontario police commission with the Ontario provincial police and that survey, which has just been completed, indicates that the Ontario provincial police could, with some enlargement, perhaps police 48 additional municipalities.

These are things that take a little time to achieve, and I would add this, that certainly not all municipalities in Ontario have asked, or are willing to be taken over or be deprived of their own rights to establish and run their own police force. There have been requests from time to time by some municipalities that in the administration of justice, some should be taken over by the province or the larger portion of it should be paid for by the province. These are things that are matters of government policy that have to have consideration and require funds, if that field of expense is to be assumed by the provincial government. That is the way it would have to be achieved, as my hon. friend well knows.

We do a large part of policing with certain small municipalities through the Ontario provincial police force. There is not, in this field, a type of situation that perhaps one could compare with education where you can use the mandatory—as my hon. friend is fond of saying—approach and say you must do this. You could do it, but, I do not think it would be acceptable.

**Mr. Singer:** Why?

**Hon. Mr. Wishart:** Well, if one would stop and think for a moment. The municipalities are of varying sizes; they are scattered; their problems are different—some are industrial; some are quiet, sort of retired areas. You could bring children together in one centre, in a county, or a number of centres and educate them there. But, a police force, to serve the areas where trouble may arise, must be mobile and must be ready to deploy and move quickly into an area.

There is a certain advantage in having in the municipality even one policeman, or a two-, or three-, or five-man force, rather than having a force that you have centralized and then must deploy to serve that area. I think possibly that the concentration or amalgamation of police forces might prove to be a very expensive thing.

**Mr. D. C. MacDonald** (York South): In other words, you disagree with the basic recommendations.

**Hon. Mr. Wishart:** No, I do not disagree with the basic recommendations. I say it is something that you try to achieve, as the commission report said, in a voluntary way, and by persuasion and we have made some progress.

**Mr. MacDonald:** But you just argued for smaller forces in scattered areas.

**Hon. Mr. Wishart:** Then one of the other ways that you get efficiency, as the report points out, is in the training of police forces. I do not need to direct the attention of the hon. members to the very great advances that have been made in the training of the police forces—the members of the police forces who serve the municipalities. This is something that just cannot be brought about overnight.

**Mr. Singer:** But my friend is aware that even with the great advantage, you are still only training half of the new policemen.

**Hon. Mr. Wishart:** In my estimates I shall be asking for money to enlarge the facilities of the Ontario police college, and to provide new courses, and new instructors for the staff personnel. In these things, again, we have made, I think, remarkable progress. If you look at the figures you will see how the Ontario police college has increased and the great increase in the number of policemen attending the college, and particularly the number of new municipalities who are sending men from their forces to the college to be trained.

This is perhaps even more important, or perhaps the effect of the increased training is more noticeable in the policing of those municipalities than adding another man or two to the force.

**Mr. Singer:** And after you get the training you come back and you still get your $3,000 a year.

**Hon. Mr. Wishart:** Well, I know my hon. friend can cite an instance of this kind. I do not commend it. I do not approve of it, but there it is. I know if I use this expression the hon. member will say, oh, you are fond of using that, but there is a certain autonomy still existing in municipalities in this province in some fields of government, and I do not know that my hon. friend ever got up and proposed that we take it all away from them either. If that is his policy, perhaps he should get up and say so.

**Mr. Singer:** If you would like a little speech on that, I will give it to you.

**Hon. Mr. Wishart:** Yes, you probably would be good at that. I say that to the member through the Chairman. He cites an incident of the chief constable, the chief of police, quitting the job, he said, because of the lack of public respect.

**Mr. Singer:** And working four days around the clock, his whole force having 11 weeks without a day off and low pay.

**Hon. Mr. Wishart:** This is one situation which rightly receives publicity, and I am sure that the fact it has received the publicity, that the situation has been brought to light, will be one of the factors in righting it. On the matter of public respect perhaps that locality is not alone in that situation. Perhaps not all of us are blameless in creating a lack of public respect for those who try to enforce the law. The chief was contending with a situation for which he was not responsible. That is an incident, an isolated incident, and I think the fact that it has come to light will give it opportunity for righting.

**Mr. Singer:** What about Pembroke?

**Hon. Mr. Wishart:** I am fully aware of the situation in Pembroke, and as the hon. member pointed out, it is now before the court. A writ has been issued and it will be tried before the court. If a decision is not obtained there—and I am sure it will be—then they can come back for further consideration to see if anything could be done by the Ontario police commission. It has been before the commission, it has been before my own attention. We are aware of it. We know that the matter is now before the court, and while it is before the court, there I propose to leave it.

**Mr. Singer:** Mr. Chairman, surely my friend is disturbed about the fact that a police commission can enter into an agreement with an 18-man force and then have that agreement repudiated apparently by the local council. Surely he must be concerned about that.

**Mr. MacDonald:** Mr. Chairman, while we are dealing with this issue, I wonder if I might make a few comments and we can perhaps deal with it more tidily.

The Attorney General a moment ago made the comment that perhaps we are all not blameless in the lack of respect for the law. If we just focus our attention for a moment on this one issue, I suggest his comment is a very pertinent one, and conceivably the finger might be pointed at the Attorney General.

**Hon. Mr. Wishart:** Mr. Chairman—

**Mr. MacDonald:** May I make the rest of my comments?

**Hon. Mr. Wishart:** May I just ask the Chairman? Before I rose, the hon. member for Riverdale asked if I would get up and comment before he spoke. I acceded to that and I got up and started to comment. Now the leader of his party, the hon. member for York South, interrupts me in the middle of my comments and wants to throw in his speech before I deal with the matters raised by the member for Downsview.

**Mr. MacDonald:** On a point of order, Mr. Chairman. I suggested to you a moment ago that we had three or four issues, one of which was the amalgamation of police forces to get more effective enforcement throughout the province. The second one, a number of municipalities, including Pembroke. Third, we have the whole question of organized crime in relation to the issue of bankrutpcy.

Now, I grant you that the Attorney General suggests that I am being inconsistent here, but it seems to me for an orderly dealing with the matters, we should take these in turn. This is only procedural, I am not arguing the point one way or the other—I submit that perhaps we should spell out these three or four points and deal with them specifically. Otherwise we are each going to be making long speeches, and we are each going to be getting up and replying to long speeches and never come to grips with specific points.

With your permission—

**Hon. Mr. Wishart:** I wonder then? The hon. member for Riverdale did not want to speak until I dealt with these. His leader wants to speak in the midst of my speech. So long as we get it all straightened out, if I can get all these points, then perhaps we could deal with them.

**Mr. MacDonald:** My proposal at the moment is to speak specifically to the Pembroke situation alone. Now, I leave it to you, Mr. Chairman, to bring some order out of this developing chaos.

**Mr. Chairman:** What I suggest at this particular time is that the Attorney General has the floor and he will continue with his comments unless he wants to yield the floor. As far as the chair is concerned, the floor is his.

**Hon. Mr. Wishart:** Mr. Chairman, I would be glad to yield the floor to the hon. member for York South. I was puzzled by the fact that the hon. member for Riverdale, a member of his party, did not wish to join in on the debate at that point. I am quite willing to yield the floor.

**Mr. Renwick:** Well, Mr. Chairman, on this particular point of order—

**Mr. Chairman:** The Attorney General has yielded the floor.

**Mr. Renwick:** Yes. But the point I wanted to clarify, because of any misunderstanding the Attorney General may have, is there is just no point in conducting estimates by which one member gets up and makes a long speech, another member gets up and makes a long speech and the Attorney General sits there. I think we have to stimulate some cross debate.

Therefore, as my leader has said, the thing to do is to take these various items and deal with them and scratch them out in the give and take of this debate. I think this is the way it should be handled.

**Mr. Chairman:** Well what is before us now, of course, is the actual vote. I would suggest that what we should do is just consider the vote that is before us.

**Mr. MacDonald:** Which specific items—

**Mr. Chairman:** On vote 202, and we have not restricted it from the standpoint of items. If there are two or three items that come under that vote, speak on those items and the Attorney General will reply.

**Mr. MacDonald:** I hope I can keep this as orderly as possible. I want to deal specifically, and for the moment, only with the Pembroke situation.

I started out by saying that the Attorney General has said that none of us is blameless in this growing disrespect for the law.

**Hon. Mr. Wishart:** That is with Petrolia.

**Mr. MacDonald:** With regard to Petrolia! But I suggest, Mr. Chairman, that the Attorney General's comment is a particularly pertinent one in reference to the Pembroke situation. Now what was the situation, without reviewing all the details the member for Downsview has put on the record? You had a police commission made up of Judge Galligan, Magistrate Platus and the then mayor, Angus Campbell. Three important, respected people in the community, who, in accordance with The Police Act, section 27, entered into negotiation, reached an agreement, and signed the agreement.

Now, Mr. Chairman, for one year this agreement has not been fulfilled. What is the law, Mr. Chairman? The law states, in section 33 of The Police Act—and just let me read the operative clause of it:

> Every agreement made under section 27, etc., etc., is binding upon the council of the municipality, the board where there is a board, and the full-time members of the police force.

This is the law. It is binding on the municipality. The Attorney General is the chief magistrate of the province in terms of seeing that the law is lived up to. The law has been violated. It just has not been fulfilled. Both in the original agreement that was signed between the police force and the police commission for a raise of some $522, and in terms of the escalation clause that would become operative as quickly as any increase was given to the OPP. So, as the hon. member for Downsview has indicated, they now have back wages of some $1,100 that have not been paid.

The thing that puzzles me, Mr. Chairman, is why the Attorney General would tolerate this kind of defiance of the law, or should I put it, to be more accurate, failure to live up to the law by the people who, in Pembroke, are responsible for the enforcement of the law.

This is the incredible proposition. The police commission is responsible for enforcing the law and I would think that the municipal council—next to the police commission, if not ahead of the police commission—would also be exercised and determined to see that the law is going to be enforced.

Now, Mr. Chairman, I am as certain as I am standing here that if the reverse had been the case, if the police force, collectively or individually, had violated their contract, there would have been action from some source. I do not know which source it would be, but I suspect it may have been from the Attorney General's department or from the police commission. But here you have a breach of the law by the police commission in which the council is not only the accomplice, but presumably the responsible body, because it will not authorize the budget. And yet nothing happens, the law is just violated with impunity.

**Mr. E. W. Sopha** (Sudbury): It is selective.

**Mr. MacDonald:** It is not only selective, it is an uneven application of the law. There are two laws. There is one law that says that if certain people violate the law something happens quickly. There is another law that says if other people violate the law nothing happens, quickly or otherwise.

Now, Mr. Chairman, the other thing I wanted to say very seriously to the Attorney General is: I have suggested that the responsibility rests with him, or somebody else whom he should have directed, to see that this law was lived up to. At this stage, he, in effect, is going to become an accomplice to an act on the part of the council which is going to confuse and procrastinate.

The Act says very clearly, in section 32, that if differences arise, then those differences are arbitrable; and if they cannot decide on who the arbitrator is going to be they make application to the Attorney General. The Attorney General has that application before him; in accordance with it, he must appoint an arbitrator and his decision will be binding. But nothing has been happening on this front.

What is going to happen, Mr. Chairman? What is going to be the consequence of this kind of thing? I suggest two things are going to be the consequence and of all the people in the province of Ontario who should sit back and begin to sweat at the anticipation of this kind of development, I think once again the Attorney General should be heading the list.

If you are going to tolerate police commissions defying the fulfilment of an agreement that was entered into in accordance with the law, then you are going to create among policemen in the provice of Ontario a lack of confidence in their agreements with police commissions and you are going to create a situation, I suggest to the Attorney General, that we have seen in the province of Quebec.

Does the Attorney General suddenly want policemen across the province, because they cannot get their contracts lived up to, suddenly booking off sick as they did in the province of Quebec?

Now this is the mood that is being created among the policemen.

**Hon. Mr. Wishart:** I hardly think so.

**Mr. MacDonald:** Well I just want to say to the Attorney General that, within a matter of a few hours ago, I have talked with responsible officials of the police association and I am quoting them.

**Hon. Mr. Wishart:** Quoting them?

**Mr. MacDonald:** I am quoting them, right! In other words, they say they have great

difficulty in keeping the individual members of the police force in control, so to speak, when they are faced with a situation in which the law is being defied.

Why should they feel that they have to abide by the law when the Attorney General and others tolerate the breach of the law by others? You are creating a lack of respect for the law.

We are all not blameless in this, to quote the Attorney General himself, and in this particular case, I suggest the Attorney General himself is not blameless.

There is another dangerous factor in this, Mr. Chairman, into this rather tenuous problem of the relationships of various bodies at the municipal level. We have lived with it for years in the relationship between boards of education and councils, where periodically councils have balked at accepting the budget of the board of education when the law stipulates that they have the final say as to what the budget is going to be. Here you have a council, in effect, refusing to accept the budget that was implicit in the contract entered into in an honourable fashion.

I suggest to the Attorney General that across the province of Ontario there will be other councils which feel that a living wage does not have to be paid to a public servant —the kind of council for example, that is willing to receive back as a one-man police force a man who has his certificate from the Ontario police college and has a family to raise and pay him $3,000—this kind of attitude. The Attorney General is painfully aware that this is the kind of difficulty we have to cope with on many levels.

Now if in Pembroke the council is permitted to frustrate the implementation of this contract, you are going to have other councils across the province of Ontario attempting to do the same. Does the Attorney General really look forward with relish to this kind of development across the province? I suggest that the respect for the law rests right with him.

Here is a law that has been defied for a year and he has done nothing about it, and now he makes the standard excuse that we get from these government benches, that it is before the courts.

Why should the council, after having refused to act in accordance with the law one year, be permitted to take a suit into the courts when that suit in the courts is in direct violation of The Police Act — because The Police Act says clearly that if they cannot reach an agreement, then the issue becomes arbitrable, and if they cannot decide on the appointment of an arbitrator, they make application to the Attorney General under section 32 and he is obligated to appoint that arbitrator. I suggest to the Attorney General that his responsibility is to appoint that arbitrator immediately and not use the excuse of an obstructive action in the courts by the council of the city of Pembroke as the excuse for letting the law be violated further. That is precisely what he is doing at the present time.

I would like to put the specific question to the Minister. He has had a request from the police association in Pembroke, backed up by the Ontario police association, asking him to appoint an arbitrator. Is it his intention to procrastinate, to let this thing drift while this suit by the council of the city of Pembroke is in the courts, conceivable for a year or so? Is he going to delay with this issue, or is he going to try to get some resolution on it?

**Hon. Mr. Wishart:** Mr. Chairman, it is one thing to talk about a breach of law —

**Mr. Chairman:** If the Attorney General will wait just one moment, we will find out if there is anybody else who wants to speak on this particular issue and then perhaps he could answer them all at one time.

**Hon. Mr. Wishart:** It is one thing to talk about a breach of law, Mr. Chairman, and another thing to talk about a breach of contract. It is essential to keep the two things clearly separate.

A breach of contract is a very clear and simple, definite thing, and this is the case in Pembroke. Here is a contract which one of the parties says is invalid; it will not hold water; it is not binding —

**Mr. MacDonald:** Why not?

**Hon. Mr. Wishart:** Why not? For the reasons they assert; that is all I need to say, I think.

**Mr. MacDonald:** The procedures laid down in The Police Act are clear.

**Hon. Mr. Wishart:** I do not think — although the hon. member for York South is fond of quoting certain sections of The Police Act — that is law, but when you come to examine a document signed by two parties, that is a contract. The hon. member will not find anywhere in The Police Act, the thing he is suggesting, that the

police commission, the Ontario police commission, can enforce a contract. There is no power in The Police Act for the Ontario police commission to do that.

**Mr. Singer:** That is a legal quibble.

**Hon. Mr. Wishart:** Well, I challenge any hon. member to find the section that says the Ontario police commission can enforce that contract.

**Mr. Singer:** That is not the point, and the hon. Attorney General knows that is not the point.

**Mr. Chairman:** Order please!

**Hon. Mr. Wishart:** Mr. Chairman, I shall hold the floor and get through on this occasion.

The Ontario police commission has no power to enforce a contract, and let us not talk about breach of law when we are talking about the breach of a contract. The proper place to have a contract decided is in the court. I know from my familiarity with the Pembroke case that the members of the police force had eminent legal counsel advising them from the very beginning of this matter. They knew that they had a right themselves to sue upon that contract, and if it was valid to enforce it to the utmost degree.

**Mr. MacDonald:** Will the Attorney General permit a question?

**Hon. Mr. Wishart:** No, I shall not permit a question until I have finished in this case, Mr. Chairman.

That is quite clear and to say that the Attorney General is a chief magistrate is nonsense. The Attorney General has no power to enforce that contract. There are provisions for arbitration in The Police Act. There are provisions for considering matters by arbitration all through it, and I think they are very valid and very excellent provisions. If we are going to refer to our sister province of Quebec, I think that they found it very useful in settling this situation which they faced with their police forces only two or three weeks ago, and they found our procedures very helpful. Perhaps that might be made known.

**Mr. MacDonald:** I do not know what the Attorney General means by that.

**Hon. Mr. Wishart:** I will leave it at that.

**Mr. MacDonald:** That government is gone—

**Hon. Mr. Wishart:** Once again they found that the examples which we have set in Ontario, the procedures we had set, were extremely helpful, and now, if I may go on to bankruptcy—

**Mr. Singer:** Mr. Chairman, before we go on to bankruptcy, may I just make a few remarks—through you to the Attorney General—about Pembroke?

What the Attorney General has given us is, to my mind, just a legal quibble. He has surrounded the police with certain restrictions in the public good, and this is as it should be. They are not allowed to go on strike because the public good demands that they cannot strike and no one can complain about that. But surely, sir, it makes good sense, that when the representatives of the local police association in Pembroke sit down with the only people with whom they can deal, and they sign a contract dealing with wages and salaries, there should be someone in the Attorney General's office—the Attorney General himself—who should be interested in seeing that these policemen get what they are entitled to get, and that they are not sidetracked by a recalcitrant council who says that they cannot afford to honour the bargain made by the police commission?

Now it may be, sir, that the financial situation in Pembroke is such that it will not allow the payment of a reasonable living wage to the policemen in Pembroke. If this is the case, then the Attorney General should be rising in his place today and saying, as we have said time and time again, "We cannot properly police the province of Ontario and such municipalities as Pembroke under the present system of financial arrangements." It is important in the public good, equally as important as the law that says that policemen cannot strike, that policemen get reasonable wages. If the municipalities cannot pay them, if the municipalities in Grey cannot pay them, if the municipality of Pembroke cannot pay them, if in Petrolia the situation is such as it is, then it is the duty and the responsibility of this government and of this Minister, Mr. Chairman, to rectify the situation, and not enter into a series of pettifogging legal quibbling.

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member accuses me of quibbling. Then he goes on—and I take his remarks to be nothing more than complete quibbling when he talks about the ability or the inability of the municipality of Pembroke to pay, it has nothing to do with this matter. I think that when the court makes a decision that the contract

is valid and that those policemen are entitled to the terms of pay that the contract sets forth, if that is the decision of the court, the ability to pay will not matter. The citizens of the municipality will pay.

**Mr. Singer:** The obvious answer is that you will not have a police force in the two or three years it takes to get it before the court.

**Hon. Mr. Wishart:** They will be—

**Mr. Singer:** The 18 men will have gone somewhere where they can get—

**Hon. Mr. Wishart:** They will be taxed to pay the duration of that contract, the same as any other defendant in a court action must pay the judgment and the costs if they are assessed against him. So to talk about that is just wasting the time of this House. All we are talking about is how this contract should be determined, and it is a contract. It is between two parties; one party says that they think the terms are invalid and not binding upon them, and either party can have a judgment so that the aggrieved party can take it to court, and that has been done. And there, as I said before, I propose to leave it, and let the court decide it, because I have no power to decide it.

**Mr. MacDonald:** Before we leave this issue, I want to reiterate—why does the Attorney General tolerate a diversionary move in the courts, when The Police Act spells out the procedures?

Mr. Chairman, just let me repeat once again: Section 32 spells out the proposition that there must be final and binding arbitration. We all agree with that, the police association agrees with that. They do not want, in the public good, to be in the position where they will have exercised the normal right to strike. Now, subsection 2 of section 32, states that:

> Where the agreement does not contain such a provision as mentioned in subsection 1—

that is, for a final and binding arbitration—

> —and a difference arises between the two parties relating to any matter mentioned in subsection 1, either of the parties may notify the other party in writing of its desire to submit the difference or allegations to arbitration, and if the recipient of the notice and the parties desiring the arbitration do not within 14 days agree upon a single arbitrator, the appointment of a single arbitrator shall be made by the Attorney General upon the request of either party.

Now, Mr. Chairman, that is the law. Why should one party in the agreement arrogate unto itself the right to say this is not a binding agreement, and go up into the courts with all of the delay and procrastination that that will involve? The Police Act says clearly what the obligation is, and you have now a request in accordance with the law, from one of the parties asking you to appoint an arbitrator. I suggest to you, Mr. Chairman, that if the Attorney General is going to live up to the law of the province and not permit himself to be sidetracked by a diversionary measure in the courts, that is extraordinary and has no relationship to the law at all, then he must accept this request and appoint that arbitrator immediately. This will resolve the differences because the arbitrator is going to come in with a decision. This will decide whether or not this is a binding contract and they will have to accept it. You do not have to wait for the courts.

**Hon. Mr. Wishart:** Mr. Chairman, I appreciate the concern of the member and mine is no less. Perhaps I can make this clear. The sections of the Act which he read are clear also. They set forth the duties and obligations of certain persons including the Attorney General.

This contract is attacked on the grounds — one of them, among others — that it is invalid, and I think one of the grounds, as I recall, I have not got the correspondence before me, is that it was made over a period of time where one of the parties had no right to extend its authority over the length of time the contract is made to extend. So that there is little sense —

**Mr. MacDonald:** This is a difference of view, which is arbitrable.

**Hon. Mr. Wishart:** It is a difference of view. Now let me continue.

There is little sense, it would be wasted effort, to arbitrate such a contract and simply to confirm the terms of it or to settle the points in dispute under it — if the contract is invalid for the grounds alleged — because the courts could come along after, as well as before, and I think it is better to do it before, and say, "This contract you can arbitrate, but it is not binding on these parties."

**Mr. MacDonald:** If the court follows The Police Act, it will throw the suit out.

**Hon. Mr. Wishart:** But it is not binding on the parties. If that is what the court said, we would be wasting our efforts to

sit down and arbitrate it today. The parties know their rights, they know they have a contract. One of the parties says it is not binding at all, it is invalid entirely, and the court is the proper place to decide it.

**Mr. MacDonald:** You have wiped out The Police Act, which has been a regular procedure.

**Hon. Mr. Wishart:** Oh, no we have not.

I would like to deal with the bankruptcy point raised by the member for Downsview. Bankruptcy, let us say it once again, is clearly and distinctly a federal matter under The British North America Act, section 91.

**Mr. Singer:** So is the criminal code.

**Hon. Mr. Wishart:** So is the criminal code. But bankruptcy is a specific matter set out in section 91, saying the federal government, the Parliament of Canada, shall have authority in this field and —

**Mr. Singer:** And also in criminal law.

**Hon. Mr. Wishart:** —the Parliament of Canada, appoints the trustees of bankruptcy, those who can hold that office when someones goes bankrupt. All the procedures and the investigations, the liquidation, the disposition of assets, the examination of the whole bankruptcy situation, is a federal responsibility, a federal field entirely. It is the duty, the responsibility, of the province to enforce the law and we enforce the civil law and the criminal law, the criminal code.

The situation which we have met in bankruptcy is this, that the trustees — federal appointments — are concerned primarily with realizing on the assets, and if I must say it, getting their fees, according to their task. They are not concerned — and perhaps rightly so, perhaps I should not be too critical — with pursuing any suspicious or fraudulent dealings which they may find. They say, "Why spend good money after bad and have this pursued? Let us get as much for the creditors, ten cents on the dollar, 50 cents on the dollar, or 70 cents; let us get that for the creditors and forget about the crooked dealings of this man who went bankrupt. We have some suspicions but why waste money on that."

But not only that. They have made it extremely difficult for provincial authorities, for our police authorities, for our Crown Attorneys, and for our investigators to get the facts. We have had to go with search warrants to seize the books in the hands of the trustees in bankruptcy, and great obstacles have been placed in the way of investigation of these situations, even though we were prepared to do the investigation, to spend the money to initiate the proceedings to bring fraudulent persons to book.

**Mr. Singer:** Why should that deter you?

**Hon. Mr. Wishart:** Any obstacle is a deterrent to some extent, and if you cannot understand that, I cannot make it much clearer.

**Mr. Chairman:** Mr. Attorney General, I know that there are some other questions that you wish to answer in connection with this, and it being—

**Hon. Mr. Wishart:** One moment more, Mr. Chairman, if you would afford it to me, and I can finish this.

We went down to Ottawa, after struggling with this situation, in January of this year. At the conference of crime, Ontario proposed to the federal people, "Will you do something about your responsibility in the field of bankruptcy? Will you at least instruct your trustees to accommodate us, to co-operate with us, to assist us, to make records available." We said to them further, "You should have a fund and you should have, if this is your responsibility, an investigating branch, properly supported with funds, to conduct investigations. Your trustees are not doing the job which they are expected to do in bankruptcy and they should be brought to book, and you should have some regulations to see that these things are at least reported, because we cannot even get reports from them."

Since then they have acted; they are doing things in bankruptcy. They have made amendments to the law, they have made new appointments, they have greatly improved their procedures, and we have had three meetings with the superintendent of bankruptcy. They have appointed a special official here in Toronto to represent the superintendent of bankruptcy, being the Ontario representative here, that is Mr. Plummer. They now are maintaining files on all the bankruptcies and these are being reported to our Crown Attorneys. We have sent out instructions to our Crown Attorneys to inform them of what is going on, and perhaps I might just read, very briefly, Mr. Chairman, from the instructions which we have sent out:

> We inform our Crown Attorneys that the superintendent of bankruptcy—

Now this is the federal official.

> —maintains files of all bankruptcies occurring throughout Canada, including related

complaints and investigations. Inasmuch as many seemingly isolated bankruptcy offences in other areas the following procedures should be adopted:

These are our instructions to our Crown Attorneys.

Whenever a Crown Attorney becomes aware of a matter relating to a bankruptcy where there appears to be room for suspicion of wrongdoing but not sufficient to warrant a criminal investigation, the matter should be fully reported by letter to Mr. Plummer—

That is the superintendent of bankruptcy.

—with a copy sent directly to Mr. Roger Tassé.

He is the superintendent of bankruptcy in the justice building at Ottawa.

Should Mr. Plummer possess or obtain further information, which in his opinion would warrant a criminal investigation, he will then bring that information to the attention of the Crown Attorney for police investigation and prosecution.

Where a Crown Attorney becomes aware of a matter related to a bankruptcy where he considers an immediate criminal investigation should be had, he should advise both Mr. Plummer and Mr. Tassé of the circumstances. An immediate criminal investigation should be had. He should advise both Mr. Plummer and Mr. Tassé of the circumstances.

Those are the procedures we are following. We have had difficulty in the past but we have most of them resolved and we think you will see the results very shortly. We have not had—and I want to make this plain—a situation such as existed in Quebec.

**Mr. Singer:** Nobody is shocked at anybody else as a rule.

**Hon. Mr. Wishart:** No, I do not like to make comparisons, particularly individious comparisons, but where you have a situation such as existed in that province—

**Mr. Renwick:** I do not like to interrupt the Attorney General but it is well after 12:30 and this matter will not be completed—

**Hon. Mr. Wishart:** Ten words,, Mr. Chairman, and I shall be finished. Where you have a very bad situation it is easy to show an improvement and it is easy to cite that there was an improvement. We have not had that desperate situation here.

It being 12:30 o'clock, p.m., the House took recess.

No. 167

ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Wednesday, July 6, 1966

Afternoon Session

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Speaker: Honourable Donald H. Morrow

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JULY 6, 1966

The House resumed at 2.00 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL
*(continued)*

On vote 202:

**Mr. Chairman:** Order, please!

**Mr. J. Renwick** (Riverdale): Mr. Chairman, since the Attorney General has commented on the bankruptcy matter raised by the hon. member for Downsview, I would simply point out there is obviously a complete divergence between what the Attorney General has had to say and what in his absence the Deputy Attorney General said when he appeared before the select committee on corporation law last November on the question of bankruptcy.

If my memory of what took place just before the House rose at 12.30 today is accurate, the Attorney General said in substance that the basic problem as he saw it was his inability to get through his department information from the trustees in bankruptcy. This made it very difficult for him, and at the meeting in Ottawa he raised this question, I gather, in the terms he placed it before us, in no uncertain terms—that he required the co-operation of the trustees in bankruptcy in order to make any progress.

Without rehashing a great deal of what has been said on the topic of bankruptcy, let us be perfectly clear that the division of authority in The British North America Act relates to the legislative jurisdiction, the power to pass the actual laws. It has nothing to do with the responsibility of the Attorney General for the administration in the province of Ontario, not only of the laws of the province of Ontario, but of the laws of Canada, which are in force in the province of Ontario, and one of those, Mr. Chairman, is The Bankruptcy Act.

The Deputy Attorney General, in the absence of the Attorney General, who himself had been requested to come but was unable to attend at that hearing, reviewed for the committee the procedure set out in The Bankruptcy Act under which a trustee in bankruptcy, if he has any grounds to be concerned about the bankruptcy or the course of events leading up to it, will report to a judge of the bankruptcy court. After that report is issued, following various intermediary steps, the matter can be brought to prosecution through a Crown attorney, the initiative lying solely and entirely with the trustee and the problem being to have such a report made and referred to the Crown attorney.

Mr. Lloyd Houlden, QC, who is without question one of the leading, if not the leading, practitioners in bankruptcy law in the province of Ontario, was appearing that same day before the select committee in bankrutpcy on behalf of the Canadian credit men's association.

He had this to say, and I think it is significant in view of the attempt, as I took it, of the Attorney General to put the responsibility somewhere back in Ottawa for the administration of this Bankruptcy Act as it stands, not as it could be amended or any possible improvements made in it, but as it now stands.

I quote from page 473 of the transcript of the proceedings of that committee on November 17. Mr. Lloyd Houlden says:

> Now, this is not part of our brief, but I sat here this morning and listened to the Deputy Attorney General deal with the prosecution section of The Bankruptcy Act and it was something like listening to a municipal engineer who is saying, on the basis of the regulations in the statutes, "Our sewers are operating all right" and the man down in the sewer knowing that they are backing up. I am the man in the sewer because I am doing this work and I know what is taking place.
>
> Now, the Deputy Attorney General this morning told you that The Bankruptcy Act provides a very practical remedy. I am sorry to have to tell you that this is not true. The provisions of The Bankruptcy Act dealing with prosecutions are simply not working. Mr. Dick did not deal with the problem where you have no assets in an estate, and bankrupts come to know if they denude their estates of assets there will be no investigation and no prosecution.
>
> He told you about some seven cases that have been proceeded with in the last two

and a half years. Three of those were dismissals. They were dismissals, gentlemen, because the Crown attorney failed to prosecute.

We have some of those cases. We have gone to the extent of spending several thousand dollars doing the preliminary investigation, having charges laid, going through the routine Mr. Dick told you about, and then having them dismissed because the Crown attorney did not prosecute.

Mr. Singer intervened and said: "I think he said ten."

*Mr. Houlden*: He said there had been ten cases laid of which seven had been proceeded with. Three had been dismissed. Three had resulted in convictions and I have forgotten—

*The Chairman*: Some are still pending.

*Mr. Houlden*: Two are pending, two dismissals, three convictions, two pending of the seven that had been proceeded with.

He then went on to explain certain recommendations of his association about The Bankruptcy Act. He came back later on to answer some questions put by the assistant counsel to the select committee on corporations, Mr. Schipper, who then said:

One question, just really for my own information, relating to the remarks you made that are not part of the brief. I take it that your association is recommending to the Minister of Justice that the initial investigation in all bankruptcies be the responsibility of the trustee?

*Mr. Houlden:* Yes. I heard the criticism of the trustee this morning and that is not justified.

Mr. Chairman, I would just intervene before continuing with Mr. Houlden's remarks to say that I certainly took the inference from what the Attorney General said this morning that the trustees in Ontario, in Toronto in particular, were not prepared to co-operate with the Attorney General and he was using this as one of the reasons why his department is not prepared to administer The Bankruptcy Act effectively in Ontario. Mr. Houlden said:

Yes, I heard the criticism of the trustee this morning and that is not justified. I know of no investigations, and we have acted for thousands of bankruptcies, where the trustee—where there was a matter that had to be investigated—didn't investigate it because of friendship with the debtors. We have good trustees in this province and that is not justified.

*Mr. Schipper:* Well, is it your suggestion that the trustees have brought to the attention of the Minister of Justice all cases that should be prosecuted and they have not been prosecuted by the Minister of Justice?

*Mr. Houlden:* No, there is no provision at the present time for doing that. You can write to the superintendent of bankruptcy and tell him about a fraudulent situation, but there is no machinery nor does he do anything at the present time. The initiation comes, as the Deputy Attorney General told you this morning, from the trustee.

*Mr. Schipper:* But the only point I am trying to get at is whether much has been made of the fact that there have been only ten prosecutions in the last two-and-a-half years. Are you suggesting the trustees in this province have recommended a greater number, or a significantly greater number than that?

*Mr. Houlden:* No. I would think that is all there have been, but the reason there have not been more, one of the reasons, is because there are no assets in the estate to do it with.

Now the Deputy Attorney General to my surprise this morning said he was prepared to spend money to bring people to Ontario to testify. That is not true. I have been in the bankruptcy, I can give you the name of this, again where it was a very fraudulent case where we had witnesses in New York, the Carolinas and so on, which we needed to bring to Toronto and we were told there were no funds available; so that just is not the case. They are not prepared to spend the public money for that purpose.

*The Chairman:* The question of the trustee, the initiation of investigation, the onus of such is on the trustee?

*Mr. Houlden:* That is perfectly right.

*The Chairman:* There have not been very many investigations made. Now why, if the onus is on the trustee and the trustees are being part and parcel of the whole thing?

*Mr. Houlden:* Well, there have been a number of investigations, that does not

mean they all lead to prosecution. I would think that there would be more prosecutions if we had funds available. Let me tell you this, it costs between $5,000 and $10,000 to initiate a bankruptcy prosecution. If you have only got $1,000 in assets in an estate, or $500, what are you going to do?

*The Chairman;* So your thought in any event is that it is the lack of funds in the estate which now prevents the trustee from making even a report to the court about it?

*Mr. Houlden:* What would the judge do? There is no provision. The Act says make a report to the court. It would just sit there. The only point in making a report is if you were going to ask for leave to prosecute.

*The Chairman:* The bankruptcy court itself has no machinery nor no funds to cause an investigation to be made where there is no money in the estate.

*Mr. Houlden*: None at all. None at all at the present time.

*Mr. Singer intervenes*: Do you think there is any advantage in having public trustees in the sense that they are government appointed and government paid rather than private trustees who must look to the bankrupt estate for their remuneration?

Mr. Houlden says no, and explains his particular feeling on that topic and the chairman says:

Is there no duty on the trustee to make a report to the bankruptcy court whether or not he feels that there is a possibility of an investigation or prosecution?

*Mr. Houlden*: There would be but it would not make any sense to do it. He could do it.

*The Chairman*: I am not talking about the sense involved in it or the technicalities.

*Mr. Houlden*: It is contemplated that it would be done but it has not been the practice here in Ontario.

Now Mr. Chairman, I think that anyone, having heard the Attorney General before lunch, would say that that is in substance a direct contradiction, that there is in some way or other a hurdle placed by the trustee in the assistance given to his department in the investigation of bankruptcy.

What Mr. Lloyd Houlden was saying in that evidence, in my view, was the simple fact that, regardless of the cumbersomeness of the procedure set out in The Bankruptcy Act, once you have made the report to the judge and he has given his decision as to whether there should be a prosecution or not, that for practical purposes it was a dead end. There was no use even making the report if you did not have the funds.

Why was it a dead end? Because The Department of the Attorney General was not interested in investigating bankruptcies and providing the funds for those investigations.

Now I know that since that particular hearing, The Department of the Attorney General has advanced some funds for this purpose. But surely, Mr. Chairman, this is the roadblock? The responsibility for the administration of The Bankruptcy Act in the province of Ontario lies with The Department of the Attorney General. Up until now, The Department of the Attorney General has been content to await the outcome of this cumbersome procedure through the bankruptcy court and then if Mr. Lloyd Houlden's evidence is to be believed, for practical purposes it is not prepared to spend any money to make the investigation himself, or to take the initiative in it.

Now I think that the Attorney General should, in view of his remarks before lunch, and in view of those statements made by Mr. Houlden before the select committee, in direct answer to the propositions put forward by the Deputy Attorney General, I think that the Attorney General should now comment about that.

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, I am quite happy to comment.

First of all, I am very familiar with the brief which was prepared in my department and which was presented to the committee, to which the hon. member for Riverdale refers.

Everything in that brief is factual. Everything in that brief is correct and Mr. Houlden himself, I think, does not agree with the fact the hon. member read. He said, the superintendent of bankruptcy gets a report but he takes no initiative whatever, or words to that effect. That was the situation, the situation as I stated it this morning, that we had difficulty in getting the records and getting the books of bankrupt firms. We had to issue search warrants to go to those companies, after the event, and find out where the books were. Sometimes the trustee had them, sometimes he did not.

We had, in any event, to take search warrants to get the records and to investigate

them. We have, I cannot just give the period of time—last year I believe it was—spent $30,000 in audit fees of investigation of these things.

But the point, I think, that seems to escape the hon. member is this. We are prepared to investigate. We have to investigate under the criminal code, that is the penalty area in fraud, section 323. And that is where we do investigate, that is where we do prosecute, if we prosecute for fraud, and one of the things that does not always appear is that these investigations and these prosecutions arise out of bankruptcies.

That discussion took place before the committee. The brief which the hon. member read was the transcript, was last November, I believe, 1965. We went to Ottawa, and we pointed out to the solicitor-general, to the Minister of Justice, and to the superintendent of bankruptcies that their procedures in their jurisdiction, The Bankruptcy Act, were not being used, were cumbersome, to use the hon. member's expression, cumbersome procedures. We said to them: "These should be changed." And they accepted, if I may be so conceited as to say that, they accepted our advice and they have changed. They are changing the Act, and now there is an initiative in the superintendent of bankruptcy to follow up the reports from his trustees and while perhaps I should not say the trustees were not particularly co-operative, they were not very active in this field.

The procedure whereby a creditor, or a trustee, could go to a judge and say: "There is a suspicion of fraud here," or "We believe definitely there is fraud," those things were not being done. Perhaps maybe there were not funds to do it, or the trustee or the creditors did not wish to use what funds were available, what assets were available, to pursue that field, and they said: "It is up to the provincial law enforcement authorities." And with that I have no quarrel.

But we felt that we should say to the federal people: "This is your responsibility to a degree. You have bankruptcy set forth as one of the subsections of section 91. It is your area and at least you might do this. Improve your procedures and put some funds, vote some funds, to your superintendent of bankruptcy, to your bankruptcy division, or branch, whatever you call it, in order that you may initiate, that you may pursue, that you may assist us in this field."

This they are doing, and as I pointed out, and I do not want to repeat myself, they appointed a representative of the superintendent of bankruptcy for Ontario, a Mr. Plummer, who is now located here in Toronto, to whom the trustees may report. The reports now go to our Crown attorneys and the cumbersome procedure of going to the judge has been replaced, and we are able now to follow these things and we are getting assistance. We are being aided in our investigations, and this, I think, is a long step forward.

Now, this has only transpired this year, since our conferences at Ottawa, in January, and the thing has made a long stride forward in that time.

Although Mr. Houlden took some issue with some of the views that the Deputy Attorney General put forward, I suggest that if he knew it from our side of the problem, he might still have differed in some of his opinions. With that I have no quarrel, but we have problems which he did not appreciate.

**Mr. Renwick:** Well, Mr. Chairman, the problem that the Attorney General constantly places before us, is in this particular Act, the enforcement of this particular Act, in the province of Ontario, the government of the province of Ontario is not prepared to spend any funds in investigating.

**Hon. Mr. Wishart:** Oh, we are spending funds. Definitely. We are spending funds.

**Mr. Renwick:** Well, Mr. Chairman, I understood the Attorney General raised with The Department of Bankruptcy in Ottawa the question of funds being voted so the Act could be properly administered on a federal basis.

**Hon. Mr. Wishart:** We suggested this because, as I say, the creditors, while they had the opportunity, and under The Bankruptcy Act had the right, and the procedure was there, to go to a judge and say: "There is fraud here, we believe there is fraud; make an order that there be an investigation," they did not use that.

I think the reason was, perhaps they were justified in that, that they did not want to use the money that was left in the estate, which would reduce their dividend in the bankruptcy. Anyway, that was the way that the Parliament of Canada designed The Bankruptcy Act to pursue fraudulent bankruptcies, and it was not working, and we pointed it out. We said it is cumbersome. It is a useless procedure. It has only been used ten times in so many years, and they said: "We will change it," and gave us an assurance, perhaps not in as definite terms as that, but undertook to look at the matter and they have done so.

I certainly admit that there is the responsibility to enforce any law in Ontario, as the hon. member for Downsview said, that we enforce the criminal code. Yes, we do, and it is our responsibility and our duty to do so and in bankruptcy, likewise. But there is an area of similarity in a sense between immigration and bankruptcy and in The Customs Act and The Bankruptcy Act. The federal government in those areas does take a very active part in enforcement and in investigation and in pursuit of those who offend the law in those areas which I mentioned.

Now, we simply said to them that they could do a lot more in bankruptcy because it is their field; we will enforce the law, we told them, but we have difficulties, please help us to solve them.

**Mr. Renwick:** Mr. Chairman, where in the Attorney General's estimates are there any funds that would be available for the enforcement of The Bankruptcy Act, as such? Any additional funds which this year, over last year, and because of the changes which have taken place in the procedures which, he says, are going to improve the situation? Are there any additional funds included in his estimates this year to provide for the effective investigation of bankruptcies, leaving aside all the questions of the cumbersomeness of the procedures or the improved procedures? Are there any additional funds?

**Hon. Mr. Wishart:** I do not know, Mr. Chairman, if there are any specific funds set forth in my estimates for the enforcement of bankruptcy any more than there are funds set out in the estimates for the enforcement of any law, including all the provisions of the criminal code. But as we need funds, we can get them and we do get them and I think the section of The Audit Act which enables us to requisition and obtain funds, is section 12. That is the section we use.

**Mr. Renwick:** Mr. Chairman, I should like to pursue this problem because it is absolutely impossible to come to grips with the Attorney General on the question of whether or not his department will take the initiative. As I understand the new procedure, because there is now a representative of the superintendent of insurance in Toronto, that still The Department of the Attorney General is going to sit back and wait until some information comes through from that single, solitary person to his department before it is going to a Crown attorney or someone within the jurisdiction of his department before steps are taken.

What we are insisting is, if the figures given by the Canadian credit men's association are accurate about the extent of bankruptcies in the province of Ontario, and if by and large we assume that some 90 per cent of bankruptcies are bona fide bankruptcies, not misusing the Act and taking advantages of the provisions of the Act for the purposes for which it was passed, it still leaves a substantial number of cases to be investigated.

The Attorney General knows as well as I know that either the petitions are filed voluntarily in the offices of the official receivers throughout the province of Ontario, or the involuntary bankruptcies on the petition of someone else are filed at Osgoode Hall.

Surely it should be possible for the Attorney General with the facilities at his disposal to know day by day of the petitions in bankruptcies which have been filed, who the principals are who are involved in the bankruptcies, and to include that kind of information in his intelligence network which he is setting up, and in which he places so much faith, in the police commission to deal with organized or syndicated crime.

Surely it is possible to get a centralized daily report through to his department about bankruptcies and about the people involved in them, and his intelligence system which he prides himself on will have this kind of information available. So far as I know the intelligence work is the same everywhere. It is a question of putting together distinct pieces of information to see whether there is any pattern evolving.

In the report — and not because at this particular moment we are going to deal with the remarks of the hon. member for Downsview about organized and syndicated crime, but just with the isolated fact that in the part of the report dealing with syndicated crime — it refers to bankruptcies. It would seem to me that the Attorney General is obligated, regardless of Ottawa, regardless of where the funds are going to come from. The funds have got to come from this government in order to make certain that the web of information available as a result of the filing of the bankruptcy petitions throughout the province can be related to see whether there is any similarity, any pattern; to see whether the same people are involved and whether there are recurrences.

Surely this is part of any reasonable police intelligence setup, having regard

particularly to the problems which have arisen in the province of Quebec and in which I am concerned. Not because I have any information, but we do not want suddenly to have that kind of situation exposed in the province of Ontario. We have no assurance whatsoever, not just in the area of the investigation of individual bankruptcies on the initiative of The Department of the Attorney General, we have just no assurance from the Attorney General that he has given any thought at all to funnelling all the basic information from across the province on questions of bankruptcies, by having as part of his information-gathering technique all this information available so that this intelligence corps he is counting on so much will be able to sift it and segregate it and relate it to other information which they have.

Surely even if the Attorney General hedges about taking the initiative in individual bankruptcies in order to investigate them, surely his obligation is at least to get this kind of information and get it into the central intelligence focus so that it can be looked at. Certainly there is nothing that the Attorney General has said which would indicate that is being done.

It appears very feasible to me there are not that many offices of official receivers across the province. Surely the same information could be collected by co-operation with the department of the Minister of Justice in the province of Quebec and surely the same information could be collected if he wanted to do so, if it has international ramifications, from the states of New York, Michigan or Illinois.

This must be done. Unless the Attorney General tells me that I am talking about something which he has already done and he has never, ever said that he has, I want his assurance that he is going to do this, that he is going to take that kind of active interest.

**Hon. Mr. Wishart:** Mr. Chairman, I seem to have great difficulty in getting through to the hon. member for Riverdale. I perhaps will have to repeat something that I read into the record this morning, that as a result of the new procedures that have been established, co-operation is now existing between the persons who administer The Bankruptcy Act at Ottawa and our law enforcement officials and our department. We have the means now of determining when bankruptcies occur, those which should be investigated. I am going to read this paragraph again. This is the instruction which went out to each of our Crown attorneys throughout the province:

> The superintendent of bankruptcy—

This is the new official now located in Ontario to be representative of the superintendent of bankruptcy for Ontario.

> The superintendent of bankruptcy maintains files on all bankruptcies occurring throughout Canada, including related complaints and investigations. Inasmuch as many seemingly isolated bankruptcy offences may, in fact, be connected to similar offences in other areas, the following procedures should be adopted—

Then we instruct the Crown attorneys, as I read and I do not want to repeat it, that they should pursue any bankruptcy where there is any suspicion of fraud, have it investigated and prosecuted.

Let me say this: not every bankruptcy by any means is a fraudulent bankruptcy and to suggest, as it seemed to be suggested here, that we turn our police forces loose in the form of a criminal investigation of every bankruptcy to see if there is fraud or crime would, I think, be approaching as close to a police state as you could possibly conceive.

That is practically what is being urged on us here; that we must go out and investigate every bankruptcy and put a criminal investigation group in there to see what goes on. This is not what we propose to do. Let me be clear and plain about that.

**Mr. V. M. Singer** (Downsview): Who suggested you do it, except yourself?

**Hon. Mr. Wishart:** That is the only way I can interpret the hon. member's remarks. He keeps on insisting that we go in and investigate these bankruptcies. We cannot investigate every one; it is a physical impossibility in any event. Not everyone should be investigated. Certainly, by far the greater part of bankruptcies are not fraudulent.

The superintendent of bankruptcy is informed by his trustees of every bankruptcy that occurs in Canada and those that occur in Ontario are reported to the superintendent of bankruptcy here, who has the reports for the rest of the country as well for the purpose that he and we may examine them to see if they are related to the persons involved in bankruptcies all across Canada. And he has the means now to conduct investigation to see if there is suspicion of criminality or fraud and then to notify us and say: "Will you further investigate now, as a criminal investigation, and prosecute?" And I have given

the hon. member not only the undertaking but the information that we were so concerned that we initiated, that we urged that these procedures be established so that we could get on with this job. And we are getting on with it. I do not know how much more I can tell him.

**Mr. Renwick:** Could the Attorney General tell us what staff the superintendent of bankruptcy from the federal government has in the city of Toronto?

**Hon. Mr. Wishart:** No. He opened his office three weeks ago. I do not know his staff personnel at the moment but I could perhaps get this. All I say to the hon. member is that we urged this six months ago, in January, following that report which the member read, and our study, our brief, we have action, we have co-operation, we have assistance, we have amendments to the Act which must be made in Ottawa. All I can say is, give us a chance to produce something. We have had just a short time to get it going.

**Mr. Renwick:** Mr. Chairman, on—

**Mr. Chairman:** The member for Sudbury has been waiting. When the member is through—

**Mr. Renwick:** If they want to speak on the bankruptcy question that is fine.

What the Attorney General has said is exactly the point that is of concern to us, regardless of the ridiculous remarks that the Attorney General made a few minutes ago about what we were suggesting or recommending. As I take it, the Attorney General does not have any idea what staff this superintendent of bankruptcy in the city of Toronto has. He has no indication—

**Hon. Mr. Wishart:** Mr. Chairman, why should the Attorney General of Ontario know at this moment, three weeks after a federal official has opened an office in Toronto, what his staff is? I can get that information but I think it is an unnecessary question of me at this time.

**Mr. Renwick:** Mr. Chairman, it is not unnecessary at all. What we are talking about is the enforcement of the bankruptcy law in the province of Ontario. We are not talking about the fact that the Attorney General has chosen to make recommendations to Ottawa, which have been accepted and resulted in these particular improvements. What we are saying is that apparently the Attorney General is not interested in how the superintendent of bankruptcy, who has now been appointed for the province of Ontario, is going to operate. He is going to operate in his own little pigeon-hole and if the information comes through to his Crown attorney, then in some way or other he is going to deal with them, if they merit attention.

I would suggest to you that, with the best will in the world, the government of Canada is not going to provide facilities to the superintendent of bankruptcy in the city of Toronto that will allow him to be anywhere near current on matters in bankruptcy which may be coming up from time to time. It is absolutely essential, Mr. Chairman, that the facility of the intelligence network, which he prides himself on as being set up within the framework of the police commission, get this information, efficiently and quickly. It is no good to wait and wait and wait. Even if instances are brought to the attention of the Attorney General or the Crown attorney, you can see from the remarks of Mr. Lloyd Houlden it is going to take weeks and months to sort them out.

In finding out whether there is any pattern of organized or syndicated crime in the bankruptcy field, surely the important thing is relatively instantaneous information that can be assessed and graded. Do not let the Attorney General tell me that all bankruptcies are fraudulent.

I carefully pointed out to him that, on the authority of Mr. Lloyd Houlden, he said that at least 90 per cent of them were not fraudulent, that they were quite legitimate operations. In an intelligence network, it should be possible to sift out those few bankruptcy cases which are at the root of the fraud problem in the province of Ontario—if the police commission's report has any significance.

Why the Attorney General will not do this is beyond me. He says we have made recommendations and now because of our recommendations the federal government has set up a new system. The first system did not work. It was there for years and no complaint was made about it until apparently this evidence given by Mr. Lloyd Houlden contradicted the brief of the Attorney General to that select committee. Then these recommendations are put forward and the federal government adopts a new procedure. Still the Attorney General backs away and lets the initiative come from someone else. He and his department, as I understand it and until he chooses to indicate otherwise, are not interested in pursuing bankruptcy matters in Ontario.

**Mr. E. W. Sopha** (Sudbury): I should like to discharge a few views on this subject of bankruptcy. I say, with the greatest respect to people whom I admire, that a goodly amount of confusion has crept into it, both from the hon. member for Riverdale and the Attorney General himself.

When the hon. member for Riverdale says the province has the responsibility for the administration of bankruptcy laws, his statement is at once unsupported and unsupportable by any authority. When, on the other hand, the Attorney General says that it is the duty of the creditor to go to court and indicate to the court that a fraud has been committed in a bankruptcy, he is outspeaking in a world that does not exist.

**Hon. Mr. Wishart:** On a point of order—

**Mr. Sopha:** Would you please stop—

**Mr. Chairman:** The Attorney General has stood in his place on a point of order.

**Hon. Mr. Wishart:** Just to correct the statement the hon. member has made, that the Attorney General said the creditor had a duty. You will check my remarks and find that all I said was that there was a procedure in The Bankruptcy Act enabling the creditor or the trustee to go to the judge and allege fraud or suspicion of fraud, not a duty. If the member is criticizing the opinion of the grounds on which a statement is made, what I have said is correct—it is not a duty. Perhaps he may regard it as a duty but I did not say that. The procedure is there to enable him to go that way, and I went on to say it did not work.

**Mr. Sopha:** It amounts to the same thing. By drawing the matter out, I suggest it is nothing more than a red herring, because the Attorney General is laying bare a procedure which the trustee will not bother to take up. There is no money in the estate to compensate him for this time. He does not want to look forward to three or four days or perhaps three or four weeks, in a court on the prosecution of a fraudulent person who has made an assignment in bankruptcy or has been put into receivership.

**Hon. Mr. Wishart:** That is the Ottawa Act.

**Mr. Sopha:** The whole practice is completely unrealistic.

**Hon. Mr. Wishart:** I agree.

**Mr. Sopha:** The point I wish to make is that the hon. member for Riverdale really means that the Attorney General should enforce the criminal code in respect of bankruptcy.

**Hon. Mr. Wishart:** We do.

**Mr. Sopha:** If that is his proposition, I am in whole-hearted and complete agreement with him. We do not have to concern ourselves with the mechanics inherent in The Bankruptcy Act which is a statute of the federal government. So far as the mechanics of the statute are concerned, the providing for receivers and trustees, superintendents and so on, then we can leave that aspect of it, where it properly belongs, under section 91 of The British North America Act, with the federal government.

So far as a breach of the criminal code is concerned, I see no difference in the quality of the criminal act, whether it is committed in relation to a bankruptcy or whether it is committed by a wayward teller in a bank who defrauds the bank of some of the money entrusted to his safekeeping. The quality of the act is precisely the same.

Let us at least focus on this central point, that the only reason we are concerned about bankruptcies at all in Ontario is because of their fraudulent nature. We are not concerned with the 90 per cent of bankruptcies that my friend the hon. member for Riverdale recounts from Mr. Houlden that are completely legal and merely testimony to sloppy business methods or inability to cope with business problems. We are concerned only with those that have fraudulent aspects to them.

Insofar as fraud is concerned, section 323 is adequately wide in its provision. Every one who, by deceit, falsehood or other fraudulent means, defrauds the public or any person—I abridge the statute—whether ascertained or not, of any property, money or valuable security is guilty of an indictable offence and liable to imprisonment for it. That ought to be the focus of our attention and let us get our eyes on the objective.

I paraphrase the Attorney General, I hope accurately, because he has developed a habit of Leslie Frost's that we have not seen since he left, of getting up to make his speech with you. Leslie Frost was, of course, not the North American champion in that, but the universal champion.

**Mr. J. F. Edwards** (Perth): He was a great man.

**Mr. Sopha:** The Attorney General of course, it ought to be added, has recently emerged as somewhat of a student of Aristotle. He had no fewer than two references to Aristotle in

his opening remarks. Today he indulges in a bit of Aristotelian logic. He says not all bankruptcies are fraudulent, which is the equal of saying every crow is a bird, but not all birds are crows.

However, he says, and at this point he appears to wring forth tears, on the one hand, where are we going to get the men to enforce this at great expense to the government, the state and the people? On the other hand he says we are not going to set up the rudiments of a police state here. An organization with some of the characteristics of a police state is poking its nose into people's affairs and all the other characteristics of opprobrium that such a red herring entails.

I will tell him where he will get the money, or get the men. There are two parts of the provincial police, two squads, that he can reduce in numbers and put them over into the investigation of fraudulent bankruptcies.

He can take the group of provincial policemen that skulk around the corners of this province in hotels, trying to get the management to serve a bottle of beer up in the room when he is not licensed to do so. He can dissolve that squad and put them on to fraudulent bankruptcies.

The other squad he can dissolve and put on to this important aspect of human affairs, is the squad that goes around the rooming houses where people usually of Slavic ancestry whose wives are still in the Ukraine, or Poland, or Serbia-Croatia, Hertzegovina, or Czechoslovakia, and have been separated for 25 or 30 years. These people are playing a little game of poker and every fourth hand two bits is extracted from the pot and the anti-gambling squad goes in and arrests them all and hails them before the Queen's justice under sections 160 to 170 of the criminal code. He can dissolve that squad too.

The same squad used to bother—not as much lately—our Chinese residents down on Elizabeth street when they got into a little harmless game of fan tan to while away the hours while they are trying to get the wife from Hong Kong, when she has been there for 15 or 20 years.

Now, I do not know how many are in both the squads, but both can be dissolved and all the personnel brought over into a new emerging creation called "the fraudulent anti-bankruptcy squad," or any other suitable title that you want to give to it. But I do not wax too facetious when I then suggest to the Attorney General that he can tell the commissioner of the provincial police that the head of that squad can have a Queen's commission, too, if that will make him seem more important and more prestigious and everything else connected with it.

There is a suggestion. As the hon. member for Riverdale and my hon. friend from Downsview adequately point out, a good many people in this province are anxiously concerned about fraudulent bankruptcy practices. Our brethren in Quebec, in the days of committees, commissions, investigative tribunals and so on, had the good sense to appoint the Mercier committee to conduct the investigation within la belle province. It made its report not too long ago and drew attention to the fraudulent bankruptcy practices. As a result of the report, the far-seeing progressive—too progressive—government in Quebec set up a bankrupts racket special squad to deal with this very problem.

**Hon. Mr. Wishart:** We have had a fraud squad for some time.

**Mr. Sopha:** The new report that I have before me indicates that the bankruptcy bureau, which will have offices in Montreal and Quebec, was first proposed by the Mercier report on fraudulent bankruptcies last summer.

**Hon. Mr. Wishart:** Again, they followed our example. We have that.

**Mr. Sopha:** Yes. Now they have a fraud squad and now is the time to focus on that for a moment. They have one here, but I know what that fraud squad does in the province. That squad exists for the purpose of looking into complaints that come in by way of letters from members of the body politic and The Department of the Attorney General.

Some lady may write in, or some individual may write in and report about a sale of siding for the house, or the cost of fixing the chimney, or something like that. It saves the Deputy the onus of having to answer the letter by passing it on to the fraud squad of the Ontario provincial police, which will investigate, and albeit charges are in order, they will be laid. But that is about the limit of the activity of that squad, and my hon. friend from Downsview and my hon. friend from Riverdale are not talking about that type of activity at all.

Now let us, once and for all, put aside this question, this red herring, this devious device to distract attention as to who is going to enforce The Bankruptcy Act. I, for one, do not care who enforces The Bankruptcy Act. If the people do not like the way The Bankruptcy Act is being administered, let them write to their federal member of Parliament and draw it to his attention.

But if you want statutory authority to get at the vice, the evil that has become inherent in bankruptcies, and the Attorney General wants that statute, he has got enough to occupy his time in section 323 of the criminal code, and that is the statute that he is charged to enforce. The police commission and the Ontario provincial police, as his executive arm, have the responsibility to enforce it. All we ask, all I ask, all my solemn plea amounts to is that at least the same amount of vigour be directed to their efforts in this very important area which encompasses hundreds of thousands and millions of dollars, at least as much attention, verve, energy, direction, and everything else that connotes purposive activity, at least as much as in the other things in which they presently engage themselves.

I have no brief for any person who breaks the law. I state that categorically, but I am not really concerned deeply. It does not keep me awake at night if the Canadian legion in Copper Cliff is selling lottery tickets. I will still speak to those people on the street, whether they are selling them or not, and I know what they are using the proceeds for.

But some sectors of the community and the Attorney General himself are very exercised about that, because his police arm, under the aegis of the commissioner of the provincial police, and this thing called the anti-fraud or the anti-gambling squad, goes into our community and makes wholesale arrests for selling lottery tickets.

That is fine. If they broke the law, they must be punished. But at least it is as fair for the three of us to say, as we said at great length here today, that if you believe in enforcing that sector of the law, let us get down to enforcing breaches of the bankruptcy law and let us put a few of those people in jail.

The individual who will go and order a warehouse full of furniture on 90 days' credit, and before the time has come to pay he has divested himself of all the furniture, pocketed the money and, unless we are lucky, he is three-quarters of the way to Acapulco, or some place else, a sunny clime. That is what we are talking about. The Attorney General does not need to think that we three people who make our living as lawyers, such as we are—not a very good living, but we attempt to—that we are going to be flanneled—and that is a proper word—by him getting up and reading twice, as if we are so stupid we did not hear it in the first place, the results of some conference behind closed doors down in the federal capital, which involved the appointment of a superintendent of bankruptcy. We do not care if one was appointed or not.

What we care about is the cultivation of an attitude of respect for the criminal law. That is the job of the commissioner of the provincial police, to seek out and bring to justice, people who use bankruptcy schemes in order to defraud the public and are in breach of section 323 of the criminal code. That is as simple as I can put the case.

The Attorney General does not need to get up in his place and say wearily, with the torpor dripping in this humid atmosphere: "I don't know how many times I have to read this statement."

Please do not read it again. Just send a letter down to the commissioner of the provincial police and say: "By a week from Monday I want to have a report from you that you have set up a squad of not less than 35 men under the command of a lieutenant, an inspector, or a general, or whatever you want, which hereafter will investigate bankruptcies in order to root out the fraudulent people and bring them before the bar of justice."

That is all.

Assist him by telling him that in order to have an effective force, he will have to hire at least one accountant and he will have to hire at least one lawyer—I am not applying for the job—to assist him in the technical aspects of it, both in the law and in accountancy. Once we have such a squad, my friend, the hon. member for Downsview, the hon. member for Riverdale and I will be three of the happiest people in Ontario.

**Mr. A. E. Reuter** (Waterloo South): Mr. Chairman, I do not wish to prolong the discussion on the matter of bankruptcies. Quite obviously there is some degree of misunderstanding. Perhaps the few remarks that I might make as a former practising trustee of bankruptcy may be of some value to the House.

May I say I was actively engaged as a trustee immediately prior to being elected to this Legislature, and I have listened with great interest to the remarks of some of the previous hon. members.

As I said, I do believe there is some degree of misunderstanding all the way through. Certainly none of us would want to see the fraudulent bankruptcies go by without some action being taken. But just to review the provisions of the federal Bankruptcy Act, briefly from a trustee's viewpoint, may I just

say that first of all those people who make an assignment in bankruptcy usually voluntarily come to a licensed trustee, and file all the documents in connection with the situation.

The trustee immediately takes possession of all records—this is part of his duty. He retains those records. The Act requires that he does retain them for a stipulated number of years. In the case of petitions for a receiving order, which are less common than a voluntary assignment in bankruptcy, the same thing applies.

Now, during the trustee's deliberations he is in complete possession of all of the records. The inspectors are appointed to help him in the administration of the estate. The superintendent and the registrar receive complete sets of the records—the official records, the pertinent records—pertaining to the bankruptcy, and they receive all orders that have been filed.

Finally when the trustee has completed his work and gets the approval of the inspectors, I would like to point out that the trustee is obliged to file a very concise report to the court upon the bankrupt's application for discharge.

Now in this report there are certain specific items upon which he must comment, such things as the bankrupt's actions prior to bankruptcy and after bankruptcy. It is obligatory upon the trustee to make this report in complete detail. This report, of course, goes to the court, a copy to the registrar, a copy to the superintendent in Ottawa and the trustee must be very careful in the content of his report.

Now, before the bankrupt appears at Osgoode Hall in Toronto for his discharge, this report of course is very carefully considered and quite often it is evident to the trustee that the whole affair has just some little odour to it.

Unfortunately, as the hon. members who have spoken previously have indicated, usually there are no funds available. The funds have either been realized for turning over to the secured creditors or the preferred creditors who have a prior claim, and certainly the trustee is going to retain sufficient money for his own remuneration. Even though he might feel that some sort of an investigation is justified or there is evidence that the bankrupt has acted in a manner which is just not in accordance with the law, he reports this, but without any funds he is not going to take the time to invesitgate it. We all know this.

**Mr. Singer:** That is the point.

**Mr. Reuter:** Now after having completed the report, Mr. Chairman, it is also necessary, I would like to point out, that the trustee should make a complete report to the superintendent of bankruptcy on his application for his own discharge.

In this report he has to give complete information as to his activities as well as the bankrupt's activities, and I think that while the reports which are made may indicate that there is some reason for perhaps further investigation, the trustee is not going to undertake it, nor are the creditors. They are not going to put up any more funds to throw away after money that has already been lost. This perhaps is where the difficulty arises.

I was very pleased to hear that the superintendent in Ottawa has appointed, perhaps a deputy superintendent, I do not know his exact title, to administer the affairs or to attend to the affairs in the province of Ontario. Since the reports of the trustee are provided to both the registrar and the federal superintendent, I would think that a copy of the reports could also be provided to the Ontario superintendent and perhaps also to The Attorney General's Department.

Now, in most cases, as has been said, there is no evidence of any fraud in connection with the bankruptcy. We do not care about those, they are cut and dried. The trustee and his inspectors go through the estate very, very carefully and perhaps 90 per cent or more are satisfactory. But it is with these few, 10 per cent or less, that perhaps justify an investigation wherein there should be some co-operation between Ottawa and the province and some moneys provided.

If the superintendent in Ottawa has provided for a superintendent for the province of Ontario, he will receive copies, I am sure, of all reports from the trustee on the bankrupt's application for discharge, as well as the bankrupt's own application for discharge, and the trustee's application.

These reports can be sifted and where there is any evidence at all that an investigation should be taken, I think with the provision of funds from Ottawa, the coordination of reports from the superintendent in Ottawa, the Ontario superintendent or deputy superintendent, and a trustee, it will be very, very evident which cases should be pursued. I would think that Ottawa will certainly provide some funds for this purpose.

The Attorney General has mentioned that there will in fact be some funds available,

though they have not been specifically voted. I do not know how he could vote any funds to pursue the investigation of bankruptcies the extent of which we do not know at the moment and we have no way of knowing how much money will be required. But it seems to me that with these reports in the hands of both the Ontario officials as well as Ottawa, that The Attorney General's Department could build up a programme to investigate through the trustee as well as through his own squad which he has mentioned has been instituted and which had been copied to some extent by the people in the province of Quebec. Then if it warrants prosecution under the cirminal code for matters that should be going to the provincial police department, this is fine. Otherwise, I think the Attorney General has the machinery now wherein he can pursue these fraudulent bankruptcies.

It seems to me, sir, that this is a very good innovation in connection with The Bankruptcy Act; it is a federal matter which must be administered federally, but with some degree of co-operation on a provincial basis. I am very glad to hear about the appointment of the superintendent for the province of Ontario.

**Mr. Singer:** Mr. Chairman, if I could add just a small postscript to the remarks of my colleague, the hon. member for Sudbury. I want to know, and I wish the Attorney General could tell us this afternoon, what reply you give to a person who calls — I have had many such calls. One called me as late as Monday of this week and said: "I am a creditor, I am going to a bankruptcy meeting on Wednesday. I know this is a fraudulent meeting on Wednesday, I know that this is a fraudulent bankruptcy, how can I get protection?"

Now, tell me, you go through all of this nonsense with sending pieces of paper backwards and forwards and the fellow who has fraudulently taken the money is off to South America.

By the time you have sorted out who is responsible the money is gone, the creditors are stuck and the people of Ontario are stuck for hundreds of millions of dollars a year. That is the problem and that is what we say the Attorney General is not dealing with at all.

**Mr. Renwick:** Is the Attorney General intending to answer the other comments of the hon. member for Downsview on organized crime and syndicated crime as reported on by the police commission?

**Hon. Mr. Wishart:** I could make a few remarks, Mr. Chairman.

The hon. member for Downsview seemed to be glad to have the report because he said it was justification for the former leader of his party who needed vindication. Last night, he was somewhat critical because some report which he thought had been made and which he did not have, had now been made available to him.

This report of the Ontario police commission, the fact that it was very complete and full and admitted and pointed out that organized crime was on our borders, trying to infiltrate inside the province, seeking footholds and was being fought with the means we have and that our intelligence forces were aware of it, the fact that we report this, is apparently what he objects to —I do not know what reason—but he made no suggestions further as to what should be done.

The report simply indicates that one of its features among many others is that there is evidence that organized crime, those criminal elements who are attracted, as I said in my opening remarks, to affluent areas of the country and that is that they are trying to gain a foothold. They have contacts outside the province and with others of their ilk inside the province. We believe we know of their activities to a very complete extent and that we are able to frustrate them in the activities which they attempt to carry on.

All I can say on the matter of organized crime—and the way I think we can fight crime—is to have intelligence, the most complete intelligence. We have set up intelligence services, we have equipped them and they are doing, I think, a very capable and competent work. They are keeping us informed as we report to you.

The next thing is to have a police force trained, capable, intelligent, with good morale and efficient. That I think we have both in our Ontario provincial police force and in our municipal forces, particularly those larger municipalities where the criminal elements seek to congregate. Then finally, as I have said before, an independent judiciary and a good system for the administration of justice in our courts, to see that when cases are brought before the courts they are properly dealt with.

I think there is nothing more I could say which would add to that matter. We are not denying that organized crime seeks to gain a foothold in this province; it is bound to—we will always have it seeking to gain a

foothold. Why should we not make it a fact known to members of this House and to the public? I would not for a moment think that information should be not included in the report, suppressed or hidden, because that would not be something I would contemplate. But, because we say it apparently, it is something to be made a great deal of and we are, in a sense, to be criticized for admitting such a thing.

Under those circumstances, I just have to listen to the remarks of the hon. members.

**Mr. Singer:** Mr. Chairman, the Attorney General is a very fascinating man. Last year he was a bit hurt by the fact that one of the reports that he made available to us was used to criticize him.

**Hon. Mr. Wishart:** No, I am not hurt.

**Mr. Singer:** He said so last year. He pointed it out three times during the course of the estimates and I can give him the exact pages if he wants. Just a few moments ago he said I was highly critical of the fact that a report that I thought we should have, has not as yet been available. Let me assure him, I am highly critical.

The report of Chief Magistrate Klein of the province of Ontario should be made available in time to be used in connection with these estimates. It is not available and the Attorney General or his people are being less than frank with us in not making that report available so that it can be usefully consulted during the course of these debates.

This afternoon, as well, he is hurt that we are taking sections of the report of the Ontario police commission and using it to criticize him. Surely, Mr. Chairman, the purpose of a Legislature is to inquire, investigate, discuss and debate. We have various groups, the police commission, the chief magistrate, what-have-you, who are charged with responsibilities of law enforcement or any other field of government they are charged with. Among those responsibilities is the duty to submit information to the legislators, so that we can know how the accounting of the business of the people of the province of Ontario is being conducted. How is the public business being conducted?

Surely, Mr. Chairman, we should not be faced with the pique of the Attorney General saying we are complaining about not receiving reports or, when we do get them and they have some avenue of criticism open and available, that we are using them to criticize. Yes, I criticize because we do not get reports we are entitled to and I criticize because of things I find in the reports that I think demand critical comment.

Mr. Chairman, insofar as organized crime in the province of Ontario is concerned, the Attorney General says, "I commend the commission for saying it is here." At least we have gone that far. Two Attorneys General and one Royal commission later, we finally swept that smoke screen out of the way; we are making progress very slowly.

I say that the indication that it is here, which is repeated in the police commission report, would certainly direct my mind, if I were the Attorney General or would direct my mind as a critic of his, to what is allowing these things to happen and what steps we should take. I think the Attorney General should sit and listen and attempt to improve the situation. In my remarks last night and today and in my continuing remarks while these estimates are going on, I am going to point out what I believe are shortcomings. Obviously, one of the shortcomings is that we do not have efficient police forces throughout the province of Ontario.

Surely, that is a reasonable, logical and intelligent criticism. The Attorney General should be prepared to answer that. Another criticism is that we do not have a fraud squad, or a fraud bankruptcy squad that can deal with sophisticated crime. We do not have sophisticated investigators, accountants and lawyers and people with that type of training to deal with sophisticated criminals. That is another very valid criticism. We have a multiplicity of small and inefficient forces and that is another criticism.

I say, sir, that the Attorney General should not be quite so anxious to defend either the lack of producing a report or to attack the critics. He should answer the criticism and he has not been doing it.

**Mr. Sopha:** Mr. Chairman, may I say a word on police commissions? One who has practised at the criminal bar cannot help but be struck by the contrast between the governance and efficiency of the Ontario provincial police arm and the municipal forces with which one deals.

Not only are the Ontario provincial police easier to get along with, so far as one's duties are concerned as an officer of the court, they are much more co-operative about things that do not really matter and which do not go to the divulging of any information they ought not to divulge or compromising themselves. Not only are they a more delightful group to deal with in that aspect but I venture to say —I stand to be corrected by anyone who

knows more about it than myself—that the attitude of the public in general varies greatly from that conception of the Ontario provincial police, the attitude of the public toward municipal police, and I say that in the light that the provincial police generally are held in much higher esteem by members of the public.

Generally speaking, they are younger men; generally speaking, they appear to be better trained and better educated types of young men. Municipal forces are inclined to attract older men to their ranks. I do not want to be too harshly critical but I want to say that I have searched my conscience over the years to determine the reasons for this contrast. I have come to the conclusion that one of the reasons for it stems from the method of administration and governments of municipal forces.

The police commission method as provided by the statute is entirely different in its effect and in its operation from that method of governing the Ontario provincial police. It seems to me that the head of the Ontario provincial police, the commissioner, exercises a direct chain of command down to embrace all those that come under his jurisdiction.

So far as I am aware, in the daily administration of his force he does not have to go to the police commission—I think we settled that a number of years ago right in this Legislature when we got an assurance from a former Attorney General that the police commission ought not to be concerned with the daily administration of the force and how it carries out its duties.

Having said that and if such be the case, the situation in respect of municipal forces is entirely different. The chief of police of the municipality, as far as I can see, does not have that independence of action in carrying out his administrative duties that his counterpart, the commissioner of the Ontario provincial police, has.

The chief of police ordinarily has to go to a body of laymen—laymen in the sense that they are not skilled police officers—the police commission, and get authority for the expenditure of funds, authority for changes in the allocation of responsibilities to the officers under his command, and generally to get authority for every major decision that he makes in respect of the governments of the force.

That to me is a most unhandy, unworkable and completely inefficient system. If we are to have a police commission in the municipality—and I question whether the time has come, perhaps, when we might consider abolishing them entirely—I would think that a police commission ought to reserve itself to matters of wide-ranging policy; to matters to do with discipline and the trial of allegations of offences committed by those under their jurisdiction. In other words, in a phrase, a body of purely quasi-judicial powers.

And I think it ill behooves a chief of police who wants to create an efficient law enforcement force to be in a position where he cannot make any decisions which exhibit any independence of action at all. In order to get the authority for it, he has to run to the police commission at its weekly, bi-monthly or monthly meeting and get the fiat, the infra matter, of the police commission. In doing that there is superimposed a body that really does not know what it is doing, a body of three men generally who are not skilled in the arts of law enforcement.

The mayor, for reason that he is mayor, does not through some process of superhuman metamorphosis become an expert in detective work, and by virtue of the fact that he sits on the police commission.

The county court judge, skilled in the law and bringing to his administration that quality of judicial impartiality that is needed in respect of the trial of offences by policemen. He is not an expert in police work.

The magistrate perhaps has the greatest claim to expertise of any of the three that sits on the commission, but so it goes and the illustration of Pembroke has been paraded here and how that whole business can break down.

I would prefer, and I urge upon the Attorney General, that he begin to take some thought about a reorganization in his whole concept. And if the suggestion of the hon. member for Downsview be adopted, that we greatly reduce the number of police forces across the province, that at this one and the same time we look forward to the creation of a cadre of skilled policemen who could occupy the position of chief in the larger municipalities at least, and would have imposed upon them the responsibility of the day-to-day governing of the police force in much the same way on a much smaller scale as the commissioner of the provincial police is charged with the responsibility of the governing of that very fine force.

Having said that, I will not have to say anything on the last vote about the Ontario provincial police. But I am not one given to flattery; I am not one to occupy time to indulge in heavy compliments for the sake of making conversation. When I say that about that force, I say that in which I really

believe from many years of experience with them. They are a model force. Therefore I ask if we are able to create a model force of a group of people such as we have in the Ontario provincial police, then why can we not create a replica of them in the municipal forces?

But first we must have fewer municipal forces in order to take on the task at all, and I want to say this: You often hear after-dinner speakers, or those others who have not got much to say and want to take some time to say it, comment about the attitude of the public toward policemen. I have adverted to it and it is trite to say—it has been said so many times that it does not bear repeating—that we do not have the same attitude of co-operation toward our police forces as they do in some European centres, particularly in England where, if you left the town of Durham and you forgot your laundry, you could write to the chief of police and he would go around and pick up your laundry and send it on to you and think nothing of it. We do not have that same attitude in Canada.

We can certainly create it. But if the police, like any other institution, are going to command respect, they have to earn it; they have to warrant the giving of respect. Respect is never accorded gratuitously. Respect is always deserved and I want to say here and now, after much time spent in meditation, that the greatest enemy of respect for the policeman is that very small group of unscrupulous policemen, the unscrupulous policemen who, in order to secure a conviction, will indulge in perfidy and perjury in the witness box. A very small group who are so concerned about their score of convictions, who so resent defence counsel winning a case, or the converse, losing a case, that they will stretch the truth to the breaking point.

Indeed, sometimes truth and justice are not on speaking terms with this type of police witness, and every time he does it he sends away from the court a man who carries with him for the rest of his life a contempt for policemen in general and a man who will go outside the court and tell everybody whose ear he can bend about what happened in the court, of how he was the victim of that type of police officer.

I have long ago identified certain liars among policemen. There are some policemen —I hesitate to say—there are two or three within my universe from whom I would not believe the time of day if they gave it to me, without calling the Dominion observatory to check on it. They just have no conception of the truth and they skate the thin line between truth and fiction and perjury in order to accomplish their ends. But they are a very small number. Short of that, is the policeman who will indulge himself in the witness box in the unfair comment, the irrelevant unfair comment which does just as much damage.

For example, in order to discredit a witness, he will say along the line—and I am taking an actual example—he will say that he went to such-and-such a house and he was met there by the woman who lives as the common-law wife of the witness who last testified; that type of comment, unfair to the extreme, irrelevant to the trial of the issue at hand. That type of police officer is the enemy of the cultivation of respect.

And I hope down in that police college I have never visited, though I have had many invitations, that they would set up a course of lectures for the policemen. And the burden of those lectures would be to say to those police officers, out of the mouths of people who command respect, "Look, it is incumbent upon you to win the respect of the public and you can only do that by a rigid adherence to the truth and a strict attention to concepts of fairness in carrying out your duties."

When the day comes when those qualities that I say already exist in the provincial police—they are already there; you do not meet a provincial police officer, I cannot ever recall one, that I saw deliberately bend the truth, that I saw being deliberately unfair. When those qualities obtain in the other police forces, then we would have achieved a large step forward to the cultivation of mutual respect and understanding by the public. And it is a funny thing—not often apparent to human beings—it is a funny thing that one can at the same time be fair and be efficient and often the person who is fair is far more efficient than the individual who goes out of his way, out of a capricious and contumacious desire to achieve an end result, the person who is fair can be more efficient than the other type I have posited.

But I suggest to the Attorney General that with the Gregory commission of 1921; 45 years now, 45 years ago, and I have often mentioned the Gregory commission—perhaps the day has come when we have a look at the method of governing police forces in this province. Maybe the day of the police commission is in.

Certainly the day has long passed when the magistrates should be hoisted off, and I do not need to go into that again, except that out of a consciousness that if you keep harping about things around here and you

are here long enough, if you can stand it in this heat, eventually you will see it come to reality.

So it was with the poor old gratuitous passenger, if I may wake up the Minister of Transport and commend him for his amendment to that bill.

Well, some day, if one kept at it long enough, we would have the good sense to heave the magistrate out of the police commission.

When the citizen goes with a complaint of police brutality, which strangely enough, still obtains, it obtains in my community, the police commission had to send three or four inspectors up to Sudbury—I do not know if they had Queen's commissions or not, that did not impress the citizens of Sudbury—to investigate complaints of police brutality. They had to send three or four of them up there, I forget their names now.

This obtains in municipal forces but you do not hear complaints of police brutality against provincial police officers. There must be a reason. There must be a reason that the provincial police officer who carries out the enforcement of the law in the great majority of the land space of this province does not have to resort to the muscle and the arm to make his presence felt.

I cannot even recall hearing of a case, but you hear them in regard to municipal police forces by that small minority of untrained, ill-mannered, ill-educated people that form the complement of our municipal forces.

And when the citizen has been the victim of police brutality, he must go and make his complaint to at least one person who is at once the judge and the employer of the police officer. That is the magistrate. The magistrate is his judge daily in the magistrate's court where he listens to his evidence and must find upon the facts related by the police officer and at the same time, he is the employer with all the employer's sense of loyalty to the employee.

Now, the Prime Minister is not here, fortunately, so I can tell about a little experience of mine. We had four or five charges in the magistrate's court of police brutality and the police batted a thousand. The charges were all dismissed. No convictions were registered. And then along came a fellow to me, an employee of the Bell Telephone Company many years, a married man, owns his own home, and he told about being set upon by three police officers and beaten.

He had gone to a doctor and I had the advantage of talking to the doctor. And I was conscious of the fate that had befallen the charges in the magistrate's court and I said, "Well, we will make a complaint to the police commission."

So, I go up to the police commission, and this year the judge is the chairman, and ask him to fix a date for a hearing of these charges. He says to me, "Okay, have charges been laid in the magistrate's court against the police officers?" and I said, "No." He said, "Why?"

I said, "Because nobody advises my client what to do and that includes you. I am dominus litis here. I am advising him, and I have no doubt that the matter of police brutality comes within your responsibility under The Police Act. You have the responsibility to investigate." And I said, "Furthermore, I have heard many times in magistrate's court when someone, usually a drunk, said something about being assaulted by the police officer, the magistrate has said to him, 'Make your complaint to the police commission'."

I said, "I have always disagreed with that because a magistrate sitting in the Queen's court certainly must have some responsibility to look into any such allegations that come before him but he is a very good magistrate and I do not want to criticize him."

The next thing, the magistrate took the ball and he said to the chief, who was sitting beside me, "Has this fellow written to you about this? Have you heard about this?" I said, "No, I haven't written to the chief about it, because I had occasion to write to the chief about some other matter and he is like Leslie Frost. He doesn't even acknowledge receipt of the letter, so I don't see much point in writing to him."

To make a long story short, they fix a day for the hearing. What kind of a situation is that? I do not want to prejudge them but let us take a hypothetical situation.

Any citizen making an allegation of police brutality is facing a judge, who has some contact with the police because he sits and hears trials de novo under the criminal code, and summary convictions. He is a magistrate who is in daily contact with these police officers, knows them all by their names, knows their characteristics, and the mayor, who is a minority. Now, that cannot be a quasi judicial tribunal that has the sufficient elements of justice in its characteristics to satisfy the citizen.

He cannot feel if his complaint has been dismissed, that he has received what is really an impartial, fair and objective hearing. Many of them come away from making complaints like that with the bitter taste of defeat in their mouth.

It would seem to me that it would be far more sensible, if we have to have a police commission, that we get rid of the type we have, as the Gregory commission recommended 45 years ago, and have a body, say, composed of five people who have no connection with the administration of justice at all. Perhaps a real estate broker, a dentist, a doctor—not necessarily even a lawyer, because he is connected with the milieu in which they operate—a clergyman, any other citizen of substance and reputation in the community on it. He would deal purely with matters involving policy and discipline and have nothing to do at all with the daily governing of the police force which ought to be the responsibility of the executive head of the force, the chief of police and none other.

This institution in Metropolitan Toronto, I am afraid, will grow like a cancer out in the province. That one is so bad—the things they do and the things they concern themselves with—that I always live in fear that the Metro system, and I have said this before, might begin to obtain in the rest of the province. In my view that one has far too many powers and appears to do too many nutty things that are beyond all comprehension. I simply make a plea to the Attorney General in the spirit of reform, and after all, that is what I am paid to do here. If he has some spare time, he or some of his officials will look at the whole method of governing police forces in the province. Let us hasten the day; let us join together in some form of a crusade and hasten the day when we can cultivate a goodly measure of mutual respect between the citizen and the policeman.

I have selected one aspect. I have talked, and perhaps I have been too severe in my criticism of a type of policeman that I have met. Goodness knows that among the public there are as many that are as deserving of condemnation in this area as the police. There is the grossly immoral person and such an immorality you would not be able to discover in the depths of Dante's Inferno to equal the individual who will stand back and watch a policeman assaulted and take no part. Or will stand idly by and watch a crime being committed, the molestation of a girl, or something like that, and will do nothing to carry out his citizen's powers of arrest and enforcement of the law. Citizens have, to a great extent, the same powers of enforcement of the law as policemen do. You have that type of individual.

Then you have the other type of nefarious individual, who cultivates in his children the disrespect of the law to the extent that he teaches them that they must only obey the law when he is not present, they can blandly exercise a total disregard for the law. That generally obtains in the commission of traffic offences. They are as equally deserving of criticism as the other.

But I am deeply concerned. The hon. Prime Minister is not here; I am glad the Minister of Public Works is not here either, because he objects to me talking about my cases, but this is the way I earn my living and this is all I know. I was involved in a terrible case, involving a policeman, where the police set up an ambush with shotguns. They were not even issued weapons. I am not going to argue that case here. They set up an ambush for this individual who was sodden drunk at the time, and they waited in the darkened hallway. The individual came home and instead of setting themselves on him and subduing him, the policeman stood in the doorway and literally shot his knee off with a 12-gauge shotgun at a distance of about two feet—two to four feet—and crippled that man for life.

I would say that in the little hamlet of Garson—it is in the riding of my hon. friend for Nickel Belt—that it will take 15 or 20 years to repair the conception of the police that that incident created.

I want to hasten the day where to be a policeman is to occupy an honoured position, a highly respected position, as obtains now in the Ontario provincial police, where good men come forward and take that vocation as their way of life and the way of supporting their families. On the other hand, I want to hasten the day where the individual in this enlightened society looks on the policeman with a high measure of gratitude and respect.

Finally I say you do not hasten that day by the reproduction of the words of Magistrate Addison, who apparently gets drunk on printer's ink. He likes the public print. He sits on the bench and rails about the youth in Yorkville and how the law is going to be enforced and how he, Joseph Addison, is going to cultivate respect for the law and put these hoodlums away.

You do not cultivate any respect among our youth by that type of utterance. I am glad I do not practice before him and I hope I never do, but I view that type of thing with alarm and with disgust.

This is an area of human affairs where the nurturing is by quiet perseverance, by training and education and by bringing home to the reasonable individual the validity of operating in the type of atmosphere that I have exposited and which may be somewhat ideal. I implore the Attorney General, for whom I have the greatest respect, and hope that during his tenure of office, however long that may be, we are going to see very significant reforms in this department. That is why it is worth using the time of the House to say to him that here is an area along which we can progress and can do something constructive for the better government of this province and for the cultivation of the welfare of our people. I merely leave it at that.

**Mr. Chairman:** Item 202 carried?

**Mr. Singer:** No, Mr. Chairman. I wanted to commend my colleague from Sudbury for the very excellent expression of sentiments which I am sure we all feel insofar as inculcating respect for the police. I do want to dwell just very briefly on a few of the remarks that he touched on in relation to police commissions, and in particular—

**Hon. H. L. Rowntree** (Minister of Labour): Repetition again!

**Mr. Singer:** If my friend the Minister of Labour wants to get into this debate, we will welcome his wisdom and his erudition. I wish he would take his place in this debate and make his contribution, which he can so ably do. Sir, let me say a few words about the Metropolitan Toronto police commission and some of the difficulties that certain members of Metropolitan council have encountered with these people.

We have heard the story many times of the secret bylaws, the parade bylaws and so on, so I will not repeat them. It goes without saying, the things that have been done by that commission insofar as certain bylaws are concerned should not be done. We got that admission from the Attorney General a year ago.

In addition to that, there was the Jackson case. The case is before the courts and I am not going to comment at all, really, on the circumstances of that case. What does concern me were the efforts of the members of the council of the municipality of Metropolitan Toronto to attempt to get information concerning police action and police reports. They were being denied that action.

The mayor of the city of Toronto at one stage, in connection with this matter, was moved to say this:

> The police commissioners feel no one has a right to ask them anything. They do not have to be amenable to any member of this council. There should be nothing the police department should hide. We have an excellent police department.

I agree fully with that, and there should be nothing to hide. Nothing is worse than to say pompously we have had our discussion and no key on earth is going to open the door.

I would say, sir, in line with the suggestion put forward by my hon. colleague from Sudbury that there has to be a method evolved to make police commissions work properly. The powers that are given to police commissions to pass bylaws could well be centralized. Bylaws that police commissions pass relating to discipline, to use of fire arms, to training, to promotion, and that sort of thing, it seems to me, would apply equally well in Port Arthur, as they do in Kingston, Toronto, and Ottawa. It seems to me that there is no reason to have a multiplicity or a substantial variety of bylaws. There is no reason why there should not be a standard form of bylaws for governing police discipline, police training, use of fire arms, and that sort of thing.

I do not know why each police commission should be able to take these on to themselves, hide them, and say that they have no responsibility to discuss them with anybody.

Another point of great concern to me is why the police commission should sit in judgment about complaints about their force. I suggest to you, sir, that they cannot do this reasonably and impartially because they are being criticized when their force is being criticized. This is a problem that we have seen a lot of, not only in the province of Ontario but throughout the whole of North America and it has worried an awful lot of people.

In New York, a board of police review has been set up. I think it would be well worth the while of the Attorney General to consider an independent body, separate and apart from police commissions, to whom appeals can be made in regard to complaints about particular police forces. In my mind, the only body which can handle complaints about police in a manner satisfactory to the public would be an independent board of review, not involved in any way with police organizations. Its members should be men of long-standing authority in the community, accustomed to weighing evidence; they should not be judges of the county court or magistrates who deal with policemen in their day-to-day business.

A body of this sort would give assurance that any charges of abuse of authority against police officers would be carefully investigated and an impartial decision given. Boards of this type have been working satisfactorily in some American cities and, as I say, one is to be set up in New York. I think it is high time that we moved in this direction in the province of Ontario. The Jackson case, as I say, appears to be an ideal example of this sort of thing.

Mr. Chairman, I am very concerned about the authority and power that the Metropolitan Toronto police commission seems to have taken on itself. To whom is it answerable? It has a majority of appointed officials on it; it has the chief magistrate of the province of Ontario; a county court judge and another magistrate and two elected persons. Who are they accountable to? They are accountable to no one at all. They can conduct their meetings in secret, as they see fit, and they need give no information, even to the municipal council with whose affairs they are supposed to be dealing. I think the time is long overdue when we should thoroughly re-examine the whole setup of police commissions insofar as they have a connection with local police forces. The time for real reform in that field is long overdue.

**Mr Chairman:** On vote 202.

**Mr. Renwick:** Mr. Chairman, we do not propose to comment at any great length on the question of crime. I welcome the report of the Ontario police commission. I think it is a forthright statement of what must be the situation in connection with organized crime and syndicated crime in the province. I think that it has finally come out as an accurate statement that there is a very real concern amongst the police—who know about these things—that there are at least the rudiments of syndicated crime in the province.

We cannot here add any additional information; we are not privy to the gangsters or mobsters or those who are engaged in that kind of operation. If we were, we could perhaps throw some additional light onto this vexing question of syndicated crime. I simply ask the Attorney General not to shy away from the words of the report. If the reported remarks were correct, what he was reported as saying is, "Well, syndicated crime is not extending in the province of Ontario. All we have done now is to find out about it."

If that is a correct statement, then I do not think that the Attorney General should shy away from it at all. I think he should, as the report of the police commission so ably stated, admit the fact and get on with the business of improving his police intelligence and improving his ability to deal with and to cope with syndicated crime both in the province and in co-operation with other forces.

Mr. Chairman, it would appear that under this police commission vote, it would be the proper place for me to raise the questions which I intimated that I would raise in my Budget remarks, about the case of my constituent, Mr. Nick Angelidis. The answers I would like to have are to the questions—under what arrangements and by what authority and what are the responsibilities of the Royal Canadian mounted police in the province of Ontario?

My knowledge of this matter is quite rudimentary. I know that in those provinces which do not themselves maintain the equivalent of the Ontario provincial police, arrangements are made by contract and by definite arrangements with the federal government for the provision of police facilities and police services by the Royal Canadian mounted police in those other provinces.

I would like to know whether this is just a matter that has grown up in an historic way; whether there is, in fact, specific, clear-cut arrangements as to the fields of jurisdiction of the Royal Canadian mounted police compared with the municipal police forces and the Ontario provincial police; whether there are specific areas in which the prime responsibility for detection of crime and the enforcement of law fall solely within the jurisdiction of the Royal Canadian mounted police; and the extent to which other areas such as narcotics, the question of excise, the administration of The Excise Tax Act, and just how is it dealt with. Is there a clear-cut arrangement? Is there any authority, or is it just one of those things that has happened to develop over a period of time?

**Hon. Mr. Wishart:** I will go immediately to the case that the hon. member related now, the case he cited, where a warrant was obtained by the Royal Canadian mounted police under The Customs and Excise Act and acted upon some three years later. The members of the RCMP are all peace officers with the right to act anywhere in Canada; they are peace officers throughout Canada.

We have no jurisdiction over them and they would have the same authority under The Immigration Act and certain Acts respecting narcotics. They have that authority either in the federal Acts or by the order of the Governor-General in council. We have no authority over them in that situation and can exercise none.

I am told—and I believe that this is so—that some few years ago there was a similar provision in The Liquor Control Act where a warrant could be obtained to search and it could be exercised for a long time. There was no stated time involved. That, to the credit of this Legislature some years back, was repealed and the power was removed, so we do not have that sort of thing.

May I just take a moment to deal with some of the remarks made by the hon. member for Downsview, the hon. member for Sudbury and the hon. member for Riverdale. I promised last night that when I dealt with the individual votes, I would deal with some of the points that were raised then.

One which has been touched on by all three of these speakers today, is the matter of the police commission. First of all the Metropolitan Toronto police commission was created in The Metropolitan Toronto Act and other police commissions are created in The Police Act. My duties kept me out of the House when The Metropolitan Toronto Act was being debated and I do not know what attitude the hon. members took with respect to the sections which created the Metropolitan Toronto police commission. It has in that Act, I think, the power to make bylaws—

**Mr. Singer:** That was in 1957.

**Hon. Mr. Wishart:** It was repeated in this Act that was passed in this House, I am sure. It must be there or else you have not got one, because you passed a new Act.

**Mr. Singer:** It was an amending bill. Are you sure that it included that?

**Hon. Mr. Wishart:** I am not sure that it included that, but in any event—

**Mr. Singer:** We will check on that. My impression is that there was not—

**Hon. Mr. Wishart:** Anyway, it takes its origin and its raison d'etre and its powers from The Metropolitan Toronto Act,, and it has the power to pass bylaws, I understand, and so on. In that sense, it is a special body over which we have little or no control, except as this whole Legislature may control it in that particular Act. I have to say that there are certain duties which we must perform. We make an appointment to it of a chief magistrate, but beyond that it is a special case on its own.

**Mr. Singer:** The time has come to have a look at that special case.

**Hon. Mr. Wishart:** The time might have been when you were studying The Metropolitan Toronto Act.

**Mr. Singer:** It was an amending bill; it was not in that bill. What is the number of the Metropolitan Toronto bill?

**Hon. Mr. Wishart:** Anyway, Mr. Chairman, with regard to police commissions, I would like to say I am not personally wedded to the idea that a magistrate must sit on the police commission of a municipality. The Act, I think, provides that there shall be the head of the municipality, the county or district judge and one other person.

There is no requirement that the magistrate be a member of the local police commission and in quite a number of cases we have not seen fit to appoint magistrates. In my own riding where an appointment was made last year, the commission consists of the mayor who is there by law, the immediately-past mayor appointed by the government, and the judge, so that there, as the member for Riverdale suggested, is a preponderance of lay persons. The mayor is elected, the past mayor is not a magistrate, of course, and the judge.

This has worked very well. I merely point that out to say that there is no firm policy that a magistrate must serve on the police commission. The magistrate there is an excellent magistrate—I should say that in passing—he is not on the police commission. Having said that, let me say the reason for a police commission is that there shall be a buffer body between the police force and the public. It should have independence, it should have qualities of judgment and if you look at the police report, the report of the Ontario police commission, you will find on page 6 that of the total number of forces in existence at the end of the year, that is, 1965, 90 were governed by boards of commissioners of police—49 having been created by the municipal council, voluntarily passing the necessary bylaw—and there are 178 governed by the council or committees of council.

If I may be permitted to give just a little of my own experience in this—not only here in this office but as a member of a city council, as a mayor of a small town and the solicitor for a city over a number of years, as a Crown attorney, and as a defence counsel for a period of years—let me say this, that of the problems that come to our attention today from municipalities, by far the greater number is in those where council committees, or the elected representatives, control the police force.

The reason is this, that they are so subject to pressures—local pressures, or from friends, or if someone gets into trouble there is an immediate pressure on the member who governs the police force, the representative on the council—to exert their influence. This is something that does not exist in the police commission where you have a judge, where you have perhaps a magistrate, both of whom are independent, both of whom are judicial persons, both of whom have training, both of whom are not beholden in any way to the public.

I would like the gentlemen to ask themselves—the member for Sudbury, the member for Downsview and the member for Riverdale, all of them lawyers—if they were to be appointed magistrates tomorrow, and I know none of them would take the office because it would not pay them sufficiently, would they say that they would be inclined to take the part of the members of the police force? I am sure if the hon. member for Sudbury were here, he would stand up in his place and say, "No, having thought of that, that would not follow."

Magistrates usually, be it borne in mind, have been generally, very frequently, lawyers, who have practised in the criminal courts before magistrates. They know the police, that is true, but they know the procedures. And of course they see the policemen act before them from day to day. I do not accept, I do not agree, that for that reason, because the policemen appear before them, they are inclined to take the side of the policeman. They know his proclivities, they know his character and they know his attitudes and I have seen in my experience police commissions deal very sternly with the policemen who came before them on disciplinary matters.

I am not, as I say, wedded to the idea that a magistrate should be on a police commission and they do not practise that in every case. But I think it is a matter to be weighed and considered. And I would just say this, it is something that will be taken under consideration.

**Mr. Singer:** May I just rise on a point of order, Mr. Chairman? The Attorney General's reference to the constitution of the board of police commissioners was somewhat incorrect. It was established by section 196 of The Municipality of Metropolitan Toronto Act, Bill 81, which was passed at this session of the House, makes no reference and has no dealing with the establishment of the metropolitan police commission. So it was done in 1956 or 1957.

**Hon. Mr. Wishart:** Apparently no one in this House moved an amendment when the present bill was brought in.

**Mr. Singer:** The procedure would hardly allow that, Mr. Chairman.

**Hon. Mr. Wishart:** In any event, it does, as I said, take it origin from a Metro Toronto Act.

**Mr. Singer:** Yes, which is a part of one of the Acts the Attorney General looks after.

**Hon. Mr. Wishart:** My next remarks are going to be addressed particularly to the hon. member for Downsview and they will be very brief.

I wanted to revert again to the report of the chief magistrate, to which he has referred. I want to say that every report that is called for by statute, from The Department of the Attorney General, has been tabled. I have not actually received a report as such from the chief magistrate. The chief magistrate was appointed last year, I think, by myself, by the government. He reports to me by letter, and frequently by telephone.

In my estimates he has given me a 6-page summary of some of his activities; he reports about the case loads of magistrates, the visits he makes to their courts, the observations he makes there, their attitudes, the dignity of their courts, the treatment of persons coming before them, the handling of cases, their approach to sentencing and all these things in which he is engaged in working. He reports to me.

I would have no objection to having him make a report which I would be glad to table but I would say he is an official of the department appointed by the Attorney General, by the government on the recommendation of the Attorney General, to assist myself and the officials of my department in the administration of justice through the magistrates' courts. He sees them at their work, he advises them, he informs me and so on. And I have no report from him. It is not a report that is required to be tabled. I just want to make that clear.

**Mr. Singer:** May I make a comment on that?

**Hon. Mr. Wishart:** Just let me say one more word and then the member can comment and then I think I shall not even reply. The hon. member for Downsview—this is a very minor point—seemed to feel that I was hurt and piqued by his criticism. I want to just say this to him, I am never

hurt and piqued by criticism; I welcome it. I would only ask that it be more relevant, more pointed, more specific and more constructive, and I would be glad to have it.

**Mr. Singer:** Mr. Chairman, the decisions about relevancy, pointedness, constructivity —and I do not know if he used another adjective—

**Hon. Mr. Wishart:** Specific.

**Mr. Singer:** Oh, yes, specific, I suppose are subjective rather than objective. And I would suggest to my friend, the Attorney General, that if he would carefully read *Hansard* when these debates are reported, he will find that in the remarks we have put forward here in the last 24 hours there are all sorts of suggestions—specific suggestions—that would make Ontario a better place in which to live.

It is unfortunate that the Attorney General has been overworked this session, Mr. Chairman, and he has not his usual perspicacity to grasp new ideas that are put forward to him. But when the House adjourns and he has a little more leisure time, he can read these matters and he will see that there are all sorts of excellent ideas there, substantial criticisms that warrant his immediate attention. I recognize he is tired and he perhaps needs a little longer to grasp new ideas.

Mr. Chairman, insofar as the report of the chief magistrate is concerned, I suspect from the several lines it took to explain the reason we are not going to get one, that the reason we got into this problem was this:

The Attorney General says he appointed the chief magistrate, and he did appoint this one, but there were two predecessors. They did not stay with their jobs long enough to cover a full year. Magistrate Bartram died very shortly after receiving the appointment, and then there was a magistrate from Niagara Falls who accepted the appointment and then for health considerations decided that he could not take on the obligation. In any event, the reason we got into this at all, Mr. Chairman, was because Chief Magistrate Klein saw fit, having prepared his report a year ago, to give it to the news media. Sections of it were quoted in the newspapers at some length and this is how I became aware of it.

It led me into certain fields of inquiry which were incorporated in a series of questions which were posed and which brought forward certain information which was available and important in dealing with the criticism of these estimates.

Mr. Chairman, since it proved embarrassing a year ago and apparently it did, we are not going to see a chief magistrate's report this year.

**Hon. Mr. Wishart:** That is not right.

**Mr. Singer:** Well, I have worked on the wrong assumption; having seen it one year, I thought it would follow automatically. I agree with the Attorney General there was no specific statutory requirement that there be a report of the chief magistrate. If there is not going to be that kind of a report, if we are not going to be given voluntary information as to case loads, as to court accommodation, as to all the other things that are a part of the chief magistrate's duties. Next year, even though it is not our desire to do so, we are going to have to load up the order paper again with a series of questions to elicit the information which we feel should be forthcoming voluntarily and automatically and in the public interest.

One would think that having an official such as the chief magistrate, who is assigned certain specific duties, the Attorney General and the chief magistrate would be anxious and eager to make a report. If it is not forthcoming and we are not going to get it this year, we have another remedy and next year we will use that.

**Mr. Renwick:** Mr. Chairman, on vote 202. The Attorney General knows my views about police commissions. I would recommend for his study, during his vacation or at some other time, the whole of the proceedings of the Jackson case from the incident which took place on Jamieson avenue in west end Toronto, up to the present time. If after having perused the whole of that story and investigated it thoroughly he can hold the view that there is still some place on the metropolitan board of police commissioners for three appointed persons, one a semi-appointed person, and one elected official, I will take issue with him a year from now.

Mr. Chairman, I would like to raise with the Attorney General the question of the addition to the curriculum of the police college this year of the course, which is shown on page 19, of mob and riot control. There has never been a reference in any police commission report that I have seen, until this year, of this particular course being given at the Ontario police college in

Aylmer. It stated that 119 members of municipal police departments and five members of the Ontario provincial police attended that course during 1965. Strangely enough in the schedules which follow on explaining the courses and giving the breakdown of the municipalities from which the various students at that college come, there is no reference whatsoever to the mob and riot control course.

First of all, Mr. Chairman, I would like to know two things. One: Under whose brilliant thought was this particular course added to the curriculum of the police college; and second, before I make any further remarks on it, and depending on the answers of the Attorney General, which municipal police departments saw fit to send students to that course, and how did they find out about it?

**Hon. Mr. Wishart:** Mr. Chairman, to answer the hon. member, when he says by whose brilliant thought was this course conceived and put on the course, I do not know at this moment who first thought of the course. It is a course which is common among police forces, I know. It is a part of police training to a degree in several jurisdictions. The Ontario police commission has, as a part of its duties and responsibilities under The Police Act, the maintenance and administration of the Ontario police college. I do not think the statistics at my fingertips would show which municipalities, sir, had personnel taking part in the course. That, I think, I might be able to get, but I do not have it before me at the moment. I would undertake to get it and I am sure it will be available.

Of the 1,303 officers and men who attended, 119 from the municipalities and five from the OPP took the course on mob and riot control. As I say, perhaps it is new on the curriculum of the police college this year, but not a new thing in police training.

**Mr. Renwick:** Mr. Chairman, would the Attorney General please now give us the synopsis of the curriculum which is covered on the course for mob and riot control? Apparently it is a separate and distinct course. There must be a curriculum obtaining for those who are taking part in it, and I would like the Attorney General to give to this Legislature a breakdown of the various aspects of that course by hour, or by whatever other period of time is allotted to the instructional setup for that course.

**Hon. Mr. Wishart:** I would have to get that, Mr. Chairman. I will undertake to get it for the hon. member.

**Mr. Renwick:** I assume that that undertaking is to give us this information during these estimates?

**Hon. Mr. Wishart:** I should think that would be possible.

**Mr. Renwick:** Together with the municipalities which have taken part in it, Mr. Chairman, because this is the appropriate vote to comment about it. I have a number of matters that were raised in my mind by the introduction of that course. I think it was most unfortunate that the Attorney General, when we were discussing the question of bankruptcy had the, for him, ill-grace, to comment about a police state. To my knowledge, any province in Canada, and this province in particular, that will not—we went into this last night and I am going to comment on it again today—advise citizens of this province when they are arrested or prior to arrest when they are being investigated, that they do not need to answer questions unless they choose to do so, then institutes a mob and riot control course in the police college of this province, has a great deal to answer for in the whole universe and perspective of the rights of citizens in the province of Ontario.

Mr. Chairman, with the attention of the Attorney General, let me review briefly the situations which have developed in the province of Ontario. We could go backwards, referring to the editorial in the *Globe and Mail* this morning, which prohibited by some delegation of power down the line in the Niagara parks commission—I am not talking about whether I approve of the views of the people who are expressing their views—the co-ordinating committee in connection with the war on Vietnam from parading or demonstrating in the Niagara parks.

I am not worried about the technicalities of whether or not the parks are going to be upset by an occasional demonstration. The obvious inference, if the editorial was correct, is that the decision was taken, because amongst other things, the views being expressed by those people were not acceptable to whoever the minor functionary at the Niagara parks commission is who made the decision. I would put in parentheses, Mr. Chairman, that of course the Niagara parks commission was one of at least a dozen important commissions which never got in front of the standing committee on government commissions during this session.

I would like, then, for the Attorney General to recall the student co-ordinating committee demonstration in front of the United

States consulate and the parades which took place about a year and a half ago in the city of Toronto. You will recall, sir, and I am certain that this is accurate—and the Attorney General will recall that the police saw fit to take photographs of that demonstration, so that they would have a record of the people who were demonstrating. That, Mr. Attorney General, was a peaceful, orderly, well conducted campaign in aid of those in the United States of America who were fighting successfully, I hope, for their civil liberties.

Let us also now refer to the precipitate action which the Attorney General took in the case of the Tilco Plastics affair, another occasion when citizens of this province chose to demonstrate peaceably and orderly in the province of Ontario. Let us also refer to the strange way in which the parks committee of the city of Toronto and the strange way in which the city council is dealing with the difficult problem of free speech in Allan Gardens and the problems which are involved in that.

The Attorney General will also recall that he had to draw sort of a moral opprobrium over the farmers suggesting that they were committing some heinous moral offence, even though there was no legal infraction of The Highway Traffic Act, that if they demonstrated in some way, they were using gasoline on which they had not paid tax and it was a terrible thing.

**Hon. Mr. Wishart:** I did not say that.

**Mr. Renwick:** The inference, Mr. Attorney General, was perfectly clear.

**Hon. Mr. Wishart:** I never said any such thing.

**Mr. Renwick:** Let me just point out that those five instances are instances where, in the last little while, and including Oshawa, there was no violence. I think the member for Downsview did a disservice last night to the trade union movement in suggesting that there was going to be violence and bloodshed in the province of Ontario. There is not. There has not been for a long, long time.

**Hon. Mr. Wishart:** I agree with you.

**Mr. Renwick:** Obviously there is no indication whatsoever in the province of Ontario that if there will be a sane intelligent recognition, mainly by the Attorney General and under his direction, of the right of people to demonstrate in this province, then the people will be able to so express their views that there will not be this strict containment of the affairs of people.

I am suggesting to the Attorney General that this introduction of this course at this time, in that police college is unwarranted, and had its initiative in someone who has a police mind. The Attorney General is lending himself, as has been done many times before, to destroy liberty in the name of law and order. This is what happens, Mr. Attorney General. This is how it takes place. Law and order must be maintained. The Attorney General has intoned that about a temporary limited injunction and the Prime Minister has said the same thing.

Let me recall to his mind that there has not been in the province of Ontario, and the Attorney General must not lend any countenance whatsoever to the proposition that there is going to be violence and bloodshed —

**Hon. Mr. Wishart:** I never said that.

**Mr. Renwick:** — in the province of Ontario.

**Hon. Mr. Wishart:** I never have suggested there would be such, nor do I lend any countenance to it. Those are not my suggestions.

**Mr. Chairman:** I would remind the member that we are now on vote 202.

**Mr. Renwick:** Mr. Chairman, I am directly on the point. The establishment of this course at the Ontario police college is another significant evidence that the Attorney General of this province has no proper appreciation of the right of people to publicly demonstrate and I defy the Attorney General to give one reason why, in the year 1965, such a course should ever have been instituted in the province of Ontario. There is just no excuse for it.

We expect to know whose idea it was. Somebody thought up the idea. I would like to know where the instructors took their training, who are giving that course. Did they go down to the state of Maryland or Mississippi in order to get up-to-date information as to how, in the Attorney General's words in the police commission report, to control mobs and riots? Does he anticipate this? This is one of the most iniquitous things which has happened in this province in the time that I have sat in this Legislature.

**An hon. member:** Ridiculous.

**Mr. S. Lewis** (Scarborough West): Oh, it is a trend.

**Mr. Renwick:** It relates entirely to the incidents of which I spoke.

**Mr. D. C. MacDonald** (York South): The problem is you cannot even see it.

**Mr. Renwick:** We demand this information, and we demand it in these estimates, because I want to point out to the Attorney General that this particular thing which goes under the wording "of civil disobedience" is not civil disobedience. The words have tended to come into common use in the province of Ontario from the United States of America, that in some way or other the Tilco demonstration was civil disobedience, or in some way or other, any further demonstrations against injunctions in this province will be civil disobedience.

Let me make it perfectly clear. It has nothing whatsoever to do with civil disobedience and will be the excuse which the Attorney General will use for the purpose, presumably, of using some of his trained policemen because they have this mob and riot control training.

**Hon. Mr. Wishart:** That is a most improper thing to say. It is just your speculation.

**Mr. S. Lewis:** Why have the course?

**Hon. Mr. Wishart:** The Attorney General has never expressed any view of that kind.

**Mr. Renwick:** Now let us just get it perfectly clear.

**Hon. Mr. Wishart:** Yes, you had better.

**Mr. Renwick:** In the United States of America, in the southern part of the United States, what has become civil disobedience is not disobedience to the law, not under any circumstances. The right of people in the southern part of the United States to demonstrate for the purposes of getting their civil liberties is upheld and has been protected in the supreme court of the United States. I would suggest that it is about time that the Attorney General took a basic course in civil liberties and started to look at the whole question of the framework under which he is operating. Law and order in this province will be destroyed, not by the people of this province. It will be destroyed by the Attorney General and he can pooh-pooh this and say that it is not material —

Interjections by hon. members.

**Mr. Renwick:** —and has no significance and heaven knows they would not be involved in it at all, but I have given you examples where the Attorney General has not even opened his mouth to indicate that it is contrary to the rights of citizens for the police in Metropolitan Toronto to have photographs of people who are taking part in the demonstration on University avenue.

This is the kind of lack of leadership, lack of perspective, that only causes the people of the province of Ontario to continue to have a lack of respect and interest in the way in which law is being administered. I am asking the Attorney General, for heaven's sake, to take hold of himself in this kind of an issue and deal with it.

I think it is very significant that if it had not happened that I had noticed one line in a police report, nobody in the province of Ontario would have known that there was such a course. I think this deserves not just the information which I asked for but a full and complete statement from the Attorney General as to whose idea it was, who are the instructors who give the course, where did they receive their instructions, what weapons are used, what is the exact curriculum which takes place at that course, and why at this particular time in the history of the province of Ontario when there is no need for it whatsoever, should the Attorney General have permitted the police commission in the province of Ontario to have established such a course?

Mr. Attorney General, it is just that wrong; it has no place in the course of the police college at Aylmer.

Mr. Chairman, I have two or three other things to say about the police college. I have not been to the police college, but I am going to suggest to the Attorney General that the sooner he gets the police college out of Aylmer and on to one or more of the campuses of the universities in this province the better.

Mr. Chairman, there is nothing worse than the military or para-military morale which is built up in a closed college in an isolated part of the province of Ontario, where they live unto themselves under a routine of at least semi-military discipline. I am suggesting to the Attorney General that the police course be moved on to one or more of the campuses of the universities in the province of Ontario. There is no need for the Attorney General to sit around and smile; he knows as well as I that the course at the college at Aylmer lends itself to exactly that kind of atmosphere.

**An hon. member:** How about Vassar?

**Mr. Renwick:** You have been there, I have not.

**An hon. member:** You should go.

**Mr. Renwick:** Mr. Chairman, I would like to know within the same framework that we have been speaking about in this particular matter, if the police commission has developed any guidance, rules, instruction, suggestions or a booklet of any kind which outlines in detail the rights of the citizens of the province of Ontario? Or is the Attorney General going to perpetuate the myth that if the policemen in this province are instructed to advise people prior to and after arrest that they do not have to answer questions, in some way he is breaking the law of the land? Is the Attorney General prepared, if there is not that kind of specific information available, to list for us the basic tenets of what is taught at the police college in terms of the rights of individual citizens? If he is not prepared to do that, will he give consideration to at least providing as part of the curriculum of instruction the nine rules of the judges of the court of King's Bench in England, inadequate as they are? At least they are better than the law which is presently in force in the province of Ontario.

Mr. Chairman, these are all part and parcel of one thing, and that is a profoundly perverted attitude of this government towards the right of people in the province of Ontario to demonstrate. I want the Attorney General to answer.

**Hon. Mr. Wishart:** Mr. Chairman, I promised the hon. member last evening that I would answer certain of the things that he had to say then.

First I might tell him that the rules of the judges of England, which he read with respect to the taking of evidence by police, are set forth in a police officer's manual, which is issued to police of this province. They are set forth at pages 89 to 93 and set forth in full. Furthermore, there are the very definite restrictions and directions to police as to the rights of the accused in all situations in the investigation of any matter before and after a charge is laid, in custody and so on. The manual was prepared by Mr. Arthur W. Rogers and Mr. Clifford Magone when Mr. Magone was Deputy Attorney General, I believe. This is the fourth edition which I hold in my hand. It has a wide distribution among the municipal forces, in addition to the Ontario provincial police. So that those very rules which he was reading, prepared by the judges of England, have been made a part of the instructions which go out to our police forces. It is a part of the standing orders, I am reminded, of the Ontario provincial police.

I am not impressed by the raised voice of the hon. member, shouting about the course of mob and riot control. It was only an hour ago in this House that the hon. member for Downsview was reciting the fact of the resignation of a police officer in a small municipality where some hundreds of people took the law into their hands. He could not control them and 40 members of the Ontario provincial police were called in to bring order in that situation. I think if police are going to have to deal with that type of situation, it is better that they be trained in method, in restraint, in control and in the conditions they will find to dispose of a situation such as that, which could have ugly consequences. Apparently in this case they dispersed without a great deal of trouble. I think it is well that policemen be trained for eventualities which may arise. I recall that last year the mayor of Grand Bend, with a great mob of people, many of them citizens from the neighbouring states, was faced with a situation where he had to read The Riot Act. We have had a Riot Act in our law for some time; occasionally when people get together in large numbers there is an attitude that sweeps their thinking and suddenly situations can occur which get out of hand.

I make no apology for the training of a small number of policemen. These are mostly municipal policemen and they would come from small forces generally. Most municipalities send only a few in any event for the whole course. If many of the municipalities have perhaps one or two individuals in a certain police force who have had this type of training—I make no apology for it—I think it is wise. I say that before I have found out and can give the hon. member the answers I have undertaken to give. This is a course which is not something new. I think it is unreasonable for the hon. member to stand up and throw out suggestions that this is a terrible thing and this foretells an attitude of the government or the Attorney General to rule by force. This is utmost nonsense and I am not impressed. I am certainly not impressed when the hon. member stands up and says: "I demand you tell me everything about it." I have no restraint in telling him facts and he will get his answers. But let him not think that I am impressed with that type of approach, because I definitely am not.

**Some hon. members:** Hear, hear!

**Hon. Mr. Wishart:** When he suggests that the Attorney General take a course in some basic attitudes, let me suggest to him that he take a course in the history of those elements which make up a sustained and orderly society.

The Attorney General has never expressed any view against peaceful demonstrations and has never taken any action. But on the other hand, he has never gone out and said to persons who are defying an order of the court: "This is the right thing to do." Anyone who does that is the one responsible for the punishment the court has to mete out to those he encouraged. The hon. member should take a course in those things which sustain and maintain our law-abiding society and not encourage lawlessness.

**Mr. Renwick:** Mr. Chairman, I assume the Attorney General wants me to enrol in this mob and riot control course as the way in which I would be able to accord with his views in society.

**Hon. Mr. Wishart:** There was no police action taken in the situation to which I refer. The processes of the law were applied to people—

**Mr. Renwick:** To prohibit a demonstration.

**Hon. Mr. Wishart:** —the law must be respected and obeyed.

**Mr. MacDonald:** It was a peaceful demonstration.

**Hon. Mr. Wishart:** You know that it was not; you know that the courts have said it was not.

**Mr. MacDonald:** It was.

**Hon. Mr. Wishart:** That is not so. I do not propose to argue; I simply say that respect for law is the foundation of our society and any responsible person who says: "You have a right to disregard, flout, throw overboard and hold in contempt, the law," is doing a great disservice to the society in which he lives and to those he is telling this, because he brings upon them the consequences. This is the thing to which some studied thought should be given.

I think, Mr. Chairman, that I have dealt with the points that have been raised.

**Mr. Chairman:** Shall 202 carry?

**Mr. D. A. Paterson** (Essex South): Mr. Chairman, about an hour ago the hon. member for Riverdale raised the point of jurisdiction of the Royal Canadian mounted police. I wonder if the Attorney General could advise me as to what jurisdiction was given to the Royal Canadian mounted police at Point Pelee national park in my riding?

This is one of the few areas in Ontario where, I understand, the mounted police do have powers over and above the normal powers in the rest of Ontario. Do they involve liquor offences and highway traffic?

**Hon. Mr. Wishart:** I am sorry that I am not able to answer the hon. member fully. The RCMP, of course, are national police and the park is a national area. The powers of the RCMP would be given by the federal authorities under whose control they come. Perhaps I could get some further information as to what their control comprises and what their directions are. As to whether they have traffic powers in there or not, I am not sure, but I would think so. It is not something that comes under my hand, in any event.

**Mr. Paterson:** I would appreciate those memos.

**Hon. Mr. Wishart:** I will try.

**Mr. Paterson:** Also, I would like to know the jurisdiction in the Great Lakes in regard to boating infractions. Would that fall within the purview of the Royal Canadian mounted police or is that the OPP jurisdiction?

**Hon. Mr. Wishart:** In connection with the Great Lakes navigable waters, the law which covers navigation is a federal law and a federal responsibility. Those provisions of the criminal code which speak of careless boating and that type of thing come under provincial responsibility. They are code offences but are enforced and followed up by the Ontario provincial police.

I think I may say to you, that the provincial police are equipped to some extent in certain areas, to patrol and attempt to enforce the law in this growing area of boating and the handling of boats and their use on the water and the danger to persons using the beaches and the waters. I think that in our estimates we seek some additional money for that purpose, but this is a rapidly growing thing and conferences have been going on with the federal authorities to see how it can be met by both their forces and ours.

**Mr. Paterson:** Returning to this jurisdictional problem, I would specifically like something on liquor. Early in the spring we have a smelt run in Point Pelee national park and the Essex detachment of the OPP come down with their paddy wagon and several officers in the evening. At night they take home their

paddy wagon full of liquor. They search each car as it goes into the national park.

I wonder under which authority they are permitted to stop these vehicles, search them and seize beer and liquor before they enter this park. Should this not be up to the mounted police within the park to enforce any infractions?

**Hon. Mr. Wishart:** These seizures—do I understand—were made in the national park area?

**Mr. Paterson:** Just at the gates going into the park.

**Hon. Mr. Wishart:** By the Ontario provincial police?

**Mr. Paterson:** That is correct.

**Hon. Mr. Wishart:** I know nothing of the matter, really. At least from what you tell me, one could say that apparently the Ontario provincial police were on their own ground, I suppose, if charges were laid and either proven or disproven, that persons were there with liquor in places where they should not have it, or open, or something of that sort, in their vehicles, it is an offence under our present liquor laws. I am not going to start a dissertation on our liquor laws, but if the police found the liquor there, they were within their authority in seizing it.

**Mr. Chairman:** I do not want to interrupt the member but I do not think that these questions properly come under this vote. The Ontario provincial police come under 213, or under the administration of justice under 207.

**Mr. Paterson:** Mr. Chairman, I believe there would be an arrangement between the Ontario police commission and the federal authorities in regard to this jurisdiction. This is the reason I brought it up at this point.

The only other matter that I would like to raise is with regard to the police college at Aylmer. I have been past the college on several occasions but have never visited the site. I cannot comment on the military aspects, such as were suggested by the hon. member for Riverdale, but I know of several officers from the smaller communities in my area who have taken the course, and realize how much they enjoyed being there. I think this is an economic asset to the town of Alymer and certainly to St. Thomas and to London, the three immediate centres. I personally like to see this decentralization of government offices wherever possible, and I would trust that there is nothing to this military aspect and that we can continue the college at Aylmer.

**Mr. Chairman:** Shall vote 202 carry?

**Mr. Renwick:** Mr. Chairman, I asked the Attorney General under what authority the RCMP were in Ontario, what their responsibilities were and what the arrangements were, and he answered the question about the writ of assistance. I do not think he answered whether or not there are any arrangements under which the RCMP are here by agreement, what laws they enforce, how they co-operate, or is it something that has just grown over a period of time?

**Hon. Mr. Wishart:** Mr. Chairman, I do not know that I can go back into the historical basis of this situation. I know that orders in council of the Governor General in council are made setting forth the areas into which the Royal Canadian mounted police move and have authority and that they do police, under those orders, national parks and government property in Ontario.

As I say, I do not know the historical background. I presume that the federal government would have authority to take that jurisdiction by virtue of its overriding powers. In any case, that is the way it is done and the RCMP police federal buildings, federal areas, federal parks and grounds in Ontario. I know also that when they make these arrangements they discuss them with us and advise us of their intentions, and discuss them with us before they move in.

**Mr. Renwick:** Mr. Chairman, would the Attorney General in due course, not during these estimates, let me have a brief note as to the lines of demarcation and what the arrangements are and how this co-operation is carried out and to what extent the RCMP has, shall we say, the prime initiative in certain fields, as distinct from other fields under which the OPP or the municipal police forces may have the prime initiative?

**Hon. Mr. Wishart:** I would be glad, Mr. Chairman, to get a memorandum to the best extent I can, and as fully as I can, to the hon. member.

**Mr. Paterson:** Mr. Chairman, might I ask one more question of the Attorney General? Is there more than one federal magistrate in the province of Ontario? I know I have one in my riding and I wonder if there are more?

**Hon. Mr. Wishart:** I do not know that there is another. I think yours is a unique situation. That is at Point Pelee, is it not?

**Mr. Paterson:** Yes.

**Hon. Mr. Wishart:** I think that is a unique situation, as far as I am aware.

**Mr. Paterson:** He is a Liberal.

Vote 202 agreed to.

On vote 203:

**Mr. Renwick:** Mr. Chairman, on vote 203, I have a matter to raise on the office of the legislative counsel. Before I raise it, I would like very much to compliment—if it is up to me to compliment them, and to thank the office of the legislative counsel for the assistance which it willingly and cheerfully gives to us and the professional help it gives us in the work of preparing the bills that this party chooses to introduce.

As I understand this, the draftsmanship of legislation which comes before the Legislature through the government comes to The Attorney General's Department through the office of the legislative counsel. I am very concerned about the provision of one bill, which on the face of it, appears to have retroactively affected the rights of one person and perhaps more in the province of Ontario, and was passed through the last session of the Legislature—unfortunately, in my view, without comment. I refer to section 11 of chapter 73 of the statutes of 1965, being An Act to amend The Mining Act.

When the Minister of Mines introduced this bill into the Legislature, he referred to it as a housekeeping bill only, that it was a tidying up bill, and I suppose because of that brief remark it went through the House.

But it says in section 11 that:

> Every forfeiture of lands and mining rights heretofore made under part 14 of The Mining Act shall be deemed to be valid, notwithstanding that such forfeiture would, but for this section, be invalid or void.

I believe the Attorney General will readily appreciate that that clause in that bill was a retroactive clause, not just a retrospective one, because it refers to "notwthstanding such forfeiture would, but for this section, be invalid or void." In other words, it would presume that there was some defect somewhere in a forfeiture which would have rendered it void and this validates that kind of forfeiture.

I do not want to go into this matter at unnecessary length and I will just simply deal, for the sake of the record, with the particular instance which has come to my attention and I hold no brief, naturally, for the people involved in this. I just am concerned about this retroactive clause, which got through this Legislature in a bill without comment by anyone, under the guise of simply being a housekeeping bill.

**Mr. Chairman:** Does the hon. member not think this should have been brought up under The Department of Mines' estimates?

**Mr. Renwick:** Mr. Chairman, the reason I thought that this was the appropriate place to bring it up is that my understanding is that The Department of the Attorney General is the legal advisor to The Department of Mines, that there has been correspondence about this matter with the Deputy Attorney General, and that while it was a bill of The Department of Mines, nevertheless, it had the kind of clause in it that you would have expected The Department of the Attorney General to have taken a serious view of.

I do not think that view was taken. I would like to be able to state my particular proposition. It seemed to be the appropriate place to bring it up.

**Mr. Chairman:** It is a question which does not appear to come under this department.

**Mr. Renwick:** Well, Mr. Chairman, I am not going to argue. It is a clause in a bill which slipped through this House and has had the effect of retroactively affecting the rights of persons. If that was done under the guise of a housekeeping bill, I think that, when this kind of legislation comes before the House, the Attorney General has some responsibility for it.

**Mr. Chairman:** I think it properly comes under The Department of Mines. I think this was their intention at that time.

**Mr. Renwick:** In other words, the fact that there is a retroactive piece of legislation which has apparently destroyed somebody's rights has no application whatsoever to The Department of the Attorney General, even though The Department of the Attorney General is the advisor to the Minister of Mines and has been consulted on the matter?

**Mr. Chairman:** I do not think it is under this particular vote.

**Mr. Renwick:** Would it come under a vote of this department, Mr. Chairman?

**Mr. Chairman:** I do not think it comes under any vote in this department.

**Mr. Renwick:** Would it come under the administration of justice?

**Mr. Chairman:** At the present time, I do not know. I ran through the votes and I do not know of any place it really does come under.

**Mr. Renwick:** Then it has nothing to do with The Department of Attorney General at all, even though they advise The Department of Mines?

**Mr. Chairman:** This would be my ruling and understanding.

**Mr. Renwick:** All I can say, Mr. Chairman, is that I am concerned that that kind of law should have been passed through here under the guise of a housekeeping provision in an Act and I will deal with it in another manner.

Votes 203 and 204 agreed to.

On vote 205:

**Mr. Sopha:** Mr. Chairman, I wanted to ask the Attorney General what reorganization is implicit in the introduction into his estimates of this branch? First, who is the senior Crown counsel? Secondly, how many other lawyers are employed in that branch of his department under the senior Crown counsel, and what reorganization of the department is implicit in this identification of the office here in a separate vote?

**Hon. Mr. Wishart:** Mr. Chairman, the senior Crown counsel is Mr. Frank Callaghan. There are in the office of the senior Crown counsel, and associated with him, two senior counsel.

**Mr. Sopha:** Who are they?

**Hon. Mr. Wishart:** Mr. Robin Scott and Mr. David Bernstein.

Then there are 6 advisory counsel and 3 junior counsel and 9 clerical and secretarial staff. We have an articling law student there, I believe he is a medallist with a prize in criminal law, and we also have 6 further law students articling with us. Three of those were called to the bar with honours.

**Mr. Sopha:** Are the 6 advisory counsel full time with the department?

**Hon. Mr. Wishart:** Yes.

**Mr. Sopha:** What are their names?

**Hon. Mr. Wishart:** The 6 advisory counsel are: Marshal Pollock, R. A. Copeland, Stephen Allan—I will get them for you in a moment.

**Mr. Sopha:** Fine. I have a further question to ask about it.

**Hon. Mr. Wishart:** Actually, there is no great reorganization going on there. We have made certain changes in name and descriptive title.

**Mr. Sopha:** Yes. Well, implicit in this is the connotation of concern for the prosecution of the criminal law, in the same sense as Crown attorney is called "Crown counsel" or counsel for the Crown. Do we understand that the office of the senior Crown counsel is the office responsible in an overall sense for the prosecution of the criminal law in the criminal courts of the province? If so, what has happened to the director of public prosecutions?

**Hon. Mr. Wishart:** The director of public prosecutions remains in charge of all the criminal side of The Attorney General's Department. The senior Crown counsel is engaged in court appearances and is the senior counsel generally appearing in court. That is not exclusively to him. The director of public prosecutions has always duties in advising Crown attorneys in their various problems and so on, and in constitutional matters.

**Mr. Sopha:** Are we given to understand now that the Attorney General has opened what in effect primarily concerns itself with problems of constitutional law?

**Hon. Mr. Wishart:** That is a large part of it, yes.

**Mr. Sopha:** I see. Is that the main responsibility of this branch?

**Hon. Mr. Wishart:** The senior Crown counsel does all the constitutional work and all the senior civil work of the department, and some criminal work.

**Mr. Sopha:** I find it so difficult to comprehend the organization of the department. Mr. Cormack, one observes in the press, has recently been engaged in certain prosecutions; Mr. Cormack, I think I am correct in saying, prosecuted the Angus case. Is Mr. Cormack under the direction of the director of public prosecutions or is he under the direction of the criminal appeals and special prosecutions branch, or the senior Crown counsel? I would like Mr. Cormack to know who his boss is.

**Hon. Mr. Wishart:** Mr. Cormack is the assistant director responsible to the Deputy Attorney General.

I might just say we are endeavouring to develop in our department a broad base of competent legal group of persons—lawyers

capable of taking care of the legal matters which demand the attention of government and the action of government. We have the division of the director of public prosecutions whose duties are as I have outlined them; we are developing these counsel whose duties are as I have also outlined. They have these duties and are carrying them forward so that we may avoid what we have been rightly, I think, criticized for in the past, of going so often outside our department to get persons who are competent and capable of taking cases before the courts.

**Mr. Sopha:** Fine. I want to make the comment, Mr. Chairman, because I want to assist the Attorney General along the way of persuading his Cabinet colleagues and, indeed, the first citizen himself, of the intrinsic validity of the proposition that when the Queen in the right of Ontario is in the courts of this province, it ought to be the Attorney General, his representative or agent, that is in the courts on behalf of the Queen in the right of Ontario. The Attorney General will recall that at the public accounts committee, his attention was drawn to the circumstance where the Minister of Transport was in the courts. Suspicions that I had were found to be extremely valid that the Minister of Transport had decided to put the Queen into the courts without consulting The Department of the Attorney General. It would only behoove one to draw attention to this tragic circumstance that befell the Minister of Transport by reiterating the fact that the Minister lost the case in so doing. My own view was that perhaps if he had gone about it properly and had asked the experts—and these are able young lawyers, there is no question about it—maybe the Minister of Transport would not have been in the courts in the first place in regard to the particular case.

I have some share of the blame, because I suppose as long ago as four or five years I raised the matter that formed the foundation of the case of the Minister of Transport. That simply was that I pleaded for a test case to ascertain whether, when a pleasure vehicle was engaged in the business of carrying passengers for compensation, the insurance company ought to be placed on the hook for loss, notwithstanding that the vehicle was used for other than that stipulated in the policy. Finally, after three or four years when I had raised that matter, the Minister of Transport and his advisors decided to go to the courts. Well, they lost. That is the long and short of it. They lost before Mr. Justice Jessup, and like all other litigations that the government is currently engaged in which they have lost, it is under appeal. Everything they have lost recently is in the appeal courts.

**Hon. J. Yaremko** (Provincial Secretary): Is the member suggesting they should not have taken his advice?

**Mr. Sopha:** There was another way that I suggested it could be handled. I suggested they go after the insurance companies, but at the same time — and *Hansard* will bear me out — I suggested that the statute might be looked at. If it was felt that the statute did not cover the situation to put the insurance company on the hook for that type of risk, the statute could be changed. Who knows, had the Minister of Transport consulted the Attorney General and his law officers to ask for their advice on the prospects of success in the courts in this particular case — do you want the citation? "The Queen in the right of Ontario as represented by the Minister of Transport against Great American insurance company, as yet unreported, the judgment of Jessup, J." Had he sought the advice of The Attorney General's Department, it is conceivable that it could have said to the Minister: "Do not bother with the case. We will have a look at the statute and we will bring in an amendment next year and make the thing clear beyond all peradventure." Here is the unfortunate result, and I want to tell the lay members of the House what can happen to them as a result of that decision.

Let us hypothetize that you are entirely without fault; you are wending your way along the street, lawfully and prudently on your own side of the road at a reasonable rate of speed, and you are struck by a car that is carrying passengers for hire in violation of the policy. When you get to court, your lawyer can be faced by two lawyers who have equal rights of participation in the trial of the action — one representing the insurance company—you would not believe it, except I assure you it is true—one provided to fight you by the people of the province of Ontario, one provided by the government. The Minister of Transport will provide the other lawyer, who will resist your claim.

That is a strange system of law. Why should that be so? When the insurance company becomes aware that the vehicle is used in the business of carrying passengers for hire, it comes into the action as the third party. Accordingly, there is or may be a default of appearance on the part

of the defendant owner-driver and the Minister of Transport, under The Motor Vehicle Accident Claims Act, may appoint a lawyer. That is an odd system of law where the people of the province provide a lawyer gratuitously to resist the claim just because there has been a breach or an alleged breach of the policy. But that is actually the way it works out. We ought not to tolerate such a system of law as that. There is the misfortune. The Minister of Transport took the case and I have spoken to him privately about it. The Attorney General – I do not think I relate anything out of school—at the public accounts committee, in a very moderate way, as it typical of him, indicated his displeasure at the fact that the case had gone to court. The Provincial Treasurer, a very influential man in the government, indicated his displeasure that the matter had gone to court. I assume the information having filtered down to the Minister of Transport, that he, too, is displeased at the fact that his colleagues are displeased with him for being in the courts. He by-passed The Department of the Attorney General which is, in the view of the member for Downsview and myself, all the law in the province when the Queen is in the courts. The Attorney General is in the courts. The Minister by-passed them, did not even ask by your leave or an opinion on the way. He went downtown and hired a firm of lawyers, no doubt very good lawyers –

**Mr. Chairman:** This is The Department of Transport, is it?

**Mr. Sopha:** Yes, The Department of Transport.

**Mr. Chairman:** And how does that fit into vote 205?

**Mr. Sopha:** The point is that he would not have hired the downtown lawyer had he asked the senior Crown counsel. It is conceivable that the senior Crown counsel, one of the six advisory lawyers – three assistants, six advisory lawyers – might have been in the court on behalf of the Minister of Transport – for all I know, all nine of them. But the point is, it is completely wrong. The whole business is completely wrong and the hon. member for Downsview and I reiterate every year that the government has no business going downtown to hire lawyers and spending $700,000 of the hard-earned tax money.

My friend tells me that is how much was spent last year; $300,000 in the city of Toronto and an extra $400,000 outside of Toronto. The whole concept is just completely ridiculous. Now the Attorney General tells us that he is building up a staff of competent people under the aegis and leadership of Mr. Callaghan, and who is to say Mr. Callaghan is not a good lawyer? The only time I have ever seen him in the courts he has won his cases. That is the best evidence you have.

If a pitcher is pitching four hit balls and winning ball games and blanking the opposition, he has got to be good. That is Mr. Callaghan. I trust he will be appointed a QC in the new year's honours list this year. I am not recommending him, but he does not need my recommendation to get that position.

The point is a serious one and the member for Downsview and I have made progress if that is the way things are going. From now on, the Crown counsel is there. I have always said, and I have said it so many times I get tired of hearing myself say it, that the profession outside and the public should be cultivated and nurtured into a state where they look upon the presence of counsel representing Her Majesty as a person of great prestige and great ability who is in the courts for one purpose only and that is the promotion and protection of the public interest.

That is why he is there. He speaks to the court from that point of view and cultivates a good deal of respect from the court in return. It is a two-way process and all the rest of the profession ought to look upon them with respect for their ability and the prestige of their office.

That is the type of thing that I borrow from Great Britain. Some of us are familiar with the great prestige of Treasury counsel. I would like to see the adoption of that name in the province—call them Treasury counsel as they are called in Great Britain. They represent the Treasury, although they come under *attornatus regis*, the Attorney General, and act for him.

It is a good tradition and in England, traditionally, Treasury counsel were the ones that went to the bench, to the King's bench division and the high court of justice. It was a training ground for future justices, and that is a very salutary development in the administration of justice in my opinion.

**Hon. Mr. Wishart:** Mr. Chairman, may I just speak very briefly on this matter, and say I am indebted to the hon. member for his suggestions. I appreciate the compliment he has paid to the counsel in my department, particularly the senior counsel. One, perhaps,

could not pay him too high a compliment for his ability, and his capability in the courts. The remainder of the members of the staff are very capable also and have been doing excellent work.

As hon. members are aware, The Department of the Attorney General, as a result particularly of The Financial and Commercial Department Act which was passed, will be relieved of certain of the activities which are now in the department on what we call the financial and commercial side. It will be able to devote itself more to what I think we would like to call the practice of law and the administration of justice.

Very shortly, as soon as the new Ministry is set up, I think we shall be able to offer other suggestions and recommendations to the government. Certain studies have been going on with the other departments. I think it would be an ideal situation to have all departments—insofar as their legal opinions are required and discussion on legislation offered by the department—come definitely through the one department which should be equipped properly to advise and assist them in that regard.

Perhaps I might answer to some extent the question which was raised by the hon. member for Riverdale as to how a bill came through from another department and did not receive our attention a year or so ago. I think these are things on which we may be able to recommend certain methods or procedures to the government. If found acceptable they would resolve some of the questions which are put forward by the hon. member for Sudbury and the hon. member for Riverdale.

Vote 205 agreed to.

One vote 206:

**Mr. Singer:** Mr. Chairman, on vote 206, is this the appropriate time to discuss the bail system in the province of Ontario? As I reviewed last year's debates in connection with this matter, I noted there was some considerable discussion about bail and some of the remarks attributed to the Attorney General were these:

> I do not believe it to be as serious as the occasional report would appear to make it be. We are not waiting for Mr. Justice McRuer, we are moving without waiting for suggestions or recommendations. Bail in the original sense has outlived its usefulness for small petty crime.

Now, those are three quotations from the words of the Attorney General in the last session of the Legislature. Since that time, I think that the situation has clarified itself to some extent.

I think the first remarks the Attorney General made, "bail was not as serious as the occasional report would appear to make it be," has been completely set aside and completely negated by the very carefully prepared book written by Professor Friedland entitled, *Detention Before Trial.*

There was the suggestion that the whole question of bail go forward to Mr. Justice McRuer and the Attorney General indicated they are not waiting for Mr. Justice McRuer's report—"we are moving without waiting for all of his suggestions or recommendations." The movement has been a little hard to detect. In fact I do not know of anything the Attorney General did other than to write a letter to Mr. Henry Bull, the Crown attorney for the city of Toronto, commending the Downsview rotary club for a voluntary effort that they were prepared to undertake.

They began to think about what might be done after having read Professor Friedland's book.

Bail in the original sense has outlived its usefulness for small petty crimes, says the Attorney General. Well if it has, what has he done about it?

Mr. Chairman, the book called *Detention Before Trial,* has opened the door on what the people of Toronto assume to be our process of justice and his disclosed the noisome mess behind it. It is not justice at all. Professor Friedland, by working with a computer, has been able to do what the Attorney General and has department and his advisors have been, as yet, unable to do. As recently as a year ago, the Attorney General thought the problem was being over-stated.

The people working with Professor Friedland examined all the charges laid under the code in Toronto's magistrates' courts for a six-month period in the years 1961 and 1962, and documented what happened to accused persons. The facts uncovered, and I am sure the Attorney General will agree with me, are shocking.

They show that a bedrock of British justice—that an accused person is presumed innocent until he is proven guilty in a court of law—is largely a fiction. In defiance of the law, thousands of persons are arrested and jailed when they ought to be summonsed; in further defiance of the law they are often arrested without warrants, and held in jail when they ought to be out on bail. Bail, when it is available, is more available to the

professional criminal than to the first offender and it does not serve its purpose in any event.

Finally, the computer has proved that a man who is arrested and jailed and produced in court from jail is much more likely to be convicted and sentenced than a person who has been summonsed to court.

It seems to me that this whole system of bail, as revealed by this study of Professor Friedland's, would have indicated the most urgent type of action to be initiated by this government. Some might ask what harm it does that a man be held in custody before trial instead of being summonsed and I think the answer to that is pretty obvious. The man is much more likely to be convicted, and the statistics show this. He is less likely to get a suspended sentence. He is more likely to go to jail and more likely to stay there longer.

For all convictions, the survey showed that 41 per cent of those in custody before their trial were sent to jail and only 13 per cent of those not in custody. Of those in custody, 79 per cent of those who were sent to jail went for a month or more. Of those not in custody, only 24 per cent.

I think one of the most terrible effects of bringing a man directly from the jail into the courtroom is that he comes before the magistrate, not as a clean, free, respectable-looking man. He will be under guard, he will be standing in that prisoners' dock that my friend has been talking about.

He will be ill-kempt, his clothes will be rumpled, he will probably have a day's growth of beard on his face and only the most objective of magistrates, Mr. Chairman, who have lots of time—and in Toronto they do not have lots of time to consider these things—could fail to become suspicious by this type of person being brought before him. The police are convinced of his guilt and the justice of the peace has not judged him reliable enough to be released on his own recognizance. In fact, the whole effect of producing him there has produced the effect that he is guilty before he has even been tried.

The other very serious thing that Professor Friedland points out is that bail serves the professional criminal. The hopes of getting out on bail, for the average person in jail, might have been greater if they had been hardened offenders. Bail is so hard to get in Toronto that in the study period, only 12 per cent of all persons arrested were bailed from Toronto's police stations before their first court appearance.

The main purpose of bail is to make sure that an accused person will turn up for trial, and in the Canadian bill of rights there is this statement, that the right to reasonable bail wihout just cause shall not be refused. Yet in Toronto, the purpose is frequently not served and the right is not ensured.

To answer both purpose and right, bail for an accused should be high enough to ensure his appearance in court and low enough that he can pay it, or find somebody to pay it on his behalf. Yet again in Toronto, magistrates tend to set a fixed bail for an offence, regardless of the circumstances of the supposed offender. The result is that it is often high enough to keep in jail a man against whom charges will later be dropped or who will be acquitted, and low enough to serve as a purchase price of freedom for the professional criminals, who only want to skip town.

As I was saying, Mr. Chairman, it is easier for the professional criminal to get bail. Since bail must be in cash or in deeds to property, things not easily accessible to even the affluent in the middle of the night or on weekends, the non-professional usually has to wait for non-professional help. The professional, on the other hand, has the professional bail bondsman at hand.

I only touched on this last year, but there is no doubt, as a result of the comments of Professor Friedland, that there is a racket of professional bondsmen in the municipality of Metropolitan Toronto that has flourished for a number of years and that no law enforcement agency has ever done anything about it.

Sir, having read this book, it affected a number of people, it aroused a very substantial amount of newspaper comment, and a group called the Downsview rotary club became interested. It studied the matter and watched and researched the work done by a group called the VIRA foundation, in the state of New York. The VIRA foundation began what is now known as the Manhattan bail project, a system of investigating persons who are arrested and of making certain information and advice available to the magistrates, so that they can then, as a result of these studies and questions, exercise a reasonable discretion when an accused comes before them for bail.

That VIRA foundation was financed by a private estate and by one of the wealthy foundations in the United States. It began, through this method of financing, to provide this service in the courts in New York city. The experiment was so successful that it has been taken over now by the municipality

and it is run as a regular part of the court service of the municipality. It is no longer, Mr. Chairman, a charitable effort. It is now a fixed part of the system of administering justice in those courts.

The Downsview rotary club thought it was of some value and some importance that a similar series of studies be done in this jurisdiction, and after communicating with the Attorney General it was given permission by him, through the form of instructions to Mr. Henry Bull, that co-operation be extended to it so it could begin to experiment in this regard, provided it raised the money.

The Attorney General very graciously said to Mr. Bull, the chief Crown attorney in the city of Toronto, "The project in my view has much to commend it and I would like to see it instituted on a trial basis, so that all concerned may assess its value and its practicability." I think that was most gracious of the Attorney General. He allows a voluntary group to go ahead and raise money to conduct a type of work that is important for all of the people of Ontario. Justice goes to charity. Justice depends on charity.

**Hon. Mr. Wishart:** Just the same as the Manhattan group started.

**Mr. Singer:** Yes, Mr. Chairman, the Manhattan group started on the basis of one estate and the Ford foundation.

**Hon. Mr. Wishart:** Yes.

**Mr. Singer:** And it was successful enough so that it was taken over by the municipality.

**Hon. Mr. Wishart:** By the municipality.

**Mr. Singer:** That is right.

Mr. Chairman, the Attorney General has a substantial responsibility to assure the people of Ontario and the people of Toronto and all the people in all the other cities that when they come before the court they are going to get reasonable treatment, that they are innocent until they are proven guilty, and that bail is not going to be unreasonably magnum. I do not think, Mr. Chairman, and I am sure the people of Ontario do not believe, that the sort of work that has to be done in this regard should have to depend on charitable institutions, on the work of dedicated members of the rotary club.

These people did a good job. They focused substantial attention on it and I commend Mr. Stanger—who is the president, I think, of that organization—and his associates for the interest they took in it. I suggest to you, sir, that this is important enough that it should never have been left to charity. This is a project that this government should have undertaken on its own. Justice should not have to depend on charity and the province of Ontario should be able to provide the financing for a scheme like this. There is no question about that, Mr. Chairman, and I am surprised that the Attorney General, having seen the reaction to the type of announcement that he made, has not changed his mind, has not budged at all, and is prepared to leave it up to the voluntary efforts of the Downsview rotary club.

The *Globe and Mail* printed a very fascinating editorial, and I do not think that it could be more correct than where it says, "Justice Is a Beggar" and continues, "Do we want justice in Ontario to be a beggar?"

Mr. Chairman, the history of bail procedures in the municipality of Metropolitan Toronto is a disgraceful one. The situation is obvious and it is there for all to see. It has now been documented as a result of statistical studies done through a computer. But still we are having difficulty.

My friend, the member for Sudbury, was referring to Magistrate Addison. There is a newspaper story here about Magistrate Addison dealing with some youngsters from Yorkville, and it reads in part:

> The magistrate vowed to be difficult and refused to free six without bail. He refused to release six youths arrested yesterday in Yorkville, declaring he was going to be more difficult in dealing with Yorkville disturbances. The magistrate said, "Long-haired youths would have to post cash or property bail pending their trials." He remarked as long as the courts continued to show great tolerance toward Yorkville youth, they will continue their disturbances. He added that the appearance of the five youths, charged with causing a disturbance while picketing the College street station, shows defiance of all those things conventional.

Mr. Chairman, there is a magistrate sitting on the bench in the municipality of Mertopolitan Toronto who has tried and convicted six youths before they had ever appeared before him. No one can disagree with his sentiments that some of the things that have happened in Yorkville are regrettable and the persons responsible for them should be punished. But here Magistrate Addison is punishing them before they have even been tried, before any evidence has been introduced. The first punishment is to say, "You are going to stay in jail, because I am not going to give you bail." Surely that should sound a warning note in the Attorney

General's ear, but he is content to leave our system of bail administration to charity. I think this is deplorable and I think this is regrettable.

This discussion could go on at great length but the facts are obvious. We have a bad bail system and in some aspects, a corrupt bail system in the province of Ontario and there is nothing being done about it except as a result of a charitable effort.

In many smaller communities—and I do not know that this has properly come to the Attorney General's attention—the person who fixes the bail is the magistrate who later tries the case. This happens occasionally, even in the larger communities, and the magistrate at that point becomes aware of the past record of an accused who is later going to come before him. I think this is regrettable too.

All of these facts are outlined at some length and in some very substantial and accurate detail in Professor Friedland's book. I would hope that the Attorney General will listen to the plea of ourselves—and much public opinion in the province of Ontario—that the system of bail needs reform. Steps can and should be taken to do something about it.

I know that he is going to suggest that substantially it is a federal responsibility. Surely there is a responsibility on the part of the province of Ontario, which has the duty of looking after the running of our courts and properly instructing magistrates, to set up a system of bail that will be reasonable and fair. I think it should abolish and punish professional bondsmen. This, again, is your responsibility. They are there and they should be caught and they should be charged.

The magistrates know about them, the professionals know about them, but nothing has happened to convince those responsible for fixing bail that most of the people who come before them can be released on their own recognizance.

The object of bail is to produce the appearance in court of the accused where they are reasonably responsible people who live in the community, who have a stake there, marry, own houses, have jobs and are charged with comparatively minor offences. Surely, Mr. Chairman, there can be no doubt that they will appear in court. We do not have to have magistrates trying accused before the charge ever comes before them.

**Hon. Mr. Wishart:** Mr. Chairman, I agree with many of the remarks which the hon. member for Downsview has just made. I would like to speak very briefly about bail. I am not going to say that this is a federal responsibility. It is true that section 463 of the code sets out the provisions relating to bail and the way it may be granted by justices, magistrates or justices of the peace. It does provide, in the discretion of the magistrate or the justice of the peace presiding, that he may release persons charged with certain offences on their own recognizance without surety and without any sum being deposited.

I think that improvement in the bail situation can largely be brought about. This is the approach I take. I think it has been bad; I think there have been abuses; I think it has been too rigid and that there has been an insistence on too much surety, and too much security, in many cases. This has worked hardship.

I think the way to amend and improve that situation is to instruct more magistrates and justices of the peace and Crown attorneys who are advising magistrates in the courts that they should move a long way toward the granting of bail on the person's own recognizance without the necessity of surety, and without the necessity of assembling deposit.

Let me say that we are doing this; we have moved in this direction in our seminars and in our discussions. Our magistrates have a number of meetings—I believe we are attempting to have four each year—at which there are lectures, instructions, exchange of ideas, approaches to all of the various matters with which they have to deal in court, types of cases, sentencing—and the same with the magistrates—and bail. I think the idea is getting across and it is becoming apparent that bail has become something that was not intended in its early origin as a means of releasing a person mainly on his own undertaking for some small property security and it has a grown into a—

**Mr. Singer:** It is not a punishment—

**Hon. Mr. Wishart:** No, it is not a punishment, but it has grown somewhat in that direction and has grown somewhat rigid.

Now I think we are achieving this, but I must say this, with great respect to Professor Friedland's book which I read and examined more than once, from the statistics which he uses—as is perhaps common with many statistics—you can draw conclusions which are not warranted. I see the hon. member for Downsview falling into what I think is the error of saying that statistics prove that persons who go to jail get longer sentences, that they do not get suspended sentences, that they

do not get the same treatment in court, and there are more convictions for persons who are held without bail.

If you stop for a moment to think, the very fact that that group of persons were held without bail, in the first place probably indicates that theirs were more serious offences and they would get longer sentences. Perhaps they were persons with records, criminal records, and that is why they were not granted bail. That is another reason why they were more likely to be given longer sentences. To fall into the error of saying, just because they were not granted bail, that this is the conclusion to be drawn from that statistic and is a conclusion that one just should not accept. There are many reasons beyond pure statistics.

With respect to the very admirable and commendable effort of the Downsview rotary club, when Mr. Stanger and his group came to me they said, "This is what we have in mind and would you assist us, will you just give us your approbation, will you extend to us as far as you can the co-operation of officials in your department?" That was all they requested. I was very happy and I was very interested to say to my people—it was not just to Mr. Henry Bull, but also to the chief magistrate whom I wrote and some others, anyone I felt could be of assistance to them, and I believe, to the dean of the law school—giving these people every assistance you can if you will—

**Mr. Singer:** Six or eight people.

**Hon. Mr. Wishart:** Yes, I think there were six or eight people. This is a study. It may have value and enable us to assess how much value in this approach to getting the information regarding accused persons, to enable the magistrate or the justice of the peace to assess the need of bail or the amount of bail or whether the simple recognizance will do. This may be very valuable. It will give us a statistic to show how many people, the percentage of people coming before our courts, who could be released in Metro Toronto.

A similar thing had been going on in Oshawa on a smaller scale for some time. That was all that was asked and I did point out while my friend was speaking that the Manhattan project started in exactly the same way. It was supported by private funds, by an estate, and then it was taken over by the municipality.

I do not suggest that when Mr. Stanger and his fine group of people from the Downsview rotary club have concluded their study that perhaps we should just leave it for Metropolitan Toronto to take over. Perhaps when he have the results of that study we can make some suggestion or recommendation whereby some sort of assistance of that kind might be given to our courts across the province. But I certainly was happy to see that effort being made and will be very interested to see the results and then perhaps draw some conclusions or make some recommendations when that has come to hand.

**Mr. Singer:** Mr. Chairman, we did talk last year about courses for magistrates and justices of the peace and attorneys. There were some figures — I do not know where I got them, perhaps in answer to some of the questions I put, or the Attorney General volunteered them — that indicated that some of the courses that Mr. Wilson and others were running fell a little short of complete attendance. In fact, Mr. Wilson was lecturing to about half the group of magistrates there are in the province.

These magistrates, justices of the peace and Crown attorneys are your people. I think it is important when the Attorney General has said, as he has said just now, that these officials be made aware of the thinking of himself and his department insofar as bail procedures are concerned. There should be 100 per cent attendance at these meetings so they can be properly briefed. I do not think it should be a matter of: "We will come if we are not busy." I do not know what the attendance records were this year; I would hope they were much better than they were a year ago. But I think it is important that every Crown attorney and every justice of the peace and every magistrate be made aware of this.

I think it is important that it become common knowledge in the province of Ontario that a magistrate cannot sit on a bail application of a person whom he is likely to try. I think we have to avoid that because we cannot put a magistrate in possession of information on an accused's previous criminal record and that accused later comes before him for trial. I think that is elemental common sense in the course of administration of justice.

Finally, sir, I had hoped that I would have heard something from the Attorney General about professional bondsmen. He does not have to go more than a mile and a half from here and he will find them. They are operating every day and I would like to know what is being done about it.

**Mr. Renwick:** Mr. Chairman, on this one point, would the Attorney General explain

to me just what is the position of a professional bondsman? Is it an offence to be a professional bondsman? Or is it just one of these matters we do not talk about?

**Hon. Mr. Wishart:** Mr. Chairman, I have to check a section of the criminal code. I have a note which relates to this. I will have it in a moment. Perhaps, Mr. Chairman, if you could find it possible, we might go on to something else at the moment and I will get the note.

**Mr. Renwick:** There is no urgency. It was an inquiry I was interested in.

Mr. Chairman, would the Attorney General consider, on at least an experimental basis, suggesting that in magistrates' courts the cage be done away with on a trial basis? It is my impression that the mere act of segregation of the accused in the courtroom is detrimental to his fair trial; he is immediately set apart and separated from the common body of people in the courtroom. I think it has an indirect psychological effect on his ability to obtain a fair trial. I am sure there must be occasions where the police would have a very real apprehension of danger of either violent escape or other forms of violence where it may be necessary, but it would seem to me that, in the majority of cases in the magistrate's court, the cage could be done away with, and I would ask the Attorney General give consideration to doing so at least on an experimental basis.

**Hon. Mr. Wishart:** Mr. Chairman, I would certainly be glad to take under consideration the suggestion made by the hon. member and see if it might be worked out, perhaps in some situation on an experimental basis.

I hope my remarks will not be misconstrued or misinterpreted, but you hear it said so often that under our system an accused person is innocent until proven guilty. And that is so. Before the law, a person is innocent until he has been found guilty. But it does not go so far as to mean or to imply that a person brought before the court can be treated as an innocent person. To take an illustration, a policeman may seize a person committing a maniacal offence, a very violent assault. He arrests that person in the very act. Perhaps he is guilty of an assault with intent to kill, to do bodily harm, bloodshed has occurred and so on. He brings that person to court. Now, the presumption of the law says that this man brought to court is innocent in the eyes of the law until he is found guilty. But does that mean to say—think for a moment—that that person, violent, ready to do harm, to injure persons or to escape the clutches of the law if he can, is to sit free in the company of the persons in court or anywhere else? You see, the presumption does not go that far, otherwise you would not take him into custody at all. You would say: "He is innocent until he is proven guilty, therefore he has all the rights of everybody else." That is not what is meant. All I am trying to lead up to is this: I think we can look at our laws, at our procedures and our methods and say that we should not unnecessarily damage the rights of persons by refusing them bail, or by locking them up in that situation. But to say that every person brought before the court, no matter what his crime, can be treated as an innocent although the facts of his dangerous situation is known, is something that we must not be led into believing is the meaning of the expression "innocent until proven guilty before the law." As you know, the persons charged with very serious crimes are not even granted bail. They must be locked up and kept in custody.

So it is a matter of degree. If any such experiment as that suggested by the hon. member were to be contemplated, it would perhaps have to be a matter of experimental degree and related perhaps to some of the lesser offences for which people are brought before magistrates. You could not make it a blanket, overall situation.

I would be glad to take it under consideration and see what might be done.

**Mr. G. Ben** (Bracondale): Mr. Chairman, I want it to go on record that I do not question the Attorney General's motives. But frankly I have to question his knowledge of what goes on in some of the courts he administers. I want to give, Mr. Chairman, an example of what happened in a Hamilton court. As you know, at one time in discussing the estimates of the hon. Minister of Reform Institutions, I made mention of one of his most frequent tenants.

I had received a telephone call from this particular individual in Hamilton. He was incarcerated in Barton street jail and asked that I come up and see him. I went up, but he was not in Barton street jail, he had been taken to the Wentworth county magistrate court, as distinguished from the city courts. I believe I went to the 6th floor and looked around for the courtroom. I asked where the courtroom was and where this chap was being tried. They referred me to a corridor, but they told me I could not go in there. I said: "I think I will be able to get in." I went to get into the courtroom and I was

told I could not go in. I said: "Why not." The answer was under the instructions of the Crown attorney. I informed him I happened to be a lawyer and it was being held in camera. Being a lawyer and also a member of the Legislature, I thought I should be entitled to enter. They said, "Oh, that is different," and I went in.

Since this matter was being heard in camera, I visualized that some very vile sexual offence had taken place and for that reason the public had been excluded. At any rate, I sat down as the trial was in progress. You can imagine my amazement when I found out that the offence with which this individual was charged, this offence which was being heard in camera, was one of creating a disturbance. They were holding this trial in camera and he was charged only with creating a disturbance.

I listened with interest to the magistrate convict the man. His defence was that he had been defending himself and he had witnesses to prove that he was defending himself. The magistrate said it was fine; he did not disbelieve this man was defending himself, but stated that the minute he started to defend himself, he did create a disturbance and he was, therefore, guilty, and convicted him.

Well, I still sat there until the Crown attorney handed to the magistrate the record of the accused. Now, this record I was familiar with because some of the circumstances surrounding this individual I had recited to this House. The magistrate started reading off some of this record and I immediately recognized that the magistrate was reading the record of the accused which he had acquired when he was eight years of age. The Crown had handed to the magistrate, and the magistrate was reading the convictions—not only the convictions—but the acquittals—of this person he had just convicted, from the age of eight years.

At that stage I got up, I introduced myself, and stated I had an interest. I offered my services to this individual and I asked to see this record and was shown the record. I pointed out that it was rather strange and highly irregular to be submitting to a court the record of a juvenile, which was supposed to be confidential. The Crown indignantly told me there was nothing strange about it at all, he did it all the time.

I also pointed out that they had on that crime sheet, all the acquittals of the person who had just been convicted, and I pointed out that this was very irregular but the magistrate insisted there was nothing irregular about it, and that this was the way they did it all the time. So I apologized to him, I said I did not know that in Hamilton they hung you for being a white sheep if they could not hang you for being a black sheep.

The Attorney General may not be aware of this, but this is what they were doing in that court consistently. This is the first time I have got up on this estimate, Mr. Chairman, but I just could not avoid getting up, especially after the Attorney General gets up and fails to distinguish between the presumption of guilt and the belief in the guilt, or the presumption of innocence and the belief in the innocence.

I suggest to you, Mr. Chairman, that the only presumption there is of innocence in this province is a false belief in the minds of some of the public that the law does not presume a man to be innocent in the province of Ontario, that the law in the province of Ontario presumes any person arrested to be guilty; and only those who still believe in the British system of administration of justice, believe, without even the use of marijuana or any narcotic, that in this province a person is still presumed to be innocent unless found guilty.

That is the most abused phrase one can imagine. I see the distinction the Attorney General tries to make. I follow his reasoning, that perhaps the fact that more people who are allowed out on their own bail were acquitted than those who remain in custody, could prove that the judgment of the people who release these people on bail is excellent in that they are able to predetermine in granting bail, or refusing bail, whether or not these people will be acquitted. One could twist these figures whichever way one pleases. But the fact remains that this is the kind of system that is administered in this province.

We were speaking of professional bondsmen. On two occasions, a person I had taken down to offer himself as surety was almost interrogated by the bail magistrate. The bail magistrate asked him did he know the accused. He said, "No." "Then why are you putting up bail?" "Because Mr. Ben asked me." "And you put up bail just because Mr. Ben asked you?" "Mr. Ben is my neighbour and friend of long standing. If he wants me to take the shirt off my back, I will take the shirt off my back. He asked me to put up bail, I am putting up bail for him. I have never seen the man in my life."

The same man came up another time for the same person; again he went through the same thing. All this time, as everybody knows, as has been pointed out by the

member for Downsview, we have had professional bondsmen here. It has been pointed out in the newspaper that one of the persons bailed out revealed how much she paid, and to whom she paid it, to have bail arranged, that it was a common practice. But I have yet to hear of anybody being prosecuted. One can see these bondsmen in the corridor day after day, putting up the same bail all the time. One individual I know there, who acts, I would say as a professional bondsman, would, if he had the money he puts up for bail, be the richest man in Canada. How do they do it? Perhaps the Attorney General may look into the matter.

Yet, as the member for Downsview pointed out, every citizen cannot get bail. I think he said once before in this Legislature, "Bail for the poor means jail." Last month, when a bill was up before this House to change the bail procedure to enable the senior officer or the sergeant in the jail to release an accused on bail, I asked that there be an amendment so that they could release the individual on his own recognizance, without putting up surety.

The Attorney General said that they were not prepared to go that far and then the member for Riverdale rose and said that they could do it anyway. I find it rather hypocritical now for him to criticize the system of bail when at the time this amendment was proposed he spoke against it. It would have permitted a police officer in a police station to permit a person to go on his own recognizance, which he is not able to do at the present time. Perhaps the member was just mistaken as to the law, or has no recollection of it at this time.

If there is anything that needs doing at city hall, especially, it is to clean up those courts. They are like the Augean stables and they look like it and I might point out, Mr. Chairman, that perhaps the Attorney General could bring a little dignity into those courts. The bailiffs or the tylers, or whatever they may be called—the police officers who stand at the doors and some of the clerks—shout at the citizens who are there as witnesses: "Shut up, no talking! Take that gum out of your mouth!" Just like that. I am not exaggerating, Mr. Chairman.

**An hon. member:** That is decorum.

**Mr. Ben:** It is decorum? It is deplorable; it is shocking.

I think I may have mentioned it in this House that at 11.10 on April 25, 1966, waiting outside courtrooms A and B—I think they have been changed to numbers 21 and 22 now, but they were courtrooms A and B—on the first floor of the city hall, there were 46 people waiting to get into that courtroom—into those two courtrooms, I should say. This is at 11.10 a.m., one hour and ten minutes after the court started, and the inside of those courts was full. There was an instance where a person could not get in and it happened to be his matter that was up.

He sat around all day and then he came back for the afternoon adjournment and I think it was around 4 or 4.30 when he packed up. He asked, "When are they going to call my case?" He was told, "They called your case." So he explained what happened and they took him before another magistrate. A bench warrant had already been issued, so the bench warrant was cancelled, but they increased his bail by $100.

I had a call from an indignant citizen and I telephoned the police department and they checked for me. I must acknowledge that the police department was wonderful. They confirmed everything, but we still could not get him out. He was at the Don jail so I had to go and borrow some money from the restaurant owner next door to the jail and we had to go and bail the fellow out. That is the kind of system that operates down there.

Mr. Chairman, I would suggest that if the Attorney General does wish to clean up the magistrates' courts in this province, the best thing he can do is to put on a dirty old shirt, not shave for two days and wander into some of these courts. If he does not get locked up for being a vagabond, he may learn something.

**Mr. Chairman:** Shall vote 206 carry?

**Mr. Sopha:** Mr. Chairman, I want to repeat my question on the matter I raised last night. If the Attorney General did not occupy the office at the time in 1963, do I now get an assurance that in prosecutions such as the one I revealed last night under The Petty Trespass Act, where the intent was clearly to thwart union activity, that no officer of The Attorney General's Department will be used to assist that kind of prosecution?

**Hon. Mr. Wishart:** Perhaps I might be allowed to discuss that, if the Chairman would agree, under vote 207, under "administration of justice." I have an answer for the member.

**Mr. Sopha:** Mr. Chairman, may I just give the citation of the case to which I referred: Regina and Labelle, 1963, O.R., and I do not know whether it is volume 1 or volume 2.

**Hon. Mr. Wishart:** I have a case to cite back.

Mr. Chairman, the hon. member for Riverdale asked a question about bondsmen. It took some time to find the section — section 119 of the criminal code, which by subsection 2(d) says:

> Everyone who wilfully attempts in any manner to obstruct, pervert or defeat the course of justice is guilty of an indictable offence and is liable to imprisonment for two years.
>
> Without restricting the generality of subsection 1, everyone shall be deemed wilfully to attempt to obstruct, pervert or defeat the course of justice who, in a judicial proceeding existing or proposed—

And then you go down to item (d) —

> — before or after being released from custody under recognizance indemnifies or agrees to indemnify in any way, in whole or in part, his bondsman —

That is the offence, indemnifying the bondsman. And then —

> (e) Any person who . . . being a bondsman accepts or agrees to accept indemnity in whole or in part from a person who is released or is to be released from custody under a recognizance —

So that it is an offence to give a bondsman an indemnity or for a bondsman to accept in whole or in part, an indemnity.

The word "bondsman" is used; apparently it is quite proper to be a bondsman and, of course, we all know it is, but he is not supposed to be indemnified. I am not clear at the moment as to just what indemnity is. I think the difficulty in prosecuting a professional bondsman is that he does not take an indemnity. He probably takes some hidden fee and gives it as a loan and takes it back, and I do not think that prosecution would stand up. This system, I believe, is widely used in several of the states, but it does not strictly — or technically, in any event — come under the language of that section, that they take an indemnity for giving bond.

**Mr. Singer:** That whole matter is outlined in a substantial section of Porfessor Friedland's book.

**Hon. Mr. Wishart:** Yes.

**Mr. Singer:** My recollection is that he spells it out very clearly and my recollection again is, as I read it and as he worded it, that clearly applicable charges could be laid and could be made to stick against these people. In any event, it is a terrible situation that does exist and I think we have to clean it up. It has been talked about; it has been published in books; it is a well-known fact. It is illegal, and it has to be stopped and I hope that somebody is going to do something about it.

**Mr. Chairman:** Shall vote 206 carry?

**Mr. Singer:** No, on vote 206 there are a number of other things that I want to deal with.

**Mr. Chairman:** If there are a number of other items to be discussed I suggest that the member leave them until after dinner.

It being 6 o'clock, p.m., the House took recess.

No. 168

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Fourth Session of the Twenty-Seventh Legislature

## Wednesday, July 6, 1966

Evening Session

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# LEGISLATIVE ASSEMBLY OF ONTARIO



The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL
*(continued)*

**Mr. Chairman:** On vote 206:

**Mr. V. M. Singer** (Downsview): Mr. Chairman, on vote 206, I would like a little direction on two points. I have some remarks that I want to make in connection with criminal investigative procedures. Does the Attorney General feel that would come under 206? It is a trust case actually. I do not want to talk about the merits of the case but certain procedures that were used in it. Does he want it here or under the provincial police vote?

**Hon. A. A. Wishart** (Attorney General): I think it might very well come under this vote.

**Mr. Singer:** All right. There is another question as well and that is the use of listening devices used by the provincial police in a certain case.

Does the Attorney General want it here or under that vote?

**Hon. Mr. Wishart:** That is part of criminal investigation also, I should think.

**Mr. Singer:** All right, fine.

Now Mr. Chairman, in the Truscott case, quite apart from the merits of the case—and that is before another jurisdiction to determine the validity of the conviction—I am very disturbed by a number of matters that came to my attention that were part of the investigation of this case and part of the evidence that was laid before the courts.

The first thing that bothers me very much was the examination of this boy, the questioning of him over a period of some seven hours until 3 o'clock in the morning by a senior inspector of the Ontario provincial police. The boy's father was there and he kept asking, "Can we go home now?" No one told him he could go home; the son was questioned for this long period of time without anyone to advise the father or the boy of their legal rights.

I grant you that no admissible statement emerged from that questioning. Nevertheless, subjecting a 14-year-old boy, or any suspect, to a lengthy period of examination by the police without anyone bothering to explain to the boy what his legal rights were, is, to me, a flagrant abuse of the police process. It certainly can, and perhaps did in this case, prejudice the rights of the individual.

This is what happened to the suspect—he was questioned for a lengthy period of time, nobody told him that he could leave, nobody told his father that he could leave, and no charge had been laid.

**Hon. Mr. Wishart:** Mr. Chairman, I would like to suggest that I think it is highly improper to discuss the Truscott case at all, since it is before the supreme court of Canada for a complete review of the whole matter, including the trial, the procedures and the evidence there and any new evidence that may be offered.

From what remarks the member has already made, I take it that he is basing his statements on things which appeared in a certain book written about the case. I would say without hesitation that some of the statements made in the book and the conclusions drawn from statements which were stated as being so, are not valid and not reliable.

In any case, I do not think the matter is one that should be discussed in the light of the fact that it is going before the supreme court of Canada for a complete review. It is not only a new review, but a wide examination of the whole case. Knowing things from the records of that trial which did not appear in the book, I know that some of the things are taken, as it were, out of context, and the conclusions drawn are not justified. If the hon. member persists in the discussion, I would have to take the position that I think it should not be discussed. I would certainly not feel that I would be proper in discussing it even in reply.

**Mr. Singer:** Mr. Chairman, I think we are touching a very important point here. I said, and I repeat, I am not touching the merits of

the conviction at all. I am talking about certain procedures that were used by law enforcement officers. The question of the guilt or innocence of the boy, as the Attorney General has said, is under review and it would not be proper to discuss it at this time. Certain procedures, such as the question of how long a person can be questioned and whether or not he should be advised that he was free to go, no charges having been laid, I think are very important. Also, the question of the possibility of access or the ease with which a change of venue could have been ordered. I think the Attorney General will agree that, again, does not touch on the merits of the conviction but on the procedures within the criminal courts.

**Hon. H. L. Rowntree** (Minister of Labour): It does have a bearing on the appeal.

**Hon. Mr. Wishart:** Certainly it does, Mr. Chairman.

**Mr. Singer:** With great respect to the Attorney General, I think these things can be separated. It may be that he will not choose to answer at the present time, but I think these points should be put on the record.

**Hon. J. Yaremko** (Provincial Secretary): Does the hon. member think that the review will not be considering these items?

**Mr. Singer:** The review that will be made is, to my mind, going to touch on the sufficiency of evidence to justify the conviction or to change it.

**Hon. Mr. Yaremko:** That is not the question I asked.

**Mr. Singer:** I am not a part of the reviewing board and that is my answer.

**Hon. Mr. Yaremko:** All the more reason for leaving it alone.

**Mr. Singer:** Mr. Chairman, the Attorney General suggests I may have come to the conclusions I have from a certain publication. First of all let me say that while I did read that book, I have also consulted at some length the transcript. The questions that I intend to pose are questions that are, to my mind, substantiated in the procedures and I think there is a definite difference in separating procedures out of the general context of the question of guilt or innocence.

**Hon. Mr. Wishart:** Mr. Chairman, I want to make it very clear, I shall not answer. I shall not discuss this case. Not because I have any reluctance—if the case were finished I would have no hesitation whatever to deal with it thoroughly—but it is before the supreme court of Canada and I think it is improper to discuss it here. I do not think the hon. member can possibly discuss it without veering and verging into areas which will be considered by the supreme court of Canada.

It is conceivable even that a new trial is one of the things that could be ordered. I doubt that may occur, but it is not even for me to say perhaps that, and that is the danger of discussing this case when we express views and opinions. I do not propose to discuss it. If the hon. member persists and you do not rule him out of order, I shall have to leave him to his own judgment on the matter.

**Mr. Chairman:** I think, gentlemen, by what the Attorney General has said and what I have read about the case, the whole matter will be reviewed, including all the points the member has already raised to do with procedures and all points. My ruling is that we are not going to discuss it here on this estimate.

**Mr. Singer:** Mr. Chairman, while I do not agree with your ruling, I will accept it. I think there is a line which can very clearly be drawn and there should be a time when we can discuss these procedures. I accept your ruling.

Mr. Chairman, there is another case; this one is old. As a matter of fact, the Attorney General supplied me with this transcript a year ago.

This is the case of Maurice Davoe, who was charged with capital murder. I understand that he was later convicted of manslaughter and sentenced. What I object to again is not the conviction but some of the procedures that were used. This is the transcript of the preliminary hearing, and two things emerge. I am not going to quote at any great length but the page references are here and I think the Attorney General or some of his officials have been through this.

Two things emerge in this transcript that bothers me very much. At one stage the police put into the cell with the accused boy —and as I read the transcript I wondered about the mental ability of this boy—they put into his cell a suspected accomplice. Adjacent to the cell in which the two boys were put was a listening device. The purpose of putting the suspected accomplice in with the accused was an effort being made by the provincial police—by Inspector Loree of the OPP—to obtain additional evidence either against the accused or involving accomplices. By some

strange quirk of fate, and this is how these things work, the officers who put in the listening device did not know how to work it properly. It was not set on a level piece of flooring and when they came to play it back, it only recorded garbled sounds, so no one ever knew what it did, in fact, record.

Certainly the evidence is abundantly clear that there was a listening device, that it was put in the cell, or close to the cell, in an effort to further involve the accused boy and a possible accomplice. I think this is a reprehensible bit of police work that should never be countenanced.

In the same case, sir, there were interviews with the accused boy, by his Roman Catholic priest and a sister of the same church.

Prior to going into these interviews, both the priest and the nun were asked by the police if they would ask the accused certain questions, touching on his guilt or his innocence, whether or not he was telling the truth, and whether or not he had any accomplices.

Now, I suggest, sir, that this again is a most reprehensible type of conduct to be undertaken by the Ontario provincial police. It is a surprise to me that these tactics would be resorted to and nothing, apparently, was done about it. I do not know whether there was some internal discipline related to this or not.

**Hon. Mr. Wishart:** Is there anything, may I ask the hon. member, in the transcript to support the statement he just made about this?

**Mr. Singer:** Yes. Page 1272.

**Hon. Mr. Wishart:** About the priest and the sister?

**Mr. Singer:** Yes. Evidence of Father Martin and the sister, whose name I will give you in a minute. Pages 1272 and 1301. If you want me to read you extracts from it, I will.

**Hon. Mr. Wishart:** Not in connection with any listening device. Just that they were asked—

**Mr. Singer:** Oh no, no, they had nothing to do with the listening device.

**Hon. Mr. Wishart:** No. I just want to make that clear.

**Mr. Singer:** On their way to visit the boy, they stopped off, if I can call it that, to talk to the police. The police said to them: "When you go in, we would appreciate your asking certain questions and when you come out, tell us what the answers to those questions are."

Now here was a boy, a reasonably young boy, and as I suggest, as I read the transcript, the boy who perhaps was not normal in his intelligence, who was in a very difficult position. He was accused of capital murder, almost a friendless boy, and he sees these familiar faces of people who he trusts, who in fact are being used by the police to extract further evidence from the boy as to his guilt or his innocence.

**Hon. Mr. Wishart:** Mr. Chairman, I must ask the hon. member to be good enough to permit me to say this at this time. I did not know this case was coming up. I thought we had discussed it last year in any case, as the hon. member mentions. I made the transcript available. I did read it, and read it carefully at that time, and I have not read it since. But I think we discussed these features, perhaps not in my estimates, but certainly on some occasion.

My recollection of the transcripts, particularly with respect to the priest and the nun, was that what the police asked those persons to do, was it to try to persuade the boy who was suspected of a somewhat brutal murder, capital murder, to tell the truth, to tell them the truth. That is to tell the sister and to tell the father, the truth. I do not think that it went further than that. Now I just—

**Mr. Singer:** Well how much further can you go?

**Hon. Mr. Wishart:** Well, it was not a case of asking the priest to question the boy on behalf of the police, but to try to persuade him, and I am only speaking from my recollection, charged as he was with capital murder, to try to persuade him, as his father confessor, as his spiritual advisor, to tell the truth of the matter.

Because in that it was a brutal murder, there were widespread rumours, there was suspicion on the accomplice that you mentioned a few moments ago. There was grave suspicion that it might have been the accomplice, and the police were trying to solve a very brutal crime. My recollection of the transcript was that what they said to the priest and to the sister: "If you could persuade the boy through your advice that he tell us the truth, this would be something that would be helpful."

Now I am not sure that I feel that went beyond the bounds of reasonable approach, but I cannot be sure. That is why I would

want the hon. member to be very certain when he is referring to the transcript that he gives no wrong impression, that the priest or the nun were asked to go in the cell and question that boy and bring answers back to the police. That is not the way I remember it.

**Mr. Singer:** Well, the way this was discussed last year, was I came in possession of a newspaper clipping that related to it and then I received certain information by telephone which further related to it.

I was not satisfied with that, I raised the matter briefly, and subsequently the Attorney General, at my request, obtained the transcript and made it available to me. That was the end of the discussion, because it is a long transcript, and there were some notes, presumably made by either you or someone in your department about it, and I have had it for many months and have recently gone through it again.

Now the Attorney General's recollection is somewhat correct, but it is not completely correct. I think my version of it is in fact correct.

**Hon. Mr. Wishart:** Now I am going to ask the hon. member to read the transcript, completely —

**Mr. Singer:** Yes, I will. Yes, sir. I would be glad to. I am reading from page 1271 on the cross-examination of Father Martin by Mr. Donnelly.

Did one of the constables go to the rectory to get you?

A. Yes, constable Racine came to the rectory that night.

So the police have sent the constable to get Father Martin.

Q. What conversation did you have with him?

A. He told me that—he started this way—that one of them had been arrested and that he was requesting to see a priest.

Q. Did he tell you who had been arrested?

A. I asked if it was someone from the surroundings, Cache Bay? He hung his head and told me yes. I did not want to give any names, to suggest any names, but I remember signifying that I wanted to ask who it was. I probably suggested, I think I suggested it would not be—it was not too clear yet.

Q. Did he not tell you who it was?

A. He did.

Q. After you found out who it was what conversation took place there between you and the constable?

A. He stated that Maurice Davoe had requested to see a priest, asking me if I would come over to the station. At that moment I could not leave the rectory immediately but I said I would be there in 15 or 20 minutes and I did go to the police station.

Q. Do you recall any other conversation between you and constable Racine or is that all?

A. That night it was all the conversation I had with officer Racine.

Q. Then you went to the police station at Sturgeon Falls, the OPP office?

A. Yes.

Q. What happened there?

A. When I got there, inspector Loree asked to speak to me, or was there practically meeting me, and he explained to me that if it was at all possible to ask Maurice a few questions, or to ask Maurice some questions relating to the fact that he had been arrested. I could gather what he meant so I took it to mean if I could get Maurice—

the court interrupted and said:

Perhaps if you could tell us what was said, father.

A. I cannot remember the exact wording of inspector Loree's request but I could understand he wanted me to ask Maurice some questions about telling the truth and at that moment I had to explain to inspector Loree if I was to ask questions of Davoe I had to make it clear there was nothing binding in conscience or relating to confession.

*The Court*: Make it clear to whom?

A. I told inspector Loree I had to make it very clear to Maurice if I was to ask any questions.

*Mr. Donnelly*: I do not understand what you would have to make clear to him, to Maurice Davoe. Yes, you said something about binding in conscience or to do with confession?

I do not understand it either. I am reading this at some length because I do not want to leave out any pertinent part.

A. Yes, I had to explain it to inspector Loree and I had to explain that I could not ask anything which would have related to confession. I told this to inspector Loree and then I went in. He understood that I

went in to see Maurice. Before I went in I told inspector Loree that if Maurice wanted to answer the questions that he was free to answer them or not, and if he wanted to answer them I would relate the answers to inspector Loree.

Well now, there you are. The inspector asked him to ask questions. The priest said he had certain reservations. If they were given to him as part of a confession he would not reveal them, if they were given to him otherwise he would.

Now there it is and later on, both Father Martin and the sister give statements to the police and as a result of their talks with the boys, and I say, sir, in my opinion, this is reprehensible.

Has the Attorney General any comment?

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member spoke first about the use of devices, or the use of a listening device. I have said before and I would say it here that I think, in the combating of crime, where criminals use every modern, technical, sophisticated device, that if they are to be met on their own ground and frustrated and prevented from doing a crime and caught and brought to justice after doing a crime, the police have to be enabled to use those types of device.

I do say this, however, that I think the police in using those devices should get permission from a judge of the court outlining the case which they are investigating, showing the need and proving to the court the necessity for using such a device and getting an order permitting the use of it.

I think if that is done, the rights of the public then, the citizens, are generally protected. Those who are innocent are protected, and they are protected in the wider sense that those criminals who are out to do them harm, if the police are able to bring them to justice, the citizens are protected in that area as well.

As I mentioned, in the particular case that the hon. member has referred to, I got the transcript, it must be a year ago or thereabouts, I studied it. My recollection of it as I read it was — and I think it came out in the transcript portion that the hon. member read — that first of all the officer went and said: "The boy wants to see you, he has asked to see you, will you go and see him?" and that was at the request of the accused.

And then later when the priest came to the station, he said: "We are going in to see him." There is the expression there that he be asked to try to get him to tell the truth, and then when it was suggested that he ask some questions, the priest explained that if this was to be in the nature of a confessional he would explain to the boy very thoroughly that he did not have to answer and that those questions would be confidential and not such that he would relate them to the police. That is the way I understood it.

I think as one reads the transcript further that there was no evidence obtained by the priest or the nun which was offered to the detriment of that accused at trial. That is my recollection of it and I can only speak from what is perhaps a little faded recollection, but fairly clear. I had no knowledge it was coming up tonight.

In any case, I have forgotten the result of it. There was the very strong suspicion that there was an accomplice, and perhaps the accomplice was the real person who committed the murder. It was a murder, really. Someone was brutally stabbed to death, as I recall. I do not think there is anything that I would say further about it.

**Mr. Singer:** As the Attorney General was talking, I was thumbing through the transcript a little further and at the bottom of page 1278:

*Mr. Donnelly:* Q. Will you tell us the conversation with inspector Loree as much as you can?

A. Inspector Loree, after telling me that I was allowed to visit Maurice, asked me, rather suggested to me, a few questions that I would ask Maurice. One of these questions that I could ask Maurice in order to help him — his purpose — he made it very clear — his purpose was to get the truth. So was my purpose on that occasion in accepting these questions.

Q. You said something about helping him. Was that what you said? Was that you who said that or the policeman?

A. No, it was what I thought and that is what I could gather from what inspector Loree was speaking to me about.

Q. Can you tell me what was said to you so that you gathered that as near as you can?

A. The exact words I can't remember.

Q. That is understandable, I just want the conversation as near as you can give it to me.

A. He said: "Father, there are some rumours going around and we would like to know if Maurice is telling the truth." At that moment he suggested two questions I could ask Maurice in order to see if he was telling the truth. The first question, if I remember well, "Would you ask him if there was somebody else with him?" And "Would you ask him if somebody else helped him dispose of some articles?"

Q. Were the articles mentioned?

A. No, they were not.

Well, the police obviously have put in the mind of the priest certain questions that relate to the investigation.

**Hon. Mr. Wishart:** They related to an accomplice.

**Mr. Singer:** And related to the investigation. "Are you telling the truth? Did you have an accomplice? What about the disposal of certain articles?" and so on. I say it is reprehensible. I do.

This is no way to conduct a police investigation any more than putting a listening device in the cell in an attempt to involve the accomplice or not involve the accomplice. I suggest, sir, that this boy needed legal advice. He had to be told of his rights and he was not told of his rights. There he was, a young boy, probably not in possession of all of his mental faculties, charged with capital murder and the police used listening devices. They used people in whom the boy has reason to have every faith and trust, to conduct their investigation. I say that this is a most reprehensible way of conducting a criminal investigation.

**Hon. Mr. Wishart:** Mr. Chairman, one final word. We are getting bits and pieces of this transcript, and as the hon. member reads it it comes back to my mind that questions were designed to get the truth with respect to an accomplice who was very seriously suspected and we have the two questions: "Was there an accomplice? Did you have somebody with you on this? Did somebody help you dispose of some articles?"

These were designed to take away the guilt of that accused, to free him of that charge—not to convict him. They were directed towards whether there was an accomplice. An accomplice was very seriously suspected from all that the police knew of that case. That is my recollection of it. That is the recollection I had at the time.

**Mr. Singer:** Well, Mr. Chairman, I can say again that I am most disturbed at this method of conducting a police investigation. I do not think the police had any business at all—in fact they should be seriously condemned, for conducting an investigation in this manner—in both aspects, the listening device and the attempted use of the priest and the nun.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, without going over what I said last night, there were a number of points in my remarks that the Attorney General has not seen fit to comment on, but I would ask him to comment on about three additional ones. The first one is the question of the study which I had understood that the alcoholism and drug research foundation was doing for the Attorney General in connection with drunkenness and the courts and persons who appear in the courts.

I would like to know whether there is such a study; whether it has been completed; if it has got lost somewhere in the shuffle of Attorneys General in the province. Will the Attorney General recommission the study and ask the foundation to pursue it so that in due course, if not sooner than that, we can come to the conclusion that alcoholism as such is a disease, and is a defence to a charge of drunkenness in the courts?

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member asked me about this study, I think in the precincts of the House, about a month ago or three weeks ago. I made inquiries and I found that the study had been directed by a predecessor of mine in this office, almost three years ago or thereabouts. My further inquiries indicate that the study has gone on in depth, it has been a very serious study and it is still going on, but nearing completion.

It has been a very complete study on this whole matter and we are very shortly to receive a report. It does seem perhaps to the hon. member and perhaps to me that this has taken a long time, but I am assured that this has been a very thorough and complete study in depth and that we will have it very shortly. It is not something I initiated, I take no credit for it, but my inquiries indicate that it is under way, going on fully and completely, and will be available to us shortly.

**Mr. Renwick:** The second point that I would ask the Attorney General to comment about and find out whether he has any sympathy for the proposition or not, is the question of whether or not on an experimental basis somewhere in the province of Ontario or in Metropolitan Toronto area, he would give consideration to "sentencing boards"

rather than to leave the question of sentences wholly and entirely in the hands of magistrates or the sentencing judge?

The Attorney General will recall that I suggested that a tribunal made up of a judge, a sociologist and a medical doctor or psychiatrist or psychologist would be, in my view, much more capable of dealing with, not the question of conviction, but the question of punishment and the appropriateness of the punishment or the appropriateness of the sentence to the individual, having regard to the likely reformation and the way in which he should be treated for that purpose.

**Hon. Mr. Wishart:** Mr. Chairman, I noted the comment of the hon. member last night and his suggestion. A study on sentencing has been going on for some time in the centre of criminology under Professor Edwards at the University of Toronto. We have contributed a substantial grant towards the study, I think the amount is $15,000. That study is taking into account the whole matter of sentencing and I think this will be one of the features that will develop and on which we will get the benefit of the thinking of those people who are knowledgeable in the matter of sentencing.

I think I welcome the suggestion. Certainly I am prepared to consider it. I see some difficulties perhaps in the implementation of the suggestion, but I think perhaps the centre of criminology will give us some views—I am sure they will.

The particular example which the hon. member used yesterday evening was of the person brought before the court as an alcoholic, or on a charge of drunkenness, and the magistrate sentenced him but found there was no place where he could go to be treated. Perhaps this is not very relevant, but it did cross my mind at the time, that even though he were sentenced by a board, such as is suggested, it would not have solved that problem. The problem of treatment for alcoholics and drug addicts is something beyond the matter of sentencing.

The matter is where do they get treatment and what facilities we can make available as part, perhaps, of the administration of justice, or as part of our social legislation for these people, for society generally. But to answer the question directly, we are having a very thorough study done, and I think no better place to have it done is than by the centre of criminology at the University of Toronto.

**Mr. Renwick:** Mr. Chairman, has the Attorney General any idea when that study would be completed? Is it something we could anticipate within a year or so, or sooner than that?

**Hon. Mr. Wishart:** I would think and, this is a fairly educated estimate, I am told that reports from over 90 of our magistrates are being obtained and studied and weighed and evaluated in the study which the centre is doing. I would think that it would be perhaps the better part of a year yet to complete that study. It is a very thorough, complete study.

**Mr. Renwick:** Mr. Chairman, the last point on which I would ask the Attorney General to comment is, would he sympathetically consider the possibility that between his department, the police commission, between the magistrates of this province, there would be some way in which a model code of pre-arraignment procedure could be drafted and established to cover all the items which need to be covered, about the rights of citizens, the rights of the police, from the point at which a person is questioned by the police through until the time when he is arrested, charged, appears before a magistrate and goes to trial?

Up to the point of pre-arraignment, in a very real sense this is the area where his rights can be seriously affected, where he does not under our present system have any clear indication, despite what the Minister said about the manual available to the police of his right not to say anything if he chooses not to. There are many areas covered, such as the area mentioned this evening by the member for Downsview.

And I would ask the Attorney General to seriously consider the preparation and drafting of a model code of pre-arraignment procedure covering all of that which would be of use not only to the police but to the Crown attorneys and to the magistrates and particularly now, with the introduction of a much more adequate legal aid system, to the lawyers who will be involved in the legal aid scheme, and particularly this whole question of the duty panel of lawyers who will be available, I hope very soon, to advise persons who are charged with offences.

I think that such a detailed code would be of great assistance, and I would ask the Attorney General to seriously consider the drafting and preparation of such a code.

**Hon. Mr. Wishart:** Mr. Chairman, I am certainly willing to seriously consider this. I made a note of it when the hon. member proposed the matter last evening. But I would say further than that: we have tried

an experiment of this nature, perhaps not as complete as it might be and it is still experimental, but we have attempted it, I think in five different counties—a printed statement of the rights of persons when they are arrested or charged or brought before the courts; of the rights they have, what they may do, what rights they may assert, what assistance they may have and so on.

Kingston, I think, is one of the places where this has been tried. In one of the courts in Metro, if I am right in this, the circular which is given out immediately and made available and is always available is printed in five different languages, I believe.

But so far we have not completed our studies on it. We are pursuing it. There has been a good deal of confusion. Perhaps this was to be expected in the beginning of this experiment, but I would shortly answer that we are certainly glad to consider this and will continue to consider it, and seriously so, and see what we may work out. I am heartily in agreement with the suggestion of the member.

**Mr. Singer:** Mr. Chairman, if I may revert to listening devices, I do not think we quite put that one to bed. The Attorney General said, and I agree with him, that on occasion the use of listening devices in crime detection procedures can be justified and perhaps should be authorized and there should be certain safeguards.

This is fine and I think this is a good and responsible expression of opinion. But what steps does the Attorney General intend to take regarding the police forces which come under his jurisdiction, in making sure that there is some sort of standard procedure? I grant you that probably the legislation would have to be governed by the criminal code, but I am certain that a direction from the Attorney General to the Ontario provincial police would be observed. And I would suspect that the Attorney General, indicating to the Ontario police commission that certain procedures should be followed by police forces in the province of Ontario, would equally well be observed.

There are serious dangers in improper use of these devices, and there should be safeguards. They may be justified on certain occasions. Do you have any plan, Mr. Attorney General, to control carefully the use of these devices, so the people against who they are used are going to be properly protected?

**Hon. Mr. Wishart:** Perhaps it would be of interest to the House and the hon. member to know that in the conference on crime at Ottawa in January of this year, we made our views known and we proposed to the Minister of Justice—Attorney General and Minister of Justice, I believe his title is, sir—and to the solicitor-general, that the criminal code be amended to make provision for the use of these listening and other detection devices with the leave of a judge of the court. We actually proposed the language of the amendment and it was discussed around the table with all the Attorneys General and the federal heads of justice there.

That, I think, may come about. I am hopeful it will. I understand the proposal will be considered. This is one of our proposals again. So, not only have we plans, but we have tried to implement them in the place they should be implemented and I think they will be implemented.

With respect to the situation in our province at the moment, I think we have to accept the fact that there is no law against the use of such devices. The police have instructions, and I think their use of them is responsible and reasonable. There are certain elements of crime with which they have to contend, where I think they may be permitted to use them. But I think the citizens of the province may feel content and assured that they are not being used indiscriminately against citizens generally. Until the law is changed where it should be changed, as we have suggested, this is the situation we have to face.

**Mr. Singer:** I can recognize, Mr. Chairman, that the process of statute amendments in the other place is sometimes slow and painful in the anticipation of it. But nevertheless, the Attorney General has at his command a very substantial weapon. I would suspect that his word would be carefully listened to by all the police officers in the province of Ontario and it would be my earnest suggestion that there be a direction from the Attorney General to all of the police officers in Ontario, after some considerable thought, as to how these devices should be used and for the control of them. And I do not think it should lie at the behest of an individual constable. I think there should be at least some senior command decision, some recording of it, and some reasonable explanation of why it is used, so that we will not have to come across the use of it in the cell of an accused murderer.

The other point I wanted to deal with very briefly, and perhaps the Attorney General has covered it as fully as he can, is the use of the old city hall in Toronto for magistrate's court facilities.

Did I understand him correctly when he said that when the supreme court and the county court move out, which will be commencing almost immediately, before the fall session, that all of the courtroom facilities in the old city hall will then not only become available for magistrates' courts, but will be used, in fact, for magistrates' courts?

**Hon. Mr. Wishart:** We have had a number of discussions with Chairman William Allen of Metro Toronto, extending back for several months and, of course, hon. members are aware of the proposals put forward by the T. Eaton Company and its plans, which encompass some acquisition and use or destruction of the old city hall. We have had conferences through this and, of course, we have to wait for decisions that take place between Metro and the Eaton group. But we have been assured by the chairman of Metro Toronto that the facilities of the old city hall, which are now becoming available daily, as it were, will be made available to us for magistrates' courts. And if we get them all, as we expect to, we will have room to consolidate all our magistrates' courts in the city hall with room for security arrangements round about.

The matter goes a little further and I do not know how much I can say, because the situation is in flux. But the arrangements that Metro is making, and of which we are not a part, with the people interested in acquiring the old city hall go so far as to provide —one of the proposals, I understand, is that the city hall then becomes not available through its demolition; that one of the terms of the proposed agreement will be that a new and adequate courthouse will be provided in its stead, as part of the deal.

So we feel that if this is carried out—it is taking time: I thought this time last year when I stood up in my estimates that we were going to have the thing settled, but it has taken more time than any of us had anticipated.

**Mr. Singer:** I recognize it is difficult to come to a positive conclusion and that these things have a habit of taking a long period of time, and I know full well how some of the mechanics of making these decisions work, but there are some facts that are quite obvious. One is that the new courthouse for Metropolitan Toronto is just about completed, and will be available for use by the supreme court, and I think by the county court—

**Mr. Chairman:** I just wonder if the member would maybe join in passing 206 and discuss this under 207?

**Mr. Singer:** Well, this is really magistrates' courts that I am dealing with.

**Mr. Chairman:** Well this whole section, administration of justice division, is all on that particular point.

**Mr. Singer:** Well that is administration of civil justice, with great respect to my friend, and to you, Mr. Chairman. What we are dealing with at the moment is criminal procedures.

**Mr. Chairman:** Let us take it under 207, then you can—

**Mr. Singer:** Well I do not care, Mr. Chairman, you caught me in mid-sentence. If you want to apply it to 207, I am just as happy.

**Mr. Chairman:** Okay. Let us carry 206 then. Carried?

**Mr. Renwick:** Mr. Chairman, I have a couple of comments on 206.

**Mr. Singer:** Mr. Chairman, as I was saying, the removal of the supreme court and the county court to the new court house building will be completed, to all intents and purposes, at the end of the long vacation in those courts, so there will be abundant vacant space. Now as I read the signs, the metropolitan council and the city council are going to be discussing their future plans with the proposed developer for some months, to put it very optimistically, a good few months yet. I would think that you could plan for—well at least until next spring—insofar as the—

**Hon. Mr. Wishart:** That was in my opening statement. That is what we are doing.

**Mr. Singer:** Yes. Now, very simply, are we going to have available for magistrates' courts in Toronto the empty court rooms starting September 1?

**Hon. Mr. Wishart:** That is our anticipation.

**Mr. Singer:** And they will all be available and their plans have been made? We are not going to have to wait for more debates and contests and architects and submissions and so on, those new magistrates' courts will start to function in those empty court rooms in the city hall this fall? Is that correct?

**Hon. Mr. Wishart:** I think perhaps just to make it absolutely clear, so there will be no doubt or misunderstanding, we have been promised, or it has been given to us as an assurance, that all our downtown magistrates' courts can be or will be accommodated in the old city hall.

Now I just wanted to clear the possible suggestion that we were getting necessarily the whole of the city hall building. But we are promised that there will be accommodation for all of our downtown magistrates' courts. I do not know that that means that we take the entire space that is available in the city hall.

**Mr. Singer:** Well, are we going to take enough space to remove from the scene in Toronto, the courtrooms that are behind cells, where you have to go through corridors, those caverns down in the basement of the city hall, where no air comes in? Those horrible things. If you have wandered through the basement in the city hall and seen the conditions there, there are places where a court should never be held. Are those going to be eliminated perhaps by this fall?

**Hon. Mr. Wishart:** This is my understanding.

**Mr. Renwick:** Mr. Chairman, on the question of my constituent, Mr. Nick Angelitis, you will recall that one of the matters which is of grave concern to me was the request that he attend at the Royal Canadian mounted police headquarters and be photographed and fingerprinted on a voluntary basis and that very wisely, I think, he did not choose to have that done.

Last year, Mr. Chairman, I raised with the Attorney General this question of photographing and fingerprinting. Now as I understand it, if a person is in lawful custody and is charged with an indicable offence, such force may be used as is necessary in order to photograph and fingerprint him, and that is the law and that takes place.

Now that is the only right I know of which permits anyone to be photographed and fingerprinted in the province of Ontario, or indeed, in Canada.

Now there are two aspects of it. One is, I would like the Attorney General, if he would, to intervene in this question of inviting people to be photographed and fingerprinted when they have no obligation to do so. I think it is an insidious police practice.

The second aspect of it and the one which I raised last year, is just what does happen after a person has been up for trial, has been photographed and fingerprinted and is then acquitted? There is nothing that I can find, no statutory obligation, to destroy the photograph and fingerprints and no statutory right for anyone to request that it be destroyed.

I understand that in the United Kingdom, there is a provision in one of the statutes —I believe it is The Magistrates Act—which indicates that in such an event, that is in the case of an acquittal, that a request can be made for a direction to the police requiring them to destroy the fingerprints and the photograph.

Now on those two aspects of it, one, this question of being invited to have your photograph and fingerprints taken, and the second one as to how you get them out of the police records if you are acquitted at a trial, is a matter I would like the Attorney General to comment on.

**Hon. Mr. Wishart:** Well, Mr. Chairman, I think the hon. member has stated the law correctly. There is nothing in our law which requires anyone not charged with an offence to be questioned, to submit themselves to fingerprinting or to being photographed. The Act, called An Act respecting the identification of criminals, is a federal statute, the revised statutes of Canada, chapter 144, called The Identification of Criminals Act, and it reads in section 2:

> Any person in lawful custody charged with or under conviction of an indictable offence or who has been apprehended under The Extradition Act or The Fugitive Offenders Act may be subjected by or under the direction of those in whose custody he is to the measurements, processes and operations practised under the system of the identification of criminals commonly known as the Bertillon Signaletic system or to any measurements, processes or operations sanctioned by the Governor in council having a like object in view.

And then the subsection goes on to say:

> Such force may be used as is necessary to the effectual carrying out and application of such measurements, processes and operation. The Signaletic cards and other results may be published for the purpose of affording information to officers and others engaged in the execution or administration of the law.

And then there is a provision that any law officer who has the custody of such person and acting in the matter shall not incur any liability.

Now the law therefore is that only a person charged or in custody with respect to those—or under conviction at least—charged or under conviction on an indictable offence or in custody as a fugitive offender or under the extradition proceedings, may be photographed, fingerprinted, measured, etc. So there is no law requiring, and no one need submit themselves to, photography or fingerprinting just

because a policeman comes and says he would like them to do it or asks them to do it.

When the photographs have been taken, fingerprints have been taken—to answer the second part of the question—if that person is not convicted, he has been charged and is subject then to the fingerprinting and the photograph being taken—if he is not convicted there is no law again on that subject to what becomes of them. But I think the practice is, and I believe it is followed pretty thoroughly, that if the person then requests the chief of police or the police in charge of the matter, to have those photographs returned or destroyed, if they are in the custody, as they usually are, and have been submitted to the RCMP or to other police forces, they will be returned so they may be destroyed and taken from the records. But there is no law on that point. The Act that I read is a statute of Canada.

**Mr. Renwick:** Mr. Chairman, the other final aspect of my constituent, Nick Angelitis, the Attorney General commented about the writ of assistance and suggested that it was a good thing that in the province of Ontario it had been done away with under The Liquor Control Act.

I would ask the Attorney General if he would make a special note to raise this matter at any conference which he attends with the officials in Ottawa on the use again of this open writ of assistance of an indefinite duration under The Excise Act.

Just for the sake of clarifying for each member of the House who is interested in what this writ is, the provision in The Excise Act states that a judge of the exchequer court of Canada shall grant a writ of assistance upon application made to him for that purpose by Her Majesty's Attorney General of Canada and such writ shall remain in force so long as any person named therein remains an officer, whether in the same capacity or not.

So it is an open writ of indefinite duration addressed to a particular person and is good for all time.

Now, what does that writ permit? It permits that under the authority of a writ of assistance, any officer or any person employed for that purpose with the concurrence of the Governor in council expressed either by special order or appointment or by general regulation, may enter in the night time if accompanied by a peace officer—and, of course, in this particular case all he did was to take another Royal Canadian mounted police officer along with him—and in the day time without being so accompanied, any building or other place and and may search for, seize and secure any goods or things liable to forfeiture under this Act and in case of necessity may break open any entrance or other doors, walls, floors, windows or gates and any chests or other packages for that purpose.

Well, my comment will be very brief, Mr. Chairman. I would simply point out that in the United States of America under the Constitution of the United States of America, such a statute would be unconstitutional and would be struck down by the supreme court under the fourth amendment which provides that the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated and no warrant shall issue but upon probable cause supported by oath or affirmation and particularly describing the place to be searched and the persons or things to be seized.

I simply comment, Mr. Chairman, that I think it would be well for this province if we had a similar protection against that kind of open writ of assistance.

**Hon. Mr. Wishart:** Well, Mr. Chairman, just a word. The hon. member has asked me if I would make representation to the federal people, because this a federal procedure and as I pointed out earlier today, we got rid of the last sort of that type of thing in this province. I would be glad to make that representation at the next opportunity. In fact, I may do so in writing before we have a conference.

I do not know really if I should say anything at this time about the province passing legislation. It would be better if we could get it, I think, as a federal Act, because it seems to exist, as far as I am aware, only in the federal procedures. Whether we could deny in light of this Act the use of such writ in Ontario is a question that gives rise to some doubt in my mind. I think we should persuade the federal government not to use this to the extent at least that it is used now; there should be some limitation put on the length of time during which such a writ might be outstanding and valid.

**Mr. Renwick:** Well, Mr. Chairman, I would agree with the problem the Attorney General raises but with a companion bill of rights in the province of Ontario and an adequate bill of rights passed by the federal Parliament, it would be possible between the two of them to prevent this kind of unreasonable search being made.

Vote 206 agreed to.

On vote 207:

**Mr. Chairman:** Now, on 207, gentlemen, shall we take the first ten items and then we can take the headings, if that is in order.

**Mr. E. W. Sopha** (Sudbury): Mr. Chairman, I had agreed last night with the Attorney General and with the other person who occupies the chair, that this would be the appropriate vote on which to discuss the matter of labour injunctions. As far as our party is concerned, I am now the speaker for this party to speak on that matter.

I welcome the opportunity to put before this body of lawmakers, this forum where laws are made, the other side of the case with respect to the matter of labour injunctions and their administration under the statute, The Judicature Act, for which this Minister of the Crown is responsible.

I make a couple of preliminary comments. I did not entirely agree with the approach made by the hon. member for Riverdale in his Budget address the other day for it seemed to me that on that occasion he immersed himself to much too great an extent in apology for the trade unionists who have been involved in the forefront of this fight for a change in the legislation.

In my view and in the view of this party, no apology needs to be made for the work of the trade union movement in regard to this important sector of the life of this province. And I do not intend to make any apology for the half million people who are members of trade unions in this province.

Second, I want to put my remarks within the context that it is part of the Liberal Party philosophy that we try to be a middle of the road party and try to incorporate within our sphere of political responsibility, the interests of all sectors of our provincial life.

We are not the spokesmen of the trade union movement any more than we are the exclusive spokesmen of the farmers or we are the voice of the chambers of commerce. But the Liberal Party, if I apprehend its development in this country and in this province, has tried to be the spokesman for the accommodation of varying claims upon the public interest. And after all, having said that, that is merely an expostulation of liberal-democratic principle.

Now, the second thing I would like to point out is that a few days ago the most eminent trade union leaders in the province called upon the Prime Minister. That followed, of course, the action of the chief justice in sentencing to jail some 26 union people from the city of Peterborough and trade union leaders in that community.

Once again, twice in the calendar year, they put before the Prime Minister as they have put before the Cabinet, assembled as a whole, the case against the issuance of labour injunctions by the courts.

The Prime Minister came out of the meeting, and I think I can paraphrase him correctly and related that he had said to the trade union leaders that was a very serious problem and one of deep concern to the government. He said, "In my view, it is only one aspect of problems which confront labour." He seemed to intimate—and here I will not attempt to paraphrase him accurately —that there would be some sort of inquiry or commission or investigation into the whole matter of labour laws in the province.

Well, I cannot know what is locked within his breast and what goes on in his mind, for he does not call me up at the King Edward before he leaves the Westbury hotel to tell me, but we get some inkling of the way he is thinking, the government is thinking, in an item in the press tonight, a very brief item under the heavy heading:

INJUNCTION SURVEY STARTED

> The Ontario Department of Labour has started an investigation into injunctions granted throughout the province and their impact on industry and labour. The survery is a follow-up on Premier Robarts' promise last Wednesday to examine the whole question of injunctions and picketing. More than a dozen law students started work on the project at Osgoode hall yesterday. They are examining every injunction application at Osgoode hall since 1958. When the work is finished in Toronto the students will spread out to research every injunction application in Ontario.

Well, in my humble opinion it is ill-grace on the part of Her Majesty's government to put the matter in the hands of junior law students as a routine piece of work. It shows, in my view, a complete contempt for the trade union movement and I look straight in the face of the Minister of Labour when I say that.

Half a million families in this province are affected by this law. They receive the leaders of the trade union movement in one day, and agree it is a serious matter. Then the Minister of Labour appears to put it on a very low plane, in getting some law students to research the matter at Osgoode hall.

Supposing the Canadian manufacturers association had made a submission to the government about some matter of law that affected them? Who in this House would believe that—

**Hon. J. P. Robarts** (Prime Minister): Mr. Chairman, on a point of order. If I could correct my hon. friend. When the Ontario federation of labour appeared before the Cabinet in March, they presented two briefs. One brief covered matters in what I might term a general fashion, and the second brief, a second document in a separate cover and so on, was presented to us that morning and we had not seen it before. We were informed by Mr. Archer that it had just come from the press, perhaps within some hours before it was presented to us.

That was in March, and in that brief was presented the position of the Ontario federation of labour in regard to injunctions. We undertook at that time in March, which was prior to the events of the last few weeks, to undertake a complete examination of the position put by the Ontario federation of labour in that brief, and that we proceeded to do, starting forthwith, after the undertaking we gave them in March.

So I just want to correct my friend, to tell him that a certain activity which may now be reported as taking place at Osgoode hall, is not a result of the meeting held last week by myself, the Attorney General and the Minister of Labour, with certain labour leaders of the province. It is a result of our undertaking—and I do not know just this particular activity — but in any event, we carried out our undertaking to the Ontario federation of labour to examine their brief. Prior to that too, there were certain departmental studies going on within the department.

Your reference to 1958, and I believe to keep the record straight I must tell you this, I also told these men who were in my office that we were examining every application for injunction and any granting of injunction that had taken place since 1958, in order that we could get at some of the facts of this situation, because the term ex parte injunction is being used in reference, for instance, to certain injunctions which were granted on consent, and both parties were present. There is a great deal of confusion factually as to how the injunction has been used.

We think, and I think properly so, a good place to start is to find out exactly how the injunction has been used in this period of time.

So I just give this to my hon. friend so he may have the facts.

**Mr. Sopha:** Well, I will put it another way, and I will say it quietly so as not to disturb the hon. Prime Minister. Who can believe that if the Canadian manufacturers association made a submission, that the government would hand the matter to a bunch of store clerks?

The majesty —

Interjection by an hon. member.

**Mr. Sopha:** Are both of you going to make a speech right along with me?

**Hon. Mr. Robarts:** My hon. friend is ordinarily fair, but after last night —

**Mr. Sopha:** Are you both going to make a speech right along with me?

**Hon. Mr. Robarts:** You condemn yourself with that point.

**Hon. Mr. Rowntree:** Do you want the facts?

**Mr. Sopha:** I want to make my speech.

Interjection by an hon. member.

**Mr. Sopha:** That is all I want. In a democratic Parliament, all I want to do is make my speech. Is that asking too much?

**Hon. Mr. Rowntree:** Fine, as long as you do not abuse —

**Mr. Sopha:** I do not think so. But this is the type of thing they do to the little people of the province.

The majesty of the law is always called upon, and obedience to the law and order and all the high-sounding phrases about the rule of law, respect for the courts. That is always called upon in respect to the little people. We do not hear those phrases in respect to people of wealth and influence and power. No ringing oratory is used in that regard. I said this afternoon that the police go down and break up a fan tan game among the Chinese immigrants on Elizabeth street. We do not see the police at some of the private clubs breaking up any games.

What I am talking about is the hypocrisy which is the homage that vice pays to virtue in indiscriminatory use of the law — and that applies to a discussion of the labour injunctions, such as it has not applied to almost any subject that has been discussed in this House in the last seven

years. In my examination of this law, and I have read all the cases I can find on it—I did not have to hire a law student to go and read the cases that are reported, though I did not search the files of the supreme court, as they are doing, but the reported cases in the reports, I read them all. In regard to that, I ask two rhetorical questions and then I answer them myself. I am going to ask them of myself, and I will supply the evidence to support the answers I give.

**Hon. Mr. Rowntree:** You think you are pretty safe.

**Mr. Sopha:** Yes. And the Minister of Labour might go away better informed if he listens, but he does not have to listen. This is a free country, he can get up and walk out.

I ask whether in the whole piece regarding this cloud that now hangs over labour relations in this province as a result of what has happened at Oshawa and what has happened at Peterborough, I ask in the whole piece this first question, sir: Have the courts done anything to bring criticism and discredit on themselves in the matter of labour injunctions?

And I answer that question in the affirmative. I say, yes they have, and I am going to present the evidence.

The second question I ask is: Has the government been wanting in any regard in respect of the abuse of labour injunctions by management, or the use — I will take out the loaded word — in respect of the seeking of labour injunctions by management?

I answer that question in the affirmative, too, and I am ready to supply the evidence to support that. That is my thesis, and last night I invited all the lawyers on the government side to be here. I reopen that invitation and I say, having heard my argument and my thesis in respect of labour injunctions and in respect of this very unsalutary situation that now afflicts the trade union movement, having heard my thesis, then let the lawyers get up, and as a result of their researches show me where I am wrong in answering either of those questions in the affirmative. If they can show me where I am wrong, then I will be fairminded enough to admit I am wrong, and I will change my opinions.

There are the two questions. Have the courts invited criticism? I answer that, yes. Has the government been wanting? I answer that one with an even more ringing and underlined and emphasized affirmative.

Now, the injunction of course, as I said, is issued under the authority of a statute administered by this Minister of the Crown, under sections 16 and 17 of The Judicature Act. You have to read them in reverse order, for 17, the later one, is the one that gives power to the court to issue the ex parte injunction.

Let it be said in fairness that the ex parte injunction has not been abused to the extent that some would have us believe. Most injunctions that are issued in labour disputes, my researchers tell me, are not ex parte. Indeed, most of them in recent years are issued on consent of the parties, and I will go into that a little bit later.

Seventeen defines a labour dispute; it says what it is and then it gives the court power to restrain by interim injunction a person from any act in connection with a labour dispute—it shall be drafted on two days' notice and shall be in effect for not longer than four days.

Sixteen, of course, gives the power for the court in one of the subsections—it is quite a lengthy section—to extend that injunction. In fact, it turns it into an interlocutory injunction until the trial of the action.

Now, historically, to understand the exercise of the equitable jurisdiction of granting injunctions—and that is what it is, it is an equitable remedy and all the incidents of equity attached to it—to understand its development I think one need only go back to a case which was decided in 1924, the case of Robinson against Adams.

In that case, Mr. Justice Middleton, who was on the bench a long time in this province, laid it down as a matter of clear law, absolutely clear law, that an injunction would not be granted to restrain criminal activity. That was an important decision, the decision that was followed for a good many years, and he said in the case:

> The equitable jurisdiction of a civil court cannot properly be invoked to suppress crime. Unlawful acts which are an offence against the public and so fall within the criminal law, may also be the foundation of an action based on the civil wrong done to an individual. But when Parliament has, in the public interest, forbidden certain acts and made them an offence against the law of the land, then unless a right to property is affected, the civil court should not attempt to interfere and forbid by their injunction that which has already been forbidden by Parliament. Much less should

the courts interfere when the thing complained of is not within the terms of the criminal law, although it may be rightly regarded as objectionable or even immoral, for then the civil courts by injunction are attempting to enlarge and amend the criminal law.

Government by injunction is a thing abhorrent to the law of England and of this province.

Now note what he is saying there. He is saying, in other words, that criminal law stands apart by itself, passed by the Parliament of Canada. It can be enforced in the ordinary course of things by those responsible for its enforcement. Put another way, if you know a man might commit homicide, you do not rush to the courts and get an injunction from them to dissuade him from his homicide.

If you know a man has a proclivity for blowing open safes and climbing to the second storey and burglarizing premises, you do not go to the courts and get an injunction against him to attempt to inhibit him from that conduct. Says Mr. Justice Middleton, "If the criminal law is broken, then the criminal law is enforced by those responsible for its enforcement." What could be more sensible than that proposition?

The courts, during that period in the twenties and in the thirties and up to the mid-forties, refused to issue injunctions where there was an allegation of criminal misconduct on the picket lines. That practice went into decay. The courts left that aside and changed from that reluctance to issue injunctions. I need only pass over the intervening years and come into the fifties and attempt to show that injunctions were issued for the restraining of criminal acts that were alleged —only allegations, mark you, were made by way of affidavit of criminal misconduct that had occurred on the picket line. The courts began to branch out and to restrain other sorts of activity on the picket lines.

The courts were no longer content that the police could go there to the picket line and take away the lawbreakers and those who molested, intimidated and interfered with the flow of traffic. I should point out, of course, that in the formal order under which the injunction issues—and I have one here—the pro forma order contains all sorts of commands to inhibit conduct which has not yet occurred, and which may not, in fact, occur at all.

Let us see the type of thing that the formal order covers. I will read the headings briefly. It seeks to inhibit the defendants from:

Molesting, assaulting, interfering with, intimidating, threatening harm to, or obstructing by any means or in any manner whatsoever—and so on.

Interfering with or attempting to interfere with the transportation of goods, merchandise, equipment, supplies, to and from the premises known as such and such;

Picketing the premises of the plaintiff at such and such a place by more than three pickets—

in this case:

—at each of the front and rear of the said premises at any one time;

Printing, distributing, publishing or displaying any placard, tabloid, sticker, handbill, or other document containing false or defamatory statements that employees of the plaintiff have been locked out;

Affixing any posters, sticker or other document to the property of the plaintiff located anywhere in the province of Ontario.

I see that the formal order that is customarily issued prohibits activity that may not have occurred. In fact, the picket line at the particular premises before the injunction was issued might have been completely peaceful with no incidents of violence or any smidgin of anything that could be construed as a breach of the Queen's peace. Yet the formal order will be directed to the union and its officers in such a way that seems to say that "Even though you have not done this, do not do it." I think that stretches the jurisdiction of a court pretty far.

As I say, as the years went by, the courts extended the reasons upon which they would grant injunctions. The courts began to feel it was offensive, and the subject of proper restraining order, if the words on the placards were found to be offensive. If the placards used such phrases as "This employer hires scabs"; or "Do not buy the goods of this employer; these goods are produced in a non-union shop," the courts have found that offensive.

Secondary picketing or sympathetic picketing, came to be declared entirely illegal. I want to read a part of a classic case where the court of appeal heard, in review, the dismissal of an application for an injunction by a former chief justice of the high court, Chief Justice McRuer. They reversed his decision. The city of Woodstock is apparently a union town. The judge said upon the evidence, "Woodstock is a union town." Almost everybody in

Woodstock belongs to some union. He said: "In the town of Woodstock, if there is a picket line outside a premises that is struck, then those who belong to unions in Woodstock obey the golden rule." The hon. member for Oxford will know this. The golden rule is that if you belong to a union and you believe in it, support it and pay your dues, and do not cross the picket line. That is the golden rule, and the court of appeal unanimously held that to be enjoinable. I always thought that in this free country, this liberal democracy, I did not have to do business with a merchant if I did not like the colour of his eyes or I did not like the underarm deodorant that he used. I did not have to go in and do business with him. That that was part of my freedom, and my freedom in that regard could be exercised irrationally. I always thought that was part of that heritage of centuries of struggle that we have had. That offended the court of appeal. People will obey the golden rule. Let us listen to what that judge said, because I do not want anyone to suspect me of misquoting or misstating what our courts have said. He says:

> But even assuming that the picketing carried on by the respondents was lawful in the sense that it was merely peaceful picketing for the purpose only of communicating the information, I think it should be restrained. Appellant has a right lawfully to engage in its business of retailing merchandise to the public.
>
> In the city of Woodstock, where that business is being carried on, the picketing for the reasons already stated, has caused or is likely to cause damage to the appellant. Therefore the right, if there be such a right, of the respondents to engage in secondary picketing of appellant's premises, must give way to the appellant's right to trade. The former, assuming it to be a legal right, is exercised for the benefit of a particular class only, while the latter is a right far more fundamental and of far greater importance, in my view, as one which in its exercise affects and is for the benefit of the community at large.
>
> If the law is to serve its purpose, then in civil matters, just as in matters within the realm of the criminal law, the interests of the community at large must be held to transcend those of the individual or a particular group of individuals. I have been unable to find any clear, unequivocal precedent for this principle in any of the numerous decisions at all relevant to the question to be found anywhere in Canada.

Now, you note the enormity of what he says. He stacks up the interest of the trade union on the one hand, but he says this interest of a lawful strike and picketing is the interest of a particular class. Then he weighs on the other side of the fulcrum, in the scale, the right of the merchant to continue to carry on his business in the face of the peaceful picketing. Then he makes his policy decision and it is a policy decision, as I shall demonstrate a little later.

He says: "In my view, as a judge sitting in this court, the right of the particular class – the trade union – must give way to the right of this man to carry on his business in the city of Woodstock."

Then having enunciated the principle he goes on to say: "I can't find any precedent for this in the law of Canada or in any of the decided cases."

In other words, what he said is: "I now make the law, I am now making the law. I can't find a precedent, accordingly I am going to make a new law."

Well, I say quietly to the jury here, he is arrogating our function, that is our function. We are the lawmakers, all of us. We make the law, and nobody else in this country makes the law within our sphere of legislative jurisdiction other than us. Anybody who presumes to make the law in the face of us is in contempt of us as lawmakers. I do not have to prove that proposition, it is so trite and obvious, that it does not need proof.

But having said that, then I say to the hon. member for Oxford this is the Hersees case, 1963. That is one of the cases that made these trade unionists angry; that is one of the cases that has these trade unionists on the verge of going to jail for 15 days or two months, as the case may be, whether they are one of the five or one of the 15.

Now, another case that I referred to earlier in this House, that is illustrative of that which has provoked the trade union movement, is a case that occurred in the city of Niagara Falls. The facts were these:

A construction project was going on, I take it, employing a very few number of workers. The workers were unorganized when the construction project began. Along came some members of a union called the international association of bridge, structural and ornamental iron workers—some of the officials of that union came along to the plant and in an endeavour to organize the workers on that construction project, they paraded up and down with signs and placards. The company sought an injunction against them.

Now, let it be said right at the outset that this was a variety of secondary boycott that was being carried on, and an injunction under the state of the law might reasonably have been issued and no one could quarrel with it. That is if the judge had merely issued the order, let the order go that was asked to restrain this interference by people trying to organize a local on that site, if he had shut his mouth and said "Let the order go as asked." But he preferred not to do that. He preferred to take the opportunity, which he did, for four pages, to expostulate his philosophy of the trade union movement, and how labour ought to be governed in the year 1963.

He points out that no trade union has been certified as the bargaining agent for any employees of the plaintiff in the city of Niagara Falls. "There is no evidence before me," he says, "that any application has ever been made to the labour relations board for certification." Note this: I ask my friend, the member for Russell, to note these words:

> We have, therefore, on the one hand, a labour and management group and on the other a group of men who act for the benefit and strictly in the interests of a union. Therefore, on the facts stated, there can be but one purpose for acts of picketing and breach of peace just short of being riotous, it is the worst case of intimidation, coercion and threats that has appeared before me. The forceful inference can only be that of hooliganism, to compel either the employees to sign up or require the employer to bear all its influence on the employees to rush into a collective agreement.

He does not tell us what the evidence is of hooliganism. He does not tell us what was done to intimidate, coerce or threaten. We are left at a disadvantage for want of the items of conduct upon which he relied. But note what he was really saying. He is saying that these people out in the picket line who are sought to be enjoined are there for the benefit entirely of a union, they are there for a union alone.

On the other hand, there is a nice cosy comfortable labour and management group toiling away at the construction site and they are entitled not to be interfered with by the union organizers.

Now surely, in this enlightened age, one can scarcely believe that people do not do better economically if they are allied with a union in the construction industry than if they are not. How can the judge really expect us to accept his proposition that the union organizers are there for the benefit of the union alone? That ought to stretch belief almost to the point of breaking, where commonsense is no longer on speaking terms with reason and justice.

Then he goes on to say:

> While there may be a common law right to communicate peacefully information by placard-bearing men on a picket line, that right must be cautiously exercised.

Well, I delivered myself before of some comments in relation to those words. He says "there may be a common law right." There is no "may be" about it. I give my opinion as a lawyer who has looked into these things that it is not a common law right at all. I took the opportunity to seek the opinion of those versed in jurisprudence on the matter, and the right does not exist at common law, it is a statutory right. That right is to be found in subsection 2 of section 466 of The Criminal Code of Canada, which expressly allows picketing for the purpose of communicating information. But the judge is not convinced, and he is unwilling to say that people have the right to picket for that purpose.

He says it may be a right, then he goes on to say that the right must be cautiously exercised. Well, I do not need to repeat that, as long as the Lord allows me to draw oxygen into my lungs, and as long as I am able to move about, and as long as I am able to speak, I am not going to exercise any of my rights cautiously. None at all. I am going to exercise them openly and freely and without inhibition and without concern about other people, but I am going to exercise them, I hope, responsibly and reasonably, and mindful of the rights of others.

But having said that, that is a vastly different thing than saying I must exercise my rights cautiously. I do not have to. I do not have to sneak up to the church with my family on Sunday morning. We do not have to go in the back door. I am allowed to go up and hold my head up and my shoulders back, and take my child by the hand, and walk into the church, without fear of any form of reprisal. That is not a cautious exercise of rights. But the judge is getting somewhere. He is getting to a point. He is winding up. He is coming to his peroration and that is the basis upon which he puts it. And this is the type of verbiage that has come out of the courts and offended trade unions in this province, as they have sat in the courts and listened to this type of thing emanating from the judicial bench. Let me say at this point, and let me underline it:

In a democracy we must never elevate the judicial bench to where it is beyond criticism, as long as that criticism is fair and honest and motivated by good intentions. The courts are not immune to criticism.

The supreme court of Canada has said that in the case of Lewis Duncan; the chief justice himself, Chief Justice Kerwin underlined and emphasized that fact. Nowhere in that patent granted in the name of Her Majesty to a judge does it say that judges are not immune to criticism. That criticism, of course, out of respect for the courts ought to be fairly and honestly put.

Now he goes on, and I want to spend a little time on this case. He says:

> The acts constitute further a conspiracy and a nuisance. They are designed but to force a union contract on two groups other than by peaceful, persuasive methods. They evolve into lawlessness and are the material of which riots are made.

Once again, no evidence. No evidence that the behaviour was riotous.

> They incite persons to breach of the contracts. The common law right to peacefully communicate information by picketing with placards must stand some revision in our day and age.

I commented upon that before. In other words, here is a judge saying, "I, sitting on this bench at this place and time, must take it upon myself to bring the law up to date, up to the minute. It must stand some revision in our day and age."

Not the Attorney General of the province, charged with the administration of this Act, who can go down the hall in Thursday morning, if that is the day they meet, and say to his Cabinet colleagues, "I, as the responsible Minister, invite you to consider that the law of injunctions be brought up to date." The judge does not reckon with the personage of the chief law officer of the Crown. He, the judge, he is saying, has a responsibility to bring the law in relation to picketing up to the minute and he proceeds to do it.

Then he cites the opinion of the judge in the Hersees case to which I have referred, to this effect. And harken to the words; maybe you will comprehend why unions are offended, why they are in a state of fury about the way the law has been applied to them:

> In this day and age the power and influence of organized labour is far indeed from negligible. "Loyalty to the picket line" is a credo influencing a large portion of the community such as the city of Woodstock with its own district labour council and numerous member unions. Nor does the matter rest there, for doubtless to many private citizens not directly interested in the labour movement the presence of pickets before business premises is a powerful deterrent to doing business at those premises.
>
> To me, and I should think to anyone seeking to do business at the appellant's premises, the inference is unmistakable. "Hersees is in a dispute of some kind with organized labour. Do not become involved." I think any other conclusion is simply unrealistic and I would hold on the facts of the case that appellant's apprehension of damage to its business as a result of the picketing is completely justified.

In other words, he is saying that the mere presence of pickets in Woodstock, which is not an unordinary town—I think Woodstock is typical of perhaps 20 or 30 towns throughout the length and breadth of this province—but he is saying that in the city of Woodstock the mere presence of peaceful pickets moving up and down connotes an inference to the passersby that they ought not to do business.

Let us look at the other side of the coin. I invite your view for a moment to the other side of the coin. A legal strike starts after all the proceedings in The Labour Relations Act have been complied with and after the report of the conciliation board is in the hands of the Minister of Labour. Then, after the elapse of 14 days the people may withdraw their labour from the employer. That is a fundamental, democratic right; not a very old one, of very recent vintage. Let us never forget—and let me digress here—that the right to bargain collectively for working conditions, hours of work, rates of pay, seniority and everything else appertaining to employment, is 26 years old. 1940. A recent right.

But when the picket line is—well, I refer to the order-in-council. Where did the order-in-council emanate from? To show you the importance of the part of the country I come from, let us underline that the right to bargain collectively in this country emanates from Kirkland Lake, in the northern part of this province; Kirkland Lake, Ontario, and a strike that occurred there in 1940.

What is the other side of the coin? The picket line is set up, perfectly legal, perfectly peaceful. The management runs to the court, and I do not exaggerate when I say that they and their lawyers catapult themselves to the court, just as if they are moving in the wake

of Yuri Gagarin. Then they get to the court and they get a labour injunction to restrain the number of pickets. And I say to the chief justice, with all due respect to that able jurist, with every respect to which he is entitled after perhaps 25 years of service on the bench, with the deepest concern, I say to him from experience that the labour injunction issues out of the courts with an amazing automaticity.

Management gets it and comes down and waves it in the union's face, thereby giving the imprint of illegality to that picket line. That is the purpose of it. In other words, as the former chief justice of the high court, Chief Justice McRuer, said in a case, "One side goes to the court, management, and gains from the court a material advantage."

At this point it is proper to say out of respect to the chief justice—and I do say it to him, if he reads these words—that in deference to the words he himself used, let us put them briefly on the record:

> It should also be noted that the use of injunctions is not limited to employers. Unions or individuals have equal rights to avail themselves of the law, where employers or others create the necessary grounds. In the past, some unions quite properly have come to the courts for protection.

That is what he said. With respect, I cannot find a case, although I looked and I searched and I looked again to attempt to find a case where a trade union had ever got an injunction out of the courts. Will the Attorney General take it as read, since I cannot find the copy of the letter, that when I could not find a case where a trade union had ever been issued an injunction, I wrote to the Attorney General and referred him to the statement of the chief justice. And I said, "Dear Mr. Attorney: I cannot find a case; perhaps some of your law officers of the Crown can find one, since they have access to the files of the courts with greater freedom than I have. And if they can find a case where a trade union has ever been issued an injunction, I would like to know the name of it so that I can look at it."

I am still awaiting a reply from Mr. Attorney. I have not had a reply to that letter, so I assume that Mr. Attorney does not know of a case. I must assume that he does not know of one. And yet the chief justice to justify his imposition of the jail sentence, this is one of the items that he marshalled. He said, "Trade unions can come to the courts." Since 1950, I have been able to find 18 recorded cases; 18 cases which seem to have more importance. And in only one of the 18 between 1950 and 1966 was the injunction refused. The other cases it issued, and lo and behold, and I mean no disrespect to the chief justice, I found a case where the trade union came to the chief justice and asked for an injunction, and let me read the head note into the record:

> Where a trade union, having received a favourable arbitration award in a dispute with a company files the award in the office of the registrar of the supreme court as provided by The Labour Relations Act, the award becomes enforceable under the provisions of rules 552 and 560, and that being so the court will not entertain an application for an injunction to restrain violation of the award where the company has refused to abide by it pending the outcome of appeal to the court of appeal from an unsuccessful application for certiorari to quash the award.

Well, that gives rise to some legitimate questions.

He says they have the remedy under The Labour Relations Act. Now you must understand what it is. This means that under the compulsory feature of arbitration of grievances under collective bargaining agreements, where a union wins an award from the arbitrator he is saying that they must enforce that award through the proceedings in The Labour Relations Act and they must not come to the court and ask for an injunction against the company which declines to abide by the award.

That is fair enough, and at that point one could hardly quarrel with it, but what is the other side of the coin? The other side of the coin is this, that out of respect for The Labour Relations Act, out of respect for that statute where the employer has come to the court and has shown the court that picketing is being carried on outside the struck premises and the union has not abided by The Labour Relations Act, the union has failed to exercise all of the stages of collective bargaining laid out in The Labour Relations Act, the courts have awarded injunctions.

The courts have said that where they have broken off, they have broken off negotiations and have failed to comply with The Labour Relations Act, then the injunction has issued. So this is a double-barrelled concern for The Labour Relations, is it not? I ask rhetorically. "No," says the chief justice, "in that case we won't issue an injunction because you have a relief under The Labour Relations Act."

At another place, another court down the hall, where the affidavit is disclosed that the union has not abided by The Labour Relations Act, it has been found to be sufficient grounds for issuing an injunction to restrain picketing.

I merely ask where is the concept of fairness in that? That is the case of the Nipissing hotel. Nipissing hotel against the hotel and restaurant employees union, where the picketers, peaceful picketers, in that case it was shown to the judge, had broken off negotiations with the employer—in other words, had failed to comply with The Labour Relations Act. The judge, upon application by the management of that hotel, issued an injunction to restrain the picketing.

That is the type of thing, I say to the Attorney General, through you, sir, that is the type of thing that has mightily offended the trade union movement in this province. I say to the chief justice, with all respect to him, that he cannot really sit on the judicial bench in judgment of the 26 men who apparently are going to jail and to say things in justifying his action, taken in the name of the Crown, at the instance of Mr. Callaghan who appears for the Attorney General, unless he can support the assertions which he makes. That assertion at the end of his judgment where he said, "Trade unions can come to the courts and get injunctions," I find to be unsupported and unsupportable.

Now in another portion—I just refer to one other—he says:

> There appears to be a misconception among certain leaders and members of trade unions concerning the respective privileges of employers and employees. They seem to think that once a strike is called, the employer must close his doors to await the outcome. At present that is not the case; employees have a right to strike, but by the same token, employers have the right to continue their operations and to protect their property. This is usually the basis upon which a court will order injunctions restricting the picketing of a union.

Now having said that, he is talking about the very nub of labour-management relations. That is the very crux of it. They have come to an impasse; union and management have come to a parting of the ways. There is no area of agreement between them. They can no longer talk in harmony and understanding in an attempt to reach a compromise, so they leave the bargaining table; each side gets up and removes itself from the milieu in which collective bargaining takes place, and the union exercises its fundamental right to withdraw its labour. They say, "We will not work for you any more until you meet the terms we want in our collective bargaining agreement."

On the other side, management says: "Go to Hades as fast as you can and we will continue to operate this business or this plant in the face of the withdrawal of your labour." That is the stage in 1966 at which we have arrived and here is the contest between the two forces, the one confronting the other. My proposition is simply this: Her Majesty's courts, founded upon the rock of fairness and impartiality, justice being blind, Her Majesty's courts have no right to take sides, to take one side against the other.

And the only conclusion that I can come to in reading the cases—and I wish my attention were directed to other cases than the ones I have read and now report—the only conclusion I can come to is that the intellectual investment of Her Majesty's judges is oriented in favour of management.

**Mr. A. B. R. Lawrence** (Russell): I wonder if I might ask the hon. member for Sudbury a question. I do not know whether he is going to deal with it later or not, but I wonder if he would outline in his remarks what limitations he does think the law, either enacted here or in the courts, should put upon picketing and demonstrations, if any?

**Mr. Sopha:** Yes, I am coming to that. I will indeed, that is where I am going to end and make my suggestion.

**Mr. A. B. R. Lawrence:** Because openly that is the decision he is asking us to consider, is he not?

**Mr. Sopha:** That is what I am going to do.

The judges, as I say, could not be otherwise in their intellectual outlook, in view of their associations and experience. A man is the product of his experience, he is a product of all the things he has met and all the things he has done—but I do not criticize and I do not condemn the judges for having that view.

Could I ask this question? I ask this question: How can one expect when a judge has been counsel for labour relations for more than a decade for a large industrial company—he was the counsel—in dealing with the union, how can one expect that

when he mounts the three steps half way up the wall to the judicial bench, that he is going to change his intellectual investment? That would be asking a great deal of a human being. It would be seeking to achieve the impossible for him to see things from the point of view of the union. Not many trade union leaders are appointed to the bench; none that I have heard of recently. The leaders of the trade unions complain, and I hope the Attorney General understands what their complaint is.

One of their grounds of complaint—and they said it in the brief they presented, is that the judges are stacked against them; they do not see things their way. In the excerpts I read to the House, it was perfectly apparent that that judge was not seeing things from the point of view of the trade union.

We come to the point where the Attorney General gets involved and how did he become involved? Was this thing so new that the Attorney General suddenly had to catapult himself into action just like a person sitting on the hot seat at Sing-Sing, when he got into the courts in this matter? Goodness gracious! Several years ago, on November 30, 1961, John Wintermeyer said this in the House:

> The lack of government leadership in the field of labour-management relations has brought its legislation into disrepute and thereby caused confusion and chaos in the vital area of our society and economy where clarity and order are imperative for the public good.

He referred to injunctions; the indiscriminate use of injunctions.

On January 27, 1965, the new leader of the Liberal Party had this to say:

> It is fundametnal to our system of justice that no cause or matter be decided in the absence of an interested party. Therefore, an examination should be made into the use of ex parte injunctions in labour disputes with a view to giving organized labour every opportunity to be heard before an order restraining the union is issued.

He drew attention to that. Was it all so new that one could say that this matter has never been mooted before in this hall of lawmakers? Let me take you back to the report of the select committee on labour relations, which was dated July 10, 1958. Who sat on that committee? Before I get down to read the recommendations made about injunction law, let me tell you some of the distinguished people.

We have G. E. Jackson, who, none would gainsay me, is one of the influential people in Ontario today. His influence has grown apace since he left these hallowed halls. He has "made good," as they used to say back in rural Ontario where I come from. He has arrived. There is Ernie Jackson. Robert W. Macaulay, Rapid Robert himself, fairminded, alert, intelligent, far-seeing—and I am not going on because, before I forget, I want to remind the House of something.

Back in 1937, Hepburn put the troops into Oshawa—a day of shame in the history of this province, when the slogan was "They shall not pass," meaning the CIO, the international union. He put the troops in there and damned the Liberal Party for a generation, and I must say I look back in shame upon that act.

**Mr. R. Gisborn** (Wentworth East): Did the member read what Thatcher had done three or four months ago?

**Mr. Sopha:** Never mind about what anybody "done," I am talking about what Hepburn did. At that time, two men stood in this House and expressed their opposition to it, one of them was the leader of the Conservative Party who, because of his opposition and the fact he was undercut by George Drew—who was outside the House and supported Hepburn—was driven from the leadership. It undermined him so, a short time later he had to give up the leadership of the Conservative Party. He stood in opposition to that act in Oshawa, taken against the little people. Who was he? He is today the Lieutenant-Governor of the province. I am glad to have the opportunity tonight to pay homage to that man for the courageous stand he took in those days in standing against Mitchell Hepburn and his infamous act.

Another in the Tory party, who stood—the rest were influenced by George Drew, who conducted his nefarious activities outside the House—was Leopold Macaulay. Leo the lion broke with the party and said, "We don't support that." There are two of them. His son was on this committee.

Donald C. MacDonald, H. Leslie Rowntree, QC, Hon. J. W. Spooner, John Yaremko, QC—note the distinguished people. Only the Minister of Municipal Affairs had arrived, did you note that? He had been elevated at that time. Hon. J. W. Spooner. I do not know what he was honourable of, probably Lands and Forests at that time. Mr. Rowntree and Mr. Yaremko had not been summoned, you see, to the end of the hall, at that time.

They had not heard the clarion call, but they were listening for it. Now one of them is the Minister of Labour.

What did he have to say back in 1958? He is not here for me to refresh his mind on what he had to say, but this is what he appended his signature to:

> The committee has received submissions that before an injunction is granted in a matter involving The Labour Relations Act, both parties should be present and entitled to make representation.
>
> The committee therefore recommends that there should be no ex parte injunctions granted in matters affecting The Labour Relations Act except in case of emergency and suggests that:
>
> (a) the rules of practice in the supreme court and such other rules as might apply for the amendment to require notice to both parties or—

and note this one:

> (b) that prior to an injunction being granted application should be made to the labour relations board and permission of that board obtained.

Note that notice of the application must be given to the labour relations board. I am going to leave that for a moment and come back to it. Eight years ago, you notice, they were telling the government of the day and the Attorney General of that day, who was probably Dana Porter, there needs to be an immediate review of the law relating to injunctions.

Eight years later, the same Minister of Labour, who has left the House, commissions some junior law students to look into the law at Osgoode Hall.

Interjections by hon. members.

**Mr. Sopha:** No. No, forgive me. Listen to the last words. That prior to an injunction being granted —

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Maybe the hon member should read it again.

**Mr. Sopha:** All right. You are right. Prior to an ex parte injunction being granted notice be given to the labour relations board. Though I am not satisfied on reading it closely that they do not mean, in the second part, that prior to an injunction being granted — an injunction of each type — the labour relations board ought to be notified. That would bear some further scrutiny and I commend it to my friends.

Notwithstanding that recommendation I say is it not contemptuous of the chief trade union officers of this province — men who have contributed an immense amount to the growth of this province — to treat them in such a fashion that he says, "We will commission some law students to look in to see how the law has developed in this regard and we will let you know." That seems to be implicit. Do not call us, we will call you when we are finished.

I turn to another aspect, which involves directly the Minister of Labour, and I wish he were here, because I like to be fair to him. I said earlier that the granting of an injunction is an equitable remedy and my friend from Russell, and indeed my friend the Minister of Education, and my friend the Minister of Public Welfare would not dispute that with me, that it is a discretion exercised in equity.

And what is one of the fundamental principles upon which the grant of equitable relief is based? It is, I submit to you, Mr. Chairman, that the plaintiff who seeks equity must come with clean hands. He must have clean hands. The "clean hands" doctrine—not that literally and figuratively like Pontius Pilate, who ordered the wash basin and washed his hands—means that his conduct must not be besmirched in such a way that the court out of the concept of fairness and justice motivating the judicial officer, will say to him, you are not worthy of getting this relief, and you are not worthy of receiving it. That is the "clean hands" doctrine.

Long before the demonstration occurred in Peterborough, the Minister of Labour stood in the House in answer to a question addressed to him by the member for York South, informed the House that the management of Tilco Plastics was not bargaining in good faith. He put it left-handedly, because he is a man given to a clever turn of phrase. The member for York South put his question in the present indicative. He said: "Is the management bargaining in good faith?" The Minister of Labour replied by saying: "One would have to come to the conclusion they were not" or something to that effect.

Section 12 of The Labour Relations Act of course says that by command of this Legislature that every person in labour relations shall commence within a period of time to bargain in good faith. That command is not open to any qualification. On any interpretation, it is open to the invitation of complete obedience of the command of this, the supreme law-making body in the province. And yet, "dirty hands" at Tilco, the man with

dirty hands who did not bargain in good faith, according to the Minister of Labour charged with the enforcement of The Labour Relations Act, he is the one that goes to court and invites the court to issue him an advantage based upon an obsolescent law. He is the one. When he gets to a point where he wants to do something to meet his own purposes, in order to deal a blow to this union, he is the one that goes to court and gets the issuance of an injunction.

Well, the member for Riverdale put it in his Budget speech. He said none of the mitigating factors were put before the judge. There is no mention in the judgment of the chief justice about the fact that the management of Tilco is not bargaining in good faith. I did not believe the Attorney General had need, through the voice of Mr. Callaghan who represented him there, to put any more mitigating factors to the chief justice than Mr. Callaghan put. Mr. Callaghan put them to the full, because Mr. Callaghan looked the chief justice in the eye and according to the press reports, he said to him: "My Lord, these people are decent law-abiding citizens. They are respectable citizens who conduct themselves peacefully in obedience to the law."

What more need be said about an individual? Oh, yes, you can say he gives handsomely to the church. You say say that he engages in works of charity, but what more needs to be said than what Mr. Callaghan said to the chief justice? And yet this was not considered, because the whole thing came under a cloud, a cloud enveloped it, and the phrases started to spill forth from the Attorney General and others who wanted to teach the little man a lesson; to teach the trade unionists a lesson about law and order; respect for the courts; obedience to the law; the rule of law.

The bar association, at the time of the Oshawa Times strike, nearly went into a frenzy. I was not there. I read about it in the paper. The lawyers suddenly became tremendously activated and sent a resolution posthaste to the Attorney General – it was a Saturday and they did not know he was in Sault Ste. Marie—calling upon him to enforce the rule of law. And lawyers know what the rule of law is. Yes, there are about six different interpretations about what it means. But they sent the message to the Attorney General.

But I say my thesis—and anybody can get up and show me that I am wrong—my thesis is that under this cloud that has been superimposed on the whole thing, the intent was this. A policy decision was made. Not a legal decision at all. But the government made a policy decision, and it was decided as a policy matter to hail these people into the court and the Attorney General was the actor. Who got him into that position? Well, if I were attaching blame for getting the Attorney General into what has become an exceedingly invidious position, I blame the Minister of Labour before I blame anybody else in the province. It is a remarkable thing, the Minister of Labour can stand in the House—I am glad he is back now—and say one day, "Yes, my friend from York South, the management of Tilco Plastics is not bargaining in good faith." But you do not see the Minister of Labour prosecuting the management of Tilco Plastics, any more than the other day when the union sought leave to prosecute them, you saw Mr. Callaghan down there lending the union a hand.

I put it to you in the concept of fairness, is not that discriminatory? It is to me, and I invite anyone to get up when I am finished and show me where I am wrong. What is sauce for the goose is sauce for the gander. If the unionists are indulging in lawless behaviour in what they do in Peterborough, then the management of Tilco Plastics is equally lawless in refusing to comply with section 12 of The Labour Relations Act. He invites reprobation and he invites the presence of Mr. Callaghan, just as much as the 26 union members did.

I believe that if you are going to command respect for the law from the top, then that command fits everybody. My friend from York South—I could not find the reference in *Hansard*, but he told me it was back in March —asked the Minister of Labour that question about the management of Tilco Plastics. We have never heard what the Minister of Labour did. I am under the impression that it is open to the Minister of Labour to enforce compliance to The Labour Relations Act. When a union is certified as a bargaining agent and it refuses to sit down at the common bargain table and bargains for a collective agreement, then the Minister of Labour, under the authority granted to him by this Legislature, can require compliance.

But in all the ringing editorials that have come out, the fact has quite been obscured that there are "dirty hands" appending to the management of Tilco Plastics. I say the whole intent was a policy matter, and the Attorney General became enveloped in the policy decision that we have come to a point where organized labour has to be taught a lesson. We have to teach these people a lesson, and the lesson sought to be taught was hailing them into the court.

I mark this, and I hope I am not given to exaggeration, I mark this as the most shocking event in the history of labour relations that has occurred since that infamous incident in 1937 in the city of Oshawa—is it not remarkable that Oshawa is the focal point for both these—that time of shame when the troops were used to keep the international unions out of this province a generation ago. Now, Oshawa becomes the focal point for mass demonstration against the use of labour injunctions.

There is something more than a coincidence there. Courageously today—did you note—courageously today, the member for Oshawa broke with his government. It is the first time in the seven years that I have been in the House that a member of the government stood and voted against his party. Well, there is a courageous man. There is a man who recognizes the ferment that is going on in this province in the labour and trade union movement.

The Prime Minister recognizes it, and I have been expecting daily that he will announce a Royal commission to look into it. But so far I have been only vouchsafed that a group of law students are going to look at the cases.

Now, other people have said and have referred to this, and I want to make reference to it, too, that the Attorney General prates and Mr. Callaghan reproduces in the court, faithful servant, Mr. Callaghan—he is doing what the Attorney General tells him—he is down there and he is saying to the chief justice, and I paraphrase him accurately: "Reform is not an element in this case; deterrence is the thing. We must compel through the use of the judicial process respect for the law."

Then he cites nine cases where union leaders have been given jail sentences. I did not hear him recite any where they were not; maybe he did, but the news report only referred to the fact that Mr. Callaghan cited—was it nine or eleven cases? Oh, several stated cases—I am sorry—cited several stated cases in which the court had imposed jail sentences for similar acts in contempt.

He quoted from a British Columbia law report under which an organizer of an illegal picket line was jailed for three months and fined $3,000, so it looks as though Mr. Callaghan, working for the Attorney General, wanted a little cash, too, besides a little time in jail. But we will never know that because we do not know the instructions given to Mr. Callaghan by the Attorney General.

Anyway, other people have referred to the fact of the unequal application of the law. Out of one side of his mouth, we have the chief law officer of this province saying, "We must have respect for the law," and on the other hand if you look around, you will see monumental disrespect for some of the laws of the province.

I refer to the laws that prevent the dissemination of literature in respect of birth control, but you do not hear the Attorney General of the province prating about that and using his high-sounding phrases, nor do you see Mr. Callaghan on his behalf in the criminal courts prosecuting people who disregard the law in relation to contraceptive devices, and yet druggists openly ply the trade and members of this House can go into drugstores and purchase those devices that are absolutely prohibited by the criminal laws of the country.

Yet the Attorney General is responsible for the enforcement of all the laws, equally, fairly and with a blindfold over his eyes. But as I say, a political decision was taken that labour must be put in its place, and he threw his best brains against labour, the best that he could offer. He sent down two lawyers to the court, a leading counsel and a junior with him, and I am not saying that the unions did not come up with eminent and able counsel themselves. They were represented by a former leader of the Opposition in this House—some of them—E. B. Jolliffe, and others by a very able young lawyer from the Andrew Brewin firm; I refer to Ian Scott and others—indeed, I think I am correct in saying—by Sidney L. Robins, QC, yes, one represented by S. L. Robins, QC.

**Mr. Singer:** The one who was acquitted.

**Mr. Sopha:** Yes, the one who was acquitted. Yes, indeed. Well, the moral of the story seems to be, one lawyer, one client.

**Mr. Singer:** Right!

**Mr. Sopha:** All of the clients Ian Scott represented—or both—got two months; and three of the clients E. B. Jolliffe represented got two months, and the rest got 15 days. The one who had a heart attack, of course, was not sent to jail at all.

All right, I have arrived at the peroration of my remarks and I say to the Prime Minister of the province—

Interjection by an hon. member.

**Mr. Sopha:** Yes, and I am getting to that.

I say to the Prime Minister of the province that in my view this is the darkest day in labour's history since 1937. We have not had a thing more upsetting concerning the labour movement and the 500,000 families who are the dependants of the people in the trade union movement since that day in 1937 when Hepburn acted. If he intends to call an election on this issue, if he wants to go to the people on this issue—then I say to him, beware! Beware! This is an enlightened age; this age is much more enlightened. Mitchell Hepburn had the rallying cry 29 years ago—it was a variation of "Yankee, go home!" "They will not pass" meant that they would not let nefarious American influences come in to this land that the Lord God has given us; we will keep them out, and that met the favour of the people because Hepburn had an election shortly after and he was returned with an overwhelming majority. Yes, he was, in 1937 when he was re-elected, and I believe that in that election, if I am correct, the Tory party did not elect a member west of Hamilton—not one west of Hamilton did they elect.

Yet anybody who lives to this day, anybody who is still alive and looks back, sees that it was a cheap victory and regrets it, regrets the action of that time and I am glad to say, on behalf of this party, that this party repented of its ways and a few years later put the first law in the books of this province requiring compulsory, collective bargaining, the first collective bargaining Act was introduced by a repentant Liberal Party.

**Mr. D. C. MacDonald** (York South): Have you forgotten about Joey Smallwood and Ross Thatcher?

**Mr. Sopha:** I do not know; I am not responsible for these people; they are thousands of miles away. Thousands of miles away and I have no communion with them at all; I do not even know them.

I was saying to the Prime Minister that if he wants to call an election on this issue, he had better calculate correctly the temper of these people who demonstrated at Tilco, these the people in this enlightened age, because people who are in the offing of going to jail are among our most able and intelligent people in this province and they are supported by people of great respect, the leaders of the trade union movement.

The trade union man is a different type of man than he was a generation ago. These are some of the best people of our province and I say here and now that my experience has taught me—and I say to the Attorney General and defy him to confute what I say—trade unions in this province do not encourage lawlessness! They are for law and order. That has been their history; they cultivate respect for the law; they nurture respect for the liberties for the individual. And I heard Professor F. R. Scott say—Frank Scott of McGill—I heard him say in public, "More than any other organization on this continent, the trade union has been the founder of civil rights. More than any other organization." I respect that opinion.

Who is Frank Scott? Well, if somebody can show me another individual who was invited to frame the constitution of a newly emerging nation who has a contrary opinion, then I will be impressed. Now, I forgot which nation it was that he wrote the constitution for. Pakistan or Malaysia. He was invited to write their constitution and that is what Frank Scott said about the trade union movement. And that is the type of person who was on the picket line at Tilco.

It is appropriate to say this and say this to the Toronto *Globe and Mail*. I do not know how the *Globe and Mail* would have all its freedom to publish its very good editorials every night—which I read and some of them delight me, and Leslie Frost used to say he got some of his best ideas from the *Globe and Mail* and I do not doubt it.

I do not know how the *Globe and Mail* would have the right to do that if Mackenzie had not stood up against entrenched forces in this province and fought them 130 years ago.

That is where the *Globe and Mail's* right came from and they talk about defiance of the law. In order to make progress somebody has to defy the law. Milton went to jail for writing his "Areopagitica" in the face of Charles II, the Stewart king who had been restored to the throne of England, after they beheaded another tyrant. Milton wrote the "Areopagitica" and went to jail and got the idea for his "Paradise Lost."

Mackenzie stood up against entrenched political power in this province, and they came down into his shop, took his printing press and dumped it in Toronto harbour. Eight years later, the *Globe and Mail* was founded by George Brown and in the earliest days it was a journal of free opinion and reform; "clear Grit." But to say, to preach, that we must have respect for the law obscures the fact that society at any stage of human affairs is never perfect. Society is always improving and it improves, amazingly enough, in correlative fashion to the courage of some people who stand up against entrenched opinion and say: "This is what

we believe, and we will suffer to go to jail if necessary in defence of what we believe in our hearts."

That is the issue in its darkest terms and I do not have any patience with people who see this whole problem as only one of the application of the rule of law. This government is guilty. If those men have to go to jail and make tearful departures from their families, then I say as surely as that report was written in 1958—and the Minister of Labour appended his signature to it, along with the Provincial Secretary and along with the Minister of Municipal Affairs—then this government is guilty for the situation that has resulted, because they have not taken steps to amend an obsolescent law.

Now, what form should that amendment take? Well, I want to read one more quotation into the record as being the place where I will pitch my tent in respect to it, to the form that it takes. The most sensible judge in respect of labour injunctions that I was able to read in the survey that I made of every case that is reported, was Chief Justice McRuer. And in almost every case, according to the score sheet, Chief Justice McRuer batted a thousand because he appeared to have a very broad mind and a very liberal view and a high concept of the role of the trade union in our society. And this government, after all, has retained the services of the chief justice to reform the law of the province.

Now, here is where I pitch my tent and accept his words as my own. Harken to his words.

> It is always unfortunate when either employers or employees have to resort to the courts with reference to the solution of labour problems. A forum has been provided under The Labour Relations Act to deal with labour relations, and my own personal view is that as far as possible these problems should be solved by those who are particularly skilled in the adjustment of labour matters.

That I adopt, respectfully to the former chief justice, as being eminent good sense. Get the injunction out of the courts entirely, place the matter in the hands of the labour relations board. Anybody who likes American precedent—I cite the American experience for him—that in matters of federal labour jurisdiction, injunctions have long been out of the courts and in the hands of the labour relations board, the NLRB. Get them before skilled experts. Get rid of this practice of using affidavit evidence. Allow the parties to come forward, indeed compel them to come forward and give their evidence orally and subject to cross-examination.

In reply to the member for Russell, I say I do not care if a formula is involved, a formula relating to the number of pickets per the number of entrances per the number of people that go through any specific entrance. It may be possible to devise a formula for the numbers. In any event, the courts are not the mechanism to deal with this.

Courts deal in finality; courts give final judgments; they end forever the claims of subject against subject, citizen against citizen, the Queen against the individual. Courts deal in finality, they put an end to litigation.

Finally, labour relations exist in a continuum. This never ceases, it goes on from year to year, new problems emerge in the contract of labour and management. Courts are not suited to deal with that. Judges' minds are not oriented to the problems, they have not the time to concern themselves. Let the skilled experts on the labour relations board deal with it.

We did not need to talk in terms of restraining apprehended harm. If I could cite to you another case where the judge issues an injunction quia timet, that is for harm to be apprehended, and that judge says: "I can find no precedent in Canada for issuing quia timet relief in injunction matters," but he issues it anyway. So he makes law that day.

Judges are not the individuals to deal with labour relations. The labour movement only asks that item of fairness, that they be given proper hearings, have an opportunity to be heard by people who have not got intellectual investment and orientation toward one side. Surely I do not have to convince anyone that if a man is on the board of directors of a company for 30 years and then he goes to the judicial bench, that it is hard for that man to see things from the point of view of labour in the dialectic in which we presently operate.

I would say that other than that, other than making that move and getting this out of the hands of the courts so that the courts are not brought into further disrespect and the Attorney General does not have to hail other people into the courts for demonstrating and send Mr. Callaghan down to tell the judge what he should do with them, other than that, the one fundamental requirement for proper labour-management relations in this province is for management

to accept collective bargaining as part and parcel of our democratic way of life and stop treating labour as if labour was an outlaw.

I hope the full impact of those words settle themselves upon this House, because that was the whole cloud that descended over the Tilco case. Labour in this case was an outlaw, and it was outlawry that Mr. Callaghan was talking about when he was down before the chief justice. If we could only make that step that management would accept the collective bargaining process and accept labour as being a fundamental part of our economic, political and democratic way of life, we would go a long way to preventing a repetition of the very disgraceful happenings that we have seen in recent years. We shall have done with injunctions, if we ever make that step.

Unions on the other hand, I remind those who have looked at a smattering of history, unions have won their position in the last 26 years against all the intransigent obstacles put in their way by a reactionary management which has used a compliant government to assist it.

What is the sense, I ask, of talking about law and order, when really the struggle is an economic one and one side is seeking to put obstacles in the way of the other? That is why management, and those who support management, talked in terms of respect for the law in the Tilco thing, as if that were the only issue at stake, compelling obedience to the courts. And the chief justice fatally misunderstood what the unionists were trying to do when he sat in his court on the final day of judgment and he said: "If there had been an apology tendered to me, I might have felt otherwise."

He fatally misunderstood everything that had motivated these people in Peterborough. If they had apologized it meant that everything they had done theretofore, including the calling of the lawful meeting on the night before February 23, was all in vain, was so much idle activity.

Of course it was all part and parcel of planned behaviour, and they meant no disrespect, I say again, to the chief justice, to Mr. Justice King, the man who had issued the order. They meant none. They meant a monumental disrespect for this government. Words could not capture or connote the disrespect and contempt they felt for this government that was continuing to impose a bad law upon them. As they had said, time and again, they said it each year to the Cabinet as they came forward with their brief—there is this year's—they said it year after year, we want you to change the law. That is what the meeting in Peterborough was about.

As Laurier said: "Hateful are the men who, having the power to redress wrongs, refuse to listen." Pregnant words to recite to lawmakers. "Hateful are the men who have the power to redress wrongs who refuse to listen."

All the bad law, and that includes the law of injunctions, all the bad law should be consigned to innocuous desuetude.

What does it mean? I like the phrase. If you want some synonyms, it means all the bad law should be consigned to the meaningless outer darkness, to the limbo of forgotten things. That is our bounden duty in relation to the law of injunctions. The solution in my view, is easy, and I stand to be corrected by anyone who wants to get up and show me where I am wrong, as I have gone through the cases.

I will change my mind, if I can be shown that I am wrong, that all we need to do is repeal two sections of The Judicature Act and put another one in The Labour Relations Act and say that hereafter the matter of injunctions ex parte, or interlocutory, or quia timet, or whatever name you want to put on them—interim—shall be handled by the labour relations board and shall only be issued after the board has heard oral evidence.

That is all we need to do, and I invite the members of this House to join in a crusade of fairness to a half a million families in Ontario. Half a million, a lot of votes.

I say to the Prime Minister, let us go to Kenora and test some of them in September. A great trade union area. So I throw down the challenge and my leader has said, "hear, hear." Let us go to Kenora in September and fight a byelection on the issue of injunctions and we will put it to the workers in Kenora and Dryden and Sioux Lookout, whether you are right, or whether we are right and I will make the same speech that I have made here tonight about the abuse of the courts by one side and if the people of Kenora vote against us and select your Bernier of Hudson, as against our Francis of Keewatin, and the candidate for the NDP, then I will change my mind.

I will say: "Sopha, maybe you are wrong in what you have said." I do not think so. In this enlightened age, the people of Kenora, like the people across the rest of the province, are conscious of the wrong being done to the trade union movement, I do not think they will reject us.

I want to say finally, I mean no disrespect to Mr. Callaghan, about whom I said some kindly things this afternoon, and in his Irish wit and humour, he would not hold it "agin me," what I have said tonight.

Anything he did, I take it he did at the urging and behest and command of his employer and any criticism of Mr. Callaghan, he should shrug off, because I mean it for the man that employs him, the chief law officer of the Crown.

**Mr. Renwick:** Would the hon. member for Sudbury permit me to ask him a question on the remarks he has just made?

**Mr. Sopha:** Certainly!

**Mr. Renwick:** I am referring to the motion which his leader attempted to move in this House in February, in which he moved, seconded by Mr. Worton, that this House do now adjourn to discuss a definite matter of urgent public importance in relation to a grave measure of civil disobedience and disrespect for the law in relation to the strike now in progress of employees of the Oshawa *Times*.

Now in the light of this glowing wooing of labour, which we have just listened to, how does the member for Sudbury coincide this with the remarks which he made, imputing civil disobedience and disrespect for the law to the trade union movement in the city of Oshawa?

**Mr. Sopha:** Well, I am not going to make a second speech, and I am not embarking on any campaign to woo labour. I am not travelling here under false colours. I am a labour lawyer. The only time I have ever been involved in labour practice in my profession, has been on labour's side. I have never acted for management. This is not a new experience for me.

**Hon. Mr. Rowntree:** You said you spoke for your party. It is new to the Liberal Party.

**Mr. Sopha:** It is not new at all. And even that union that has the check-off in Sudbury to support that party, even they have employed me to act for them on occasion. I have been honoured to act for them.

I want to say this to my friend that in my research, in looking through *Hansard*, to seek references to labour injunctions, the only reference I ever saw—and I searched really thoroughly, too—the only reference I ever saw to the iniquity of labour injunctions was by the member for Wentworth East.

He was the only one. I never saw a murmur from the leader of the New Democratic Party, or from any other member about it. I read two references by leaders of the Liberal Party. So I would take it at this stage, that in view of that, that this wooing of labour, and this concern about injunctions, is of very recent genesis. Their egg has just arrived in the ovum, or wherever it arrived, in respect of them.

**Mr. Renwick:** Mr. Chairman, the hon. member for Sudbury has not bothered to answer the point about why he charged the trade union movement in the city of Oshawa with civil disobedience and disrespect of the law, in the words of his leader in this House.

I would like also, just to correct for the record, that it was the government of Prime Minister Hepburn in this province who brought in the forces against the trade union movement in the city of Oshawa.

**Mr. Sopha:** That is what I said.

**Mr. Renwick:** And in the course of doing so, he then said he went to the country and he wooed them.

**Mr. G. Bukator** (Niagara Falls): He said that, you did not hear him.

**Mr. Singer:** He said that.

**Mr. Renwick:** Well, then, let me just make the simple point that the then Prime Minister of Ontario, Mr. Hepburn, saw fit to dismiss the best Cabinet Ministers whom he then had, the then Attorney General of this province, and the then Minister of Labour. I did not miss anything at all. The member for Sudbury was indicating that in some way or other, Prime Minister Hepburn was the champion of the labour movement.

Interjections by hon. members.

**Mr. Renwick:** I would like to ask the hon. member for Sudbury, and perhaps he would deign to answer this particular question: If I understand him correctly, what he is saying is, transfer the labour injunction to the labour relations board.

This is not the answer; to transfer the labour injunction to the labour relations board would be the death trap for the trade union movement in the province of Ontario. The answer is that you repeal and do away with the injunction under section 17 of The Judicature Act for all time. It has no place.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Chairman, since my name was brought in, I would like to say first of all that I was excited and thrilled with the enunciation by the hon. member for Sudbury of where I and my party stand in connection with this whole question of injunctions.

I was a little disappointed, frankly, with the hon. member for Riverdale when he came in, after there had been such a clarion call for reform with respect to what we consider bad law. He wanted to play around with whether Hepburn was guilty or not. We agree on our side, in this party, that it was a shameful act. The hon. member for Sudbury said this with courage and with conviction and if the hon. member for Riverdale wants to bring a tattered, narrow partisan approach to the whole thing, fine.

May I say, since he was asking what was behind my resolution for a public debate, it was simply this: We have always considered that this has been bad law, but we believe that the place where laws should be changed is in this Legislature, and we were saying that where a law is bad and there has been disobedience to it the place where it should be changed is here and we want it to be done at that time. That is why I wanted a debate on a matter of public importance, and we still hold to that, and we throw it to the Attorney General also.

I recall, when we were discussing it at another time, that he had very serious questions about the injunction, and we throw to him and to the Prime Minister this: You have had, as indeed the member for Sudbury has pointed out, going back to a select committee and tracing it through, this has been raised in the House, you have had the select committee, which I did not know the Minister of Labour was on, but there have always been, obviously, recommendations for a change in this law.

**Mr. Singer:** Hear, hear!

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, I would not pretend to detract for a moment from the eloquence and insightfulness of the hon. member for Sudbury, because I think he puts the case, in many respects, impressively and most effectively.

**Mr. Singer:** Hear, hear.

**Mr. S. Lewis:** I want to say, Mr. Chairman, and I think it is important, that the leader of the Opposition cannot repudiate now, after the event, what is in fact, a complete switch in position for the Liberal Party tonight. On February 15 of this year, the wording in the resolution—the urgent resolution of public importance—before this House was to discuss a definite matter of urgent public importance in relation to a grave measure of civil disobedience and disrespect for the law in relation to the strike now in progress of employees of the Oshawa *Times*.

Not all the verbal gymnastics in the world by the leader of the Opposition can change what everybody in this House knows was the intent of that resolution. The fact that the member for Sudbury has had the courage to shift his party's position can command the respect of the House. I commend that courage to the leader of the Opposition, as well.

**Mr. Thompson:** May I first of all say to the hon. member that it is my intent on this resolution—I appreciate that he has some kind of mind-reading approach that he would know what my intent was when I did not get an opportunity to debate the resolution. Certainly, in some words it was this—there was a law to be amended. We have seen that the law was broken. The men went before the court; they saw the situation where there was a bad law.

I and my party over the years have asked for his law to be changed. I have spoken a great deal more than the member for Scarborough West has in respect of injunctions. My former leader, John Wintermeyer, had also talked about the need for a change in the law of injunction and I stand with the member for Sudbury and with my party in connection with that. I surely should know what the intent was in moving that motion, not the hon. member over there who is trying to read my mind.

The purpose of that motion was that we want a public debate in order that we can change a bad law.

**Hon. Mr. Wishart:** Mr. Chairman, I do not propose to discuss the Tilco case at all. That case, the judgment and the matter of sentence—the entire matter—is under appeal. I think it should not be discussed and I do not propose to discuss it.

I do not propose to discuss the matter of injunctions. It has been announced to the House, and it has been announced publicly when the Prime Minister spoke a few moments ago, that the whole matter of the injunction, of picketing and of all the

matters that enter into labour-management relations in that field, is a matter of present study, will be a matter of further study, and will probably be a matter of public study. Therefore, I think that government policy having been announced, it is not necessary for me at this point, to start discussing government policy on that matter.

I would just say this. In the remarks of the hon. member for Sudbury, toward the end, he implied and imputed that he was the only friend of labour, that the Attorney General and the government of which he is a Minister are the enemies of labour. I will take no second place with him in my regard for labour. I admit, I acknowledge, I know that they are as law-abiding citizens as any citizens in this province. I live in a riding of labour people. I know them. I have lived and worked among them for most of my life and I would say that there was civil disobedience in Oshawa. I will not deny it, and I would refer hon. members to remarks which I made on February 7, which are recorded in *Hansard*. There was civil disobedience.

**Mr. S. Lewis:** On whose side?

**Hon. Mr. Wishart:** On whose side?

**Mr. S. Lewis:** That is right; this is a retroactive announcement you are making. Which side was expressing civil disobedience in Oshawa? Who was defying the law in Oshawa?

**Hon. Mr. Wishart:** I am not talking about sides. There were persons demonstrating in defiance of the law in Oshawa. There was defiance—

**Mr. Renwick:** Mr. Chairman, who made that decision? Who made that decision that there was defiance of the law in Oshawa?

**Mr. S. Lewis:** Why did you not press charges?

**Hon. Mr. Wishart:** That is my opinion. Charges were not pressed. The matter was in dispute. I made a statement in *Hansard* that the law be observed and to a degree, it was, but there were the elements of disobedience. The matters were settled. Disobedience broke out in Peterborough—

**Mr. Renwick:** Disobedience?

**Mr. S. Lewis:** Disobedience?

**Hon. Mr. Wishart:** Disobedience of the law, and that action which we know of was taken.

That action was simply to say to all concerned that there must be respect for law. Had it been management, any group, any individual or any number of individuals, action would have been taken just as quickly and just as firmly.

**Mr. F. Young** (Yorkview): Mr. Chairman, the Minister should have acted against the employers, they were not bargaining in good faith.

**Hon. Mr. Wishart:** Allow me to finish. Let me say this, that the maintenance of law and order is the foundation of society for all who form our society. All groups and all individuals and anyone who encourages contempt or defiance, the flouting of law or disregarding it, does a disservice to those whom he advises and the true friend of labour or management, and of society in general, is he who says, "The house in which you live, the society under which you live, by which your rights are established and maintained, are supported and buttressed by the law." He is the true friend of labour who makes it plain that the law must be obeyed; he is the true friend of management who says, "If you defy the law, the law will be enforced against you." When time has passed and the emotional outburst we hear on this particular day has passed, it will be recognized that the maintenance of respect for law and order is the only course to follow by which our society must be maintained.

**Mr. Renwick:** Mr. Chairman, I think that the Attorney General is required to put before this assembly the evidence on which he has stated that there was lawlessness in the city of Oshawa. One of the curious things about the judgment of the chief justice of the high court, is that he, too, without any evidence before him of any kind, came to the identical conclusion that the Attorney General has now stated.

I would suggest that the Attorney General tell us what the evidence of civil disobedience in Oshawa was that led him to make this statement. He has already indicated that if what he says is true, he abdicated his responsibility because he did nothing about it.

The Attorney General cannot stand up in this House and talk about lawlessness or civil disobedience on the part of a portion of this population. The point which we have been trying to make to the Attorney General is do people have the right to make a public demonstration in the city of Oshawa or in the city of Peterborough or anywhere else? Or is the only place that that can be done in front of Queen's Park, or a hired hall?

Let the Attorney General just stand up and and give us the evidence. Did the chief of police of Oshawa inform him of any incidents which constituted lawlessness? Has the Attorney General got a file of evidence? If we are going to talk about law and injunctions and civil disobedience in this House, then the Attorney General has to lay the facts on the table. Otherwise, he must retract what he has said. Otherwise, he must say that there was not civil disobedience in the city of Oshawa. If he is expressing his opinion, if he is expressing his casual opinion about a serious matter such as this in this House, then he has no right to occupy the office.

The issue is too serious, absolutely too serious for the Attorney General to toy with it in this way and to stand up and intone again the same remarks he has made on other occasions.

**Hon. Mr. Wishart:** Mr. Chairman, I have just been waiting to get up. If the hon. member is finished with his outburst—

**An hon. member:** Arrogance!

**Hon. Mr. Wishart:** I am not toying with anything and I am not going to retract anything I said. There was disobedience. I give one instance of it, and let me say that it is not incumbent upon me to support with a file of evidence this matter. There was one incident of which I know and which is well known. Someone, in one incident only, tore the writ out of the sheriff's hand in Oshawa as he was reading it—that is one incident. But I do not need to recite that; I say that in my opinon there was disobedience there, and we did our best to resolve that situation. The parties had the good sense to resolve it before it endured for very long. Then a similar situation arose in Peterborough and we had to act because it kept on enduring.

**Mr. Renwick:** Mr. Chairman, the Attorney General has now referred to the one single incident that was—

Interjections by hon. members.

**Mr. Renwick:** Just keep quiet for a moment —has referred to the one single incident, and I want him to place the evidence that he has before this House, other than casual newspaper reports. Because the chief of the Ontario provincial police told me that he had investigated this matter and there was no substance to it. I am asking the Attorney General to stand up and document in this House that casual inference which he left here that there was an incidence of lawlessness and he did nothing about it. Let us get the facts on it because the chief of the Ontario provincial police told me that his investigation disclosed that no such thing occurred.

**Hon. Mr. Wishart:** Mr. Chairman, I have no further remarks to make on this subject. I have stated what the hon. member asked; I gave him the incident and I have nothing further to add.

**Mr. S. Lewis:** Mr. Chairman, I have a question for the Attorney General. Could he tell the House what, in his mind, constitutes the meaning of civil disobedience? I really think that the phrase is being profoundly corrupted as it is understood, by and large as a result of the civil rights struggle. My colleague, the hon. member for Riverdale made some mention of it this afternoon. Can the Attorney General tell us what in his mind—and I ask it genuinely—what is meant by civil disobedience in labour disputes? Can he define it at all?

**Hon. Mr. Wishart:** I think I may be able to offer the hon. member an opinion—not this evening—but I will get him an opinion on that matter; a definition.

**Mr. S. Lewis:** I would appreciate an opinion, Mr. Chairman. I have another question for the Attorney General. If he says with some vigour and some heat that he would apply the law equally to management as well as to labour if the facts were drawn to his attention — and I think I paraphrase him accurately—then when he sits in this House and hears the Minister of Labour reply to the leader of this party that management has not bargained in good faith, why does he not, as a member of the Cabinet, step in and apply the full powers of the law?

**Hon. Mr. Rowntree:** Let us refer to *Hansard*, Mr. Chairman, as to exactly the terminology which I used on that occasion.

**Mr. S. Lewis:** By all means. If you think I am interpreting you wrongly, I say to you that my sense of your remarks that day was that you were imputing that you could come to no other conclusion than that management had not bargained in good faith, and then on behalf of that management the Tilco strikers have been sent to jail. I want to understand the logic of the equal application—

**Hon. Mr. Rowntree:** It was not the Tilco employees that went to jail.

**Mr. S. Lewis:** All right—

**Hon. Mr. Rowntree:** Let us get this straight.

**Mr. S. Lewis:** You are quite right—

**Hon. Mr. Rowntree:** You have an obligation to speak accurately when you demand the attention of this House.

**Mr. S. Lewis:** All right, I will rephrase it. Let me not quibble with you—

**Hon. Mr. Rowntree:** Quibble?

**Hon. Mr. Robarts:** If you could have gotten away with it, you would have.

**Mr. S. Lewis:** You are quite wrong, I meant to say those on behalf of the Tilco group—

**Hon. Mr. Rowntree:** You talk all around it.

**Mr. S. Lewis:** —but I want to know from the Attorney General why the law does not apply equally. Surely that theme which the member for Sudbury emphasized tonight is in fact the fundamental theme that emerges from all of this, that it is an arbitrary and discriminatory application of law. And the Attorney General himself with some vigour said in the House that if the facts were brought to his attention he is prepared to take management to task as vigorously as he is prepared to take labour to task, or to take any group to task.

So why does the government sit and acquiesce in the bad-faith bargaining of an employer when it has a section of an Act it can enforce? Why did it sit so passively and watch it occur and yet move with such activity against employees and people in support of the strike? What kind of equal application, I ask the Minister—I assume he is a fair-minded person and I assume he feels deeply about the issue. How does he reconcile the two?

**Hon. Mr. Wishart:** Mr. Chairman, all I know of that matter is what I have heard in the House, but it seems to me that I learned in the reading of the newspapers or in the reports of the House that that matter is before a court and there is a court decision being made with respect to the issue of bargaining.

**Mr. Young:** Mr. Chairman, while this is going on, the end of the strike is now in sight; the year is almost up. The girls who walk that picket line will not be walking the picket line much longer. In other words, the employer has succeeded in doing what he set out to do. He has broken the union or will have broken it very quickly as these processes go on. And where one group was taken to court, the other has been able—through the manipulation of long delays in the activity of the Minister—to do in effect what it set out to do.

And when this day comes, when the year is up and this strike is broken, then we have another employer who has done exactly what the member for Sudbury said—treated labour as an outcast in this society, has refused to bargain in good faith, has not met the obligation of law.

**Mr. S. Lewis:** Another Trenton is what we have.

**Mr. Chairman:** Now, we have discussed this pretty well. Are there any questions or observations on the first ten items of 207?

**Mr. Singer:** Mr. Chairman, there are a number of questions relating to this vote. This is one of the most important votes in the Attorney General's estimates.

**Mr. Chairman:** The first ten items.

**Mr. Singer:** Yes, the first ten items. Administration of justice in counties and cities, that is the first one that catches my eye, item No. 5. There is no point in worrying about salaries, travelling expenses, maintenance and grants. But the administration of justice and counties and cities: I think, while the Prime Minister is here, I think we should get some sort of authoritative statement from him about what he is going to do about a courthouse in his home city, the city of London.

**Hon. Mr. Robarts:** I think they know my position.

**Mr. Singer:** They know the Prime Ministers position? Well, that is good, I am glad they know his position, Mr. Chairman, because no one else does.

**Hon. Mr. Robarts:** I am just stating it, they know my position and I am glad the hon. member is glad.

**Mr. Singer:** Well, would the Prime Minister tell me what his position is, then? Perhaps I will not have to speak so long about it.

**Hon. Mr. Robarts:** I have discussed it with them.

**Mr. Singer:** Oh, the Prime Minister has discussed it with them? Well, the facts speak for themselves, everyone knows his position, everyone is happy that everyone else is happy but the fact is that Middlesex county courthouse still stands, as intimidating as it

did when it was first built 130 years ago. And its permanence almost assured by a clash of views amongst the province, the city and the county.

Some lawyers believe that the hardships endured in working in the courthouse contributed to the death a few years ago of one of the judges. In any event, it caused a Crown attorney to resign last year. And I am glad that the Prime Minister is glad, that the city of London is glad as well.

**Hon. Mr. Robarts:** Mr. Chairman, he had a good long career before he retired.

**Mr. Singer:** If the Prime Minister's views are such that he enjoys this situation where in his city, his home city, they have a courthouse that is 130 years old, has forced the retirement of the Crown attorney, there is suspicion in some people's minds that one of the judges died because of the conditions there, well, I am glad that the Prime Minister is glad.

Facilities are so inadequate, says Francis D. Carter—I am sure he is a friend of the Prime Minister, Francis D. Carter is chairman of the Middlesex law association, courthouse committee—that justice is being frustrated in Middlesex county. And I am glad that the Prime Minister is glad that justice is being frustrated in Middlesex county.

**Hon. Mr. Robarts:** That is just absolute nonsense.

**Mr. Singer:** The blacklog of cases is building up to the extent where you have to wait so long for them to come up that essential witnesses are dying. If this is what the Prime Minister is glad about, I am glad that he is glad that this is the situation. London city and Middlesex county council members have agreed that a new courthouse and jail has been urgently needed for years. However, the replacement—

**Hon. Mr. Rowntree:** Mr. Chairman—

**Mr. Singer:** Does the hon. Minister of Labour want to tell us what is going to happen with the London city courthouse?

**Hon. Mr. Rowntree:** It is obvious the member is right off, this is at a lower level than his previous speech.

**Mr. Singer:** Mr. Chairman, if the hon. Minister of Labour wants to speak, I will sit down and let him speak, or he can wait until I am through. But I wish he would not try to speak at the same time, it makes it very confusing and very difficult.

I am sorry that the hon. Minister of Labour has not gotten together with his leader, the hon. Prime Minister, to determine if the Minister of Labour is glad the Prime Minister is glad that the people in London are glad that they have a bad courthouse that frustrates the ends of justice.

Now, this is the point, Mr. Chairman: in London, which is represented by the Prime Minister of this province, the courthouse is in such a condition that the administration of justice is being frustrated. Witnesses are dying, people are resigning and the Prime Minister understands and he is glad everyone else understands.

London city and Middlesex county council members agree that a new courthouse and jail have been urgently needed for years. However, replacement of the antiquated structure has been stalled by a fight with the province over who is going to pay for it.

Now, the Prime Minister might want to talk to his colleague, the Minister of Labour, and find out if everybody is glad over who is going to pay for it, because that has not as yet been decided and that seems to be the bone of contention. The city and the county have told the province that they will not, and the province, I guess—

**Hon. Mr. Robarts:** The member is quite wrong.

**Mr. Singer:** Oh, I am quite wrong?

**Hon. Mr. Robarts:** Quite wrong. The county is quite agreeable to pay its share.

**Mr. Singer:** Who is quite agreeable?

**Hon. Mr. Robarts:** The county.

**Mr. Singer:** The county is quite agreeable? Well, what about the city? And what about the province? How much is the province going to pay?

**Hon. Mr. Robarts:** It will pay whatever grants—

**Mr. Singer:** Yes, that is par for the course, and the grants—what are the grants for a courthouse, Mr. Chairman?

**Hon. Mr. Robarts:** I could not give figures now.

**Mr. Singer:** No, he could not. There are none. That is why he cannot give them.

**Hon. Mr. Robarts:** Well, Mr. Chairman, if we just want to be factual about it, this is a combined courthouse and jail, the member knows that.

**Mr. Singer:** Well, what are the grants—

**Hon. Mr. Robarts:** I do not know offhand.

**Mr. Singer:** The Prime Minister does not know because there are none, that is obvious.

**Hon. Mr. Robarts:** There are grants we will pay on a reasonable scale—

**Mr. Singer:** The Prime Minister was a little too joyful at the beginning. He was glad that everyone else was glad and now that the story is not quite so happy—

Interjections by hon. members.

**Mr. Singer:** Mr. Chairman, the hon. Minister of Reform Institutions has nothing to do with courthouses.

**Hon. A. Grossman** (Minister of Reform Institutions): Of course I have to do with jails.

**Mr. Singer:** Nothing to do with courthouses at all and I wish he would sit down. Mr. Chairman, can you not keep some order?

Interjections by hon. members.

**Mr. Singer:** Mayor Gordon Stronach and the London city council have taken the attitude that because the fines collected by the county courts go into provincial Treasury, all the money for the new building, about $4 million, should come from the province.

The city is fiercely opposed to giving any part of its taxes for a new county courthouse or jail, arguing that the administration of justice—

Interjections by hon. members.

**Mr. Singer:** Mr. Chairman, it is very difficult, really it is. I am trying so hard to convey a simple point and all these babbling Cabinet Ministers who are a little hurt that the Prime Minister himself has made a mistake are trying to defend him by barracking. It is too bad we cannot make simple points in this House, because simple people obviously will not let them be said.

Mr. Chairman, Middlesex county council, to which the decision to replace the courthouse lawfully belongs, was persuaded by London to join in the rebellion against provincial policy.

The county and the city want Ontario to choose the site, put up the building and pick up the tab. So far all they have done is arouse the ire of Ontario's chief justice. In his annual address in Toronto at the opening of the winter assizes in Toronto in January, Chief Justice George Gale said the lack of courtroom accommodation in London is rapidly becoming a public scandal.

Well, there it is, Mr. Chairman. It is a public scandal. And the Prime Minister is glad that London is glad that everbody knows where he stands. He charged that apparently the councils of the city and the county cannot, or will not, assume their statutory and moral duty to provide an adequate courthouse.

Those who practise law and those who break it here want out of the building that has been condemned by city and council and provincial governments for the past 60 years.

As far back as 1908, a grand jury condemned the courthouse jail building as inadequate and being out of date and said conditions in the place were deplorable. That is back in 1908. I do not know if the Prime Minister was in London in 1908 to be glad that everyone else was glad.

**Hon. Mr. Robarts:** I was not born in 1908.

**Mr. Singer:** Well, I suspect he was not there, but he was not quite so glad in 1908 about the conditions.

Two years ago, one member of the grand jury, disgruntled that his group's recommendations had not been heeded, wrote that the London dog pound had better facilities than the 124-year-old jail. And the Minister of Reform Institutions I am sure is glad that the London dog pound has better facilities than the 124-year-old jail and I am sure that is what he wanted to explain.

He said he was speechless when it came to describing the 130-year-old courthouse. The jail is six years younger than the courthouse. London Controller Margaret Fullerton says—

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if the hon. member would allow me to make an observation—a brief one.

**Mr. Singer:** I would be delighted.

**Hon. Mr. Wishart:** Mr. Chairman, we are on vote 207 of my department's estimates and if it will help the hon. member who has been reading all of that newspaper article at this late hour, I would be quite prepared to admit that the situation with respect to the London courthouse and jail is not good.

We recognize this and have interviews and conferences with Mayor Stronach and members of his council; our officials have met him and he has met me and I know that he has met the Prime Minister about this matter,

because I recall occasions that he did so when I was present.

This is a county and city and a municipal responsibility to construct these facilities for the administration of justice. I am prepared to admit that we are bending every effort to persuade the city, as the county is agreeable, to persuade the city to go along. But I would like to be spared all this history which I read some time ago, and get on with my estimates.

The grant the province used to make for the administration of justice was $1 per capita. Now, it is an unconditional grant and I think there are some features in addition to that. The fact is, that we have not been able to persuade the city officials yet to get on with the construction of a building and there is a joint project proposed, city and county, for jail and courthouse. I think probably one day we will accomplish this.

But there is no law, although it is the responsibility of the municipality, the city and the county, there is no law by which this government or this Minister can force these municipalities to get on their way, but we are using every effort we know to encourage this.

Now, I do not really think that the hon. member should take up a great deal of time on my estimates relating the facts of a matter which is a county and city responsibility. That is my plea to him.

**Mr. Singer:** I understand the Attorney General's plea. He has clarified the situation to the extent he agrees with what the article says.

Now, let us then get down to the issue. The issue is that you are having substantial difficulty throughout the province, not only in the city of London, the home town of the Prime Minister, in accomplishing the enforcement of statutes that are as archaic as the courthouse. Difficulty in sloughing off the responsibility for the cost of the administration on to municipal taxpayers who cannot properly afford it. When the Attorney General tells us that we should not waste time in his estimates debating matters that are county and city responsibilities, he could not be more wrong.

Surely, the time has come, Mr. Chairman, in this province that there must be recognition that responsibility for the cost of the administration of justice must be borne on a province-wide basis. I am sure the plea—perhaps you could consider it a stubborn plea—of Mayor Stronach of London on behalf of overburdened municipal taxpayers in London, Toronto, Moosonee, Ottawa, Windsor and any place you care to name—surely the plea of those municipal taxpayers must at long last be listened to, Mr. Chairman. Surely the time has come when the province must accept its rightful responsibilities. Surely there must be a recognition that the cost of the administration of justice knows no municipal boundaries and is a province-wide responsibility.

If that position was recognized, if that responsibility was accepted, you would not hear me arguing about the courthouse in London and whose responsibility it was, and you would not embarrass the Attorney General by saying it is somebody else's responsibility.

Mr. Chairman, there is one issue about the courthouse and the jail in London and I have made it in the estimates of The Department of Reform Institutions. I have made it here and I am going to continue to make it here and in the estimates of The Department of Municipal Affairs. In my opinion, and in the opinion of most thinking people who are familiar with these problems in the province of Ontario, the cost of the administration of justice should be a provincial and not a municipal responsibility. If justice is being denied in Middlesex county, is being denied in London by reason of poor accommodation, the fault lies with the Prime Minister and with the Attorney General and with all their colleagues on the front benches. That is where the responsibility is.

**Hon. Mr. Grossman:** Mr. Chairman, I think it should be known in this Legislature and for the record, that the mayor of London at a public gathering agreed finally to go along with a regional detention centre.

**Mr. Singer:** I was not talking about that.

**Hon. Mr. Grossman:** You said the jail. You mentioned the regional jail two or three times. You said jail.

**Mr. Singer:** I said that the jail was 124 years old and the courthouse was 130 years old.

**Hon. Mr. Grossman:** Mr. Chairman, would you ask the hon. member to be as quiet as he expects us to be?

**Mr. Singer:** I am just as quiet as you were.

**Hon. Mr. Grossman:** You mentioned the jail three or four times. The mayor agreed, as I say, publicly, to go along with it, and two or three days later he changed his

mind. In spite of the fact that the mayor of London seems to think that he is talking for all of the municipalities, and the hon. member just mentioned Ottawa—Ottawa is proceeding with a new regional detention centre because they realize that this government granting 50 per cent of the cost of a new jail is a great advantage for them. In spite of what the mayor of London has to say other municipalities are moving along with the plan.

**Mr. Singer:** Mr. Chairman, on a point of order, we are not talking about jails—

**Hon. Mr. Grossman:** But you were talking about jails! I sat here and listened—

**Mr. Thompson:** Mr. Chairman, on a point of order, one of the problems we are going to have—

**Hon. Mr. Grossman:** Mr. Chairman, do I have the floor?

**An hon. member:** Point of order!

**Mr. Thompson:** Point of order. I understand that we are taking the Attorney General's department, we were talking about the administration of justice, we were talking about courthouses, and if there was a reference to jails it certainly is not something that we want to emphasize and discuss over half the night. I say that he is out of order—

**Hon. Mr. Grossman:** Mr. Chairman, on a point of order—

**Mr. Thompson:** On a point of order, he is out of order.

**Hon. Mr. Grossman:** I think it is most unfair for an hon. member to speak as the leader of the Opposition has just said, out of order, for 15 or 20 minutes referring to jails, and when somebody else wishes to get on the record, to then state that it is out of order.

I tell the hon. member that other municipalities not as well-fixed financially as London, are proceeding with this at a rapid pace and are doing very well in considering the fact that the provincial government is prepared to grant them 50 per cent. They are going ahead because they realize that it is a progressive measure and is something that should be done. I am sure that the city of London will eventually come along with it, too. In spite of the fact, the hon. member wishes to sabotage it!

**Mr. Chairman:** Are there any other items now under the office of the Assistant Deputy Attorney General?

**Mr. Singer:** No, Mr. Chairman, but we have lots of time yet. No one is anxious, apparently, to return these estimates so let us just take our time. Mr. Chairman, I have mentioned—

**Hon. G. C. Wardrope** (Minister of Mines): That is very rude and inconsiderate, to take up the time of this House.

Interjections by hon. members.

**Mr. Singer:** Courts administration and land registration branch is when I want to make my next remarks.

**Mr. Chairman:** Wait a minute now! Where is that?

**Mr. Renwick:** Mr. Chairman, I would just ask the Attorney General if he would give us a brief comment on each of the items 4 to 10 on vote 207. I think each of them warrants a brief comment from the Attorney General.

**Hon. Mr. Wishart:** Under 10?

**Mr. Renwick:** Items 4 to 10, under vote 207. For example, what is the grant $75,000? I think a brief explanation would speed up this portion of his estimates.

**Hon. Mr. Wishart:** Mr. Chairman, item 4, grants; I have a page-and-a-half of information here which I would be glad to detail. There is a grant to the legal aid fund of the law society of Upper Canada. These estimates are $35,000. Last year it was $20,000, an increase of $15,000. The grant to the association of probation officers, $3,000. The grant to the judges' library—which is a usual item—with the grant to the association of probation officers is the same as last year, $4,000. Grant to law libraries, $9,700, a usual item. Grant to the conference of chief justices to be held here, I take it, $3,300. A grant to municipalities for resurvey purposes—that is the land titles and registry office field—of $20,000. There are explanations of each of those items which I could enlarge upon, but perhaps if I have given the figures that may be sufficient for that item.

Under item No. 5, the administration of justice, counties and cities, the figure is $55,000. This item covers the following items and they are audited at the rates provided. The grant is required to pay court reporters for transcripts of evidence re appeal cases;

for extraditions, the cost varies from year to year; expenses re return of prisoners for trial in indictable cases; for clerical assistants re the Crown attorney in Dufferin and Prince Edward counties; psychiatric fees, services ordered by the department for examination of criminals; and coroners' accounts re inquests in the investigation in institutions administered by the province.

Item No. 6: The item is administration of justice in the districts in the province as distinct from the counties. The item last year was $340,000, an increase is indicated this year to $365,000, the increase being $25,000. The increase is due to the provision of additional funds for the general increase which is evident and which has occurred in criminal actions. This appropriation refers to the 11 provisional judicial districts in which the province carries the administration of justice as urged by the hon. member for Downsview for all the province. It covers the fees provided under The Administration of Justice Expenses Act, The Coroners Act, The Crown Witnesses Act, The Magistrates Act, The County Court Judges Act, The Judicature Act, and the amendments thereto and the regulations under the various Acts. That is the administration of justice for the 11 districts in this province.

Item No. 11: The reimbursement of salaries of judges and court officials and the maintenance of offices. The item is $65,000, up $3,000 over last year. The increase is due to the increased cost of maintaining offices in the judicial districts, which is where that item is spent. This appropriation covers the provincial portion of the cost of operating juvenile and family courts as follows—these are allocated on a percentage basis—in Sudbury, the basis is 40 per cent to the province, 60 per cent to the city; in Algoma, it is 50-50; in Nipissing, it is 66⅔ per cent carried by the province, 33⅓ by the district; and in Thunder Bay it is 40 to the province, and 60 to the municipality. In other areas in the provisional judicial districts, the province bears the total cost of juvenile and family courts.

Item No. 8: This is an item under expenses, warrants and summonses, re deserted wives and children; the item is $1,000. It is to defray the cost of prosecuting offenders charged under that Act.

Item No. 9 is legal agents' services in matrimonial causes. The official guardian, I think it is known, engages legal officers in various counties and districts, usually in the county town, to act on his behalf in divorce matters and matrimonial causes. The item is $9,000; it was $7,000 last year. The increase of $2,000 is a provision for the anticipated increase in the service. Legal agents are paid a fee of $5 for swearing the affidavit used in connection with the filing of the agent's report to the official guardian. That report is usually made by an official of the children's aid society or investigator acting on behalf of the official guardian.

Item No. 10: The item is $166,000. Last year it was $168,000; the decrease is due to an overprovision which was not expended, I take it. Last year, it was down $2,000. It is to pay for the services of children's aid societies in matrimonial causes.

Hon. Mr. Robarts moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed. Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts** (Prime Minister): Tomorrow there will appear on the order paper several third readings. There is one bill to be dealt with in committee of the whole House and we will then resume the estimates of The Department of the Attorney General.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.30 o'clock, p.m.

No. 169

ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Thursday, July 7, 1966

**Morning Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JULY 7, 1966

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** We are pleased to welcome as guests to the Legislature today, in the east gallery, students from Whiteoaks secondary school, Oakville, who are hosts to students from Saskatchewan.

Petitions.

Presenting reports by committees.

Motions.

Hon. J. W. Spooner (Minister of Municipal Affairs) moves that the order of the day for third reading of Bill 192, An Act to amend The Municipal Act, be discharged and that the bill be referred back to the committee of the whole House for amendment.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

**Mr. A. E. Thompson** (Leader of the Opposition): Mr. Speaker, before the orders of the day, I have a question for the Minister of Labour.

Were nine students from Castle Frank high school in Toronto barred until July 6 from writing Department of Labour qualifying examinations for certification as hairdressers after the completion of a two-year hairdressing course at the school? If so, would the Minister advise on what basis the decision was made to permit the students to write the examinations and would he also advise whether the decision is applicable to hairdressing students in other area schools in Ontario?

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Speaker, I am endeavouring to get the particulars of the incident to which reference has been made and they have not arrived. I am not in a position to answer that at this moment, but with the permission of the House, I think I will answer it at 2 o'clock, or tomorrow morning.

**Mr. Thompson:** Thank you very much; 2 o'clock, you said.

**Mr. G. Ben** (Bracondale): Mr. Speaker, I have a question for the Minister of Transport, notice of which has been given.

Did Metro council afford an opportunity for merchants, businessmen and homeowners in areas where parking facilities are limited, to make representation to metropolitan council or its transport committee prior to passing a bylaw which would increase the fines for parking in restricted areas?

Second, would the Minister approve this bylaw without requiring Metro council to afford these people an opportunity to make a representation in opposition to the bylaw?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, no such bylaw has been submitted to the Minister of Transport for approval, so I am not able to answer the question.

**Mr. Ben:** Thank you, Mr. Minister.

**Hon. J. Yaremko** (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following report:

The Ontario hospital services commission annual report, 1964.

Hon. Mr. Robarts filed answers to questions Nos. 21 and 28, standing on the order paper:

28. *Mr. Ben*—Inquiry of the Ministry—1. When was the Spadina road extension approved by Metro council? 2. When was the Yorkdale interchange approved by Metro council? 3. What was the estimated cost of the Yorkdale interchange? 4. What was the contracted cost price for the Yorkdale interchange? 5. What was the final cost of the Yorkdale interchange? 6. When was construction started? 7. When was it finished? 8. (a) What have been the debenture costs to date for the interchange; and (b) when will the interchange finally be put into use?

Reply:

1. March 30, 1954.

2. March 6, 1962.

3. The original interchange shown in the functional report required major revisions in design to allow the concept of

the Spadina expressway to meet the concept of the 401 interchange. Consequently, estimates of cost of original design are not comparable.

4. Metro contracts, tender value only, as awarded, $1,966,500.

5. Actual expenditures on tender value to date, together with estimated further expenditures to complete contract work covered by item 4 above—$2,020,000.

6. September, 1962, when a contract for sewer installations was awarded.

7. Work is still in progress.

8. (a) Estimated by Metro treasury department, $193,011.

(b) Part in current use; a further portion later this year; full use planned for June, 1967.

A return to question No. 21 was also tabled—sessional paper No. 79.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, before the orders of the day, I think I might inform the House that we will sit tomorrow afternoon and tomorrow evening, if this should be necessary, in order to complete the business at tomorrow's sitting.

**Mr. Ben:** Mr. Speaker, I would like to rise on a point of personal privilege, with reference to an article which appeared in this morning's *Globe and Mail*. It refers to the report that was tabled by the Minister of Highways yesterday. The statement reads:

> The report, signed by Deputy Highways Minister A. T. C. McNab, agreed with Mr. Ben on several ways of improving the operations of the department but found no evidence of scandal.

Subsequently a statement is attributed to the Minister: "It looks like a pretty clean bill of health." I would point out to this House, sir, that at no time did I allege scandal. I would say that the statement in the *Globe and Mail* does not state that I said there was scandal, nor does it state that I made accusations of scandal, but because the reply is in the form that it is, there is an implication that I did allege scandal.

My statements were with reference to inefficiency, and I would suggest Mr. Speaker, that the report, contrary to the Minister's statement, supports me in every aspect except one, and that is with reference to the geodetic surveys.

I just want to take the opportunity to clear this matter up.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order.

## THIRD READINGS

The following bills were given third reading, upon motions:

Bill 183, An Act to amend The Assessment Act.

Bill 193, An Act respecting the art gallery of Toronto.

Bill 194, An Act to incorporate Sunnybrook hospital.

**Clerk of the House:** The sixth order; committee of the whole House; Mr. L. M. Reilly in the chair.

## BUYERS OF CONSUMER GOODS

House in committee on Bill 101, An Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit.

Sections 1 to 14, inclusive, agreed to.

On section 15:

**Mr. D. C. MacDonald** (York South): Mr. Chairman, during the hearings of the select committee on consumer credit, we received a good deal of information with regard to practices in the field of door-to-door selling, often for what, in effect, was normal retailing—furniture, personal clothing and things of this nature. The kind of practices that were followed by some companies, I think, were the source of some of the most flagrant fleecings of the public that we learned of and they were often of very low amounts.

I think of one company—which I have no hesitation in citing and which is still in operation, namely, Odeon Credit headed by one Dave Durbin—whose practices were to sell goods. Contracts were signed and the consumer never got a copy of the contract, so he never had any idea of what interest he was paying. He just paid so much per week and at some time the company would indicate that the bill was completed. In other words, there was full range for the kind of extortion from the public that I think this Act has been designed to eliminate.

I concede, Mr. Chairman, that there is a real problem in fixing a lower level without getting into serious administrative difficulties, but the thing I want to draw to the attention of the Minister is that if you fix it at $50, you certainly are going to leave some companies, like Odeon Credit, in full operation. Their practices will be as free as the four winds of

heaven as far as this bill is concerned. Indeed, I am told by those who have made a rather careful study of the operation of companies like this, all they have to do is to introduce the practice of splitting up sales—sell a coat and a pair of pants separately and show them as a different sale, so that they can keep below the $50.

If the Minister, as I know he is, is desirous of coming to grips with the problem that we are faced with here, it seems to me that we have to lower this $50 level somewhat below that amount. I concede to him again the administrative difficulties in the lowering of it, but you certainly are going to leave untouched one of the most serious areas of concern in the past. Therefore, with a view to attempting to do that, I would like to move, seconded by Mr. Renwick:

> That section 15 shall be amended by substituting $15 for $50, so that the section would read:
>
> "This part applies to executory contracts for the sale of goods where the purchase price, excluding the cost of borrowing, exceeds $15."

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, speaking to the motion, I would just say this. We have had the benefit of course, of the hearing before the committee and I do not recall that they actually recommended the amount of $50—perhaps not. This type of legislation is in effect in other jurisdictions. In Britain I believe it is stated in pounds and it seems to me that it runs to a larger amount. In some of the states of the United States the same thing applies.

It seems reasonable to have some limit on the amount of the contract. This whole legislation is an intrusion and is a directly opposite approach to the old principle of "let the buyer beware." We are attempting to protect people against persons who do dubious and fraudulent merchandising. I think we have to accept that there is some place where people must exert themselves. We have another principle in the law that does not take notice of trivial things. It seems to me that if we stay with this, surely people, knowing that if they sign a contract for under $50 they are on their own, will be wary. If we try to bring this Act down to take note of those very small contracts, it is going to make a tremendous increase in the administrative work—I was almost going to say the difficulties that we face in applying this legislation—but I think perhaps the administrative work that will be entailed in this Act will be increased tremendously.

Surely people know that if someone comes in and they are prepared to sign a contract for under $50 they should beware? This is one safeguard, and the other thing is that, when you think of the damage that may occur to the family or the householder who gets himself into trouble in a contract of this nature, under $50 is not going to hurt him actually. Maybe it is the price of the lesson —if he is so careless and negligent of his rights and wants to sign it—maybe $50 or something under that figure will not hurt him so much if we have to legislate down to the $15 level, as suggested by the hon. member.

I think perhaps I might suggest that we leave this bill as it now appears and see how it applies to merchandising of this nature. Any time there is much abuse apparent in the application of the Act, then we might reconsider it. But I would like to speak against the amendment, as the section as it is designed has received a lot of consideration and we might try it out.

**Mr. MacDonald:** Mr. Chairman, I recognize the administrative difficulties and I am not going to push this to the point of a vote. But I must say to the hon. Minister that I find some of his arguments unconvincing. To say that the person will be aware of the fact that below $50 he is going to look after his own interests seems to me to ignore the whole basic problem that forced the government moving into this field. They did not know that they had to look after their own interests at $400 and $500 because many little people just do not become aware of this. Unfortunately, ten years from now, many of them will not have become aware of it. This is just one of the facts of life that we have to live with. What, in effect, the Attorney General is saying is that if they are going to be caught with a small amount, it will teach them a lesson. It seems to me that he is willing to let the objective of his bill be whittled away.

Another of the practices that unfortunately a company like this indulges in is that when the contract is not lived up to, they take them into court. I am told that it is really appalling; you can see an agent of this company with a board with the names of the people marked on it and he will come into the court before the division court has been called and he will call out the names of these little people. Unaware of what is happening and what they are going to have to face, they will come up and ask: "How do you think that you might meet this $5 a week?" They agree and sign a paper. When the court convenes a half hour later, this is presented to the court.

This is a kind of extraordinary abuse of the situation. I think that the Attorney General himself will agree that this is not something that we should tolerate for very much longer. Therefore, having made my point, I would like to make this alternative proposal by way of attempting to cope with the situation as we build some experience with this bill. We are going to have licensing and I would hope that, as in the machinery we have now built in the instance of used cars, if you find that a company is operating in this way frequently or consistently, you would catch them and remove them from the field by withdrawing their licence. This may conceivably be the easy kind of procedure for freeing the field of this relatively small group causing most of the trouble.

**Mr. Chairman:** Do I understand that the member is not putting this to a vote?

**Mr. MacDonald:** I am putting it, but we are not going to vote on it.

**Mr. Chairman:** The member has moved that this section be amended.

All those in favour of the amendment will please say "aye."

All those opposed will please say "nay."

I declare the amendment lost.

Section 15 agreed to.

Sections 16 to 18, inclusive, agreed to.

On section 19:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, on section 19, I intend to propose an amendment. It is the same amendment which I put forward in committee and withdrew when the Attorney General advised us that it would, in a sense embarrass him. I want to assure him that by putting this amendment today I have no desire or intention in any way to embarrass him. I have given anxious consideration to the problem which is involved in the amendment which I propose to section 19.

Mr. Chairman, the select committee on consumer credit unanimously, as I read the report, recommended abolition of wage assignments as a technique of obtaining additional security which could be used and is used, I believe, to threaten persons who have purchased goods in good faith. All of us, Mr. Chairman, are well aware that the question of wage assignments immediately causes serious concern to the credit unions in the province of Ontario who are engaged in lending funds and who normally take a wage assignment as a traditional, accepted method of securing the obligation of the borrower when the borrower takes funds from the credit union.

I want to make it abundantly clear that the amendment which I propose does not relate in any way to that relationship between a credit union and a borrower. It would not in any way prevent a credit union or, indeed, any other lender, in a borrowing transaction where a loan is being made, to take a wage assignment as part of his security. The amendment would, however, prevent the enforcement of a wage assignment which was taken either as part of the contract for the purchase of goods or services by a buyer, or is incidental to it. It would render such a wage assignment unenforceable. The amendent which I propose is that clause 19 of Bill 101 be amended by adding after the word "contract" in the last line thereof, the words "or under which any buyer makes any assignment of his wages" so that the clause will read as follows.

> 19. Any provision in any executory contract or in any security agreement incidental thereto under which the seller may acquire title to, possession of any rights in any goods of the buyer than the goods passing to the buyer under the contract or under which any buyer makes any assignment of his wages is not enforceable.

Mr. Chairman, I do not think that I need to elaborate any further on the amendment. It is restricted to making unenforceable any assignment of wages in connection with a transaction between a seller and a buyer under which goods or services are purchased by way of extension to credit.

For that reason I would urge the committee to accept this amendment. I think each member of the House knows that in many cases wage assignments, documents which are often signed without any appreciation by the buyer as to the significance of them, are used to threaten persons in their employment before any decision has been made in any court as to the obligation of the purchaser or of the buyer to pay the price, whether the goods have been defective, whether or not it is a legitimate default, or for any other reason.

I, for one, feel that this kind of power given to a seller to take an assignment of wages which may threaten a man in his employment when he purchases goods is an iniquitous one. On balance the public

evil that is involved far outweighs the legitimate occasions under which a wage assignment might be taken.

In moving this amendment I simply stress the fact that it does not in any way affect the traditional business of the credit unions or, indeed, of any other lender in a borrowing transaction. I urge the committee to accept this amendment.

**Mr. E. W. Sopha** (Sudbury): We, of course, support this amendment and I might add that the members of the select committee from this party unanimously voted for the recommendation of the select committee. I might, without any attempt to be immodest, say to my hon. friend from Riverdale, that I proposed the first amendment in the committee to an earlier section which would accomplish the same object, but it was ruled out of order.

I might say, for the benefit of the House and the information of the Prime Minister, that we had a hard struggle to get this bill through the committee. The Attorney General and the member for Riverdale, and myself, and the member for Downsview, had to exercise our most gigantic efforts to beat off the opposition of the government members to its passage. We persevered and the Attorney General and the three of us managed to get it through finally. It was an exercise in—

**An hon. member:** It was a pretty good committee.

**Mr. Sopha:** Yes. We will take the proper credit, and let me tell you that the member for Eglinton, whom you may know, is a very eloquent protagonist when he makes up his mind to be against something. He was joined by the member for Simcoe Centre, who was very tenacious also.

However, I leave that and merely wish to say that, of course, we support the principle that the credit unions ought to be relieved from any obligation in this regard. The credit unions, let it be said, have exercised their right to take wage assignments very responsibly and I certainly do not know of any case where anybody was ever hurt by their activities in this regard. It is the only form of security I think the credit unions do take in respect of the debt created by their membership to them.

I merely add, to refresh the memories of those who may have forgotten, that two years ago the government introduced a bill itself—it was Bill 136, I believe—which would regulate wage assignments within a set of restraints much different from those under which they now operate. On that somnolent day on which the House prorogued, I, and perhaps most of the other members of the House, did not notice that when the Clerk was reading the numbers of the bills to His Honour the Lieutenant-Governor, and he was giving Royal assent, got to Bill 136, and passed from 135 to 137. I am sure that escaped just about everybody in the House.

Nobody told us that Royal assent would not be asked and I suppose the obligation of the member is to sit and watch the numbers and watch the Clerk in case he makes a mistake. It was not a mistake by the Clerk; he was instructed, I take it by the government, not to ask for Royal assent to that bill. Royal assent was never given and, of course, the bill died out on the order paper.

That bill provided in its sections that garnishment of wage assignment would be limited to a certain fixed percentage. I think it was 25 per cent total, I have not looked it up. It seems to me it was something like 17 per cent for garnishment and the balance for wage assignments. I did not know the Royal assent has not been asked for the bill until a junior judge of Sudbury drew the matter to my attention. I looked back and I discovered that that was the case. So the government has been waffling on the matter. Apparently they have some feelings about the iniquities of wage assignments and there are iniquities connected with them.

I revealed to the committee that dealt with this bill that I had met the North American champion in wage assignments. He had seven against his wages, which testifies to a certain measure of economic inperspicacity—that word was used last night—in the management of his affairs. I suggested to the man that the only way out for him was to borrow the $300 necessary to put himself into bankruptcy, and he did just that. Certainly, it takes $300 to go into bankruptcy. Bankruptcy is not for the poor person.

Interjection by an hon. member.

**Mr. Sopha:** Not for a bankrupt. But that is what he did, I am happy to report, and he has now made the assignment.

**Mr. MacDonald:** Did you give him that actual advice?

**Mr. Sopha:** Yes. The bankruptcy law exists for the relief of debtors, as well as for others, and that was perfectly all right. I hastily add I am not a trustee in bankruptcy and I did not get the $300, either. It went to a corporate trustee.

That is the situation and we in this party enthusiastically support this amendment, saying, at the same time, that the way it is drawn by the member for Riverdale it does not affect credit unions and it ought to commend itself to the government.

The Attorney General is very fair about it and he has frankly admitted that he recognizes the problems connected with wage assignments. I would hope, and I think he said something to this effect, that when another year rolls around there will be a piece of government legislation introduced here to bring some relief to the people who have achieved the state of a bond servant when their wages are assigned to various financial institutions.

**Hon. Mr. Wishart:** We did, as the hon. member for Sudbury has said, receive a good deal of help from all members of the committee in connection with this bill.

In connection with this particular section and the amendment which is offered, I appreciate that the hon. member for Riverdale does not have any intention or wish to embarrass me and actually in offering the amendment does not do so. Perhaps its passage, if we voted for it, would.

I realize the amendment has merit, as I said in committee. I explained in committee, at which time the amendment was withdrawn, that we did not accept the recommendation of the select committee on consumer credit to assert the abolition of wage assignments in this legislation, but we did proceed to consider the matter of the abolition of wage assignments or the legislation dealing with wage assignments, and actually had drafted legislation, which I may say received certain progress but did not reach the floor of this House.

But in that situation we had a great number of presentations, briefs and correspondence with respect to the matter of wage assignments. They were many, and there were varied views. There were differing situations with respect to varying lenders, such as credit unions, banks, and other lenders, and situations where actually there were a number of briefs presented for the retention of wage assignments by certain individuals who used them to finance their affairs, and by small merchants who finance householders. Some of the householders who used that form of wage assignment were supporting the retention of it.

But to make a long story short, in the discussions and in the correspondence, I was at pains to point out in my reply why we were considering the matter and had made certain moves towards legislation. I felt in view of the many briefs, the many views that were presented, I would undertake that we would not move with legislation in this session. I did not think it would be possible to consider it all and that for this session, at least, we would hold our hand, in order to give an opportunity for the whole matter to be studied and so that we could come forward with a final decision and legislation with respect to it.

What I said then was that if I were now sitting in committee, if now, without notice and without warning, I were to accept and approbate an amendment, I could certainly be charged with having deceived the people, having taken the position I did.

I recognize the merit in the proposed amendment, but I think if I were now to accept it in this House, the same consideration would apply. While I am not embarrassed by the offering of the amendment at all—and I think it has good merit in it—I would ask the House not to accept it, because I think I may say with fair confidence that we will be back in this House, certainly within a few months time, it seems altogether likely, and I think I can assure the members of the House that recommendations will certainly be made to the government with respect to the matter of wage assignments, in the whole picture. I would vote against the amendment.

**Mr. K. Bryden** (Woodbine): Mr. Chairman, I think it is regrettable that the Attorney General has made such commitments that now make it impossible for him to accept an amendment which he himself believes is a good amendment. I would suggest that under the circumstance we do not have to insist on party discipline in relation to this particular amendment. I can appreciate the Attorney General's position. I would not suggest that he, in person, should go back on his word, but I believe that members of the House should now consider this amendment in terms of its merits.

I think the member for Riverdale is to be congratulated on having found quite a simple way to deal with a very tricky problem. As several members have said, there is no one in this House who wishes in any way—at least I doubt if there is anyone in this House—to restrict the activities of credit unions. Indeed, I would say that credit unions have served a tremendously important social purpose. They have done more than this Legislature will ever be able to do in rescuing people of limited means from loan sharks. There is no doubt about that. That role they have played and will continue to play, and

no one wishes in any way to restrict them in continuing and expanding that role.

**Hon. J. Yaremko** (Provincial Secretary): Your amendment does not affect loan sharks—

**Mr. Bryden:** Just let me get on to my next point, which I will try to do in a moment.

At any rate, it is quite obvious that nobody wants to restrict credit unions and this amendment would not restrict them.

It is my impression, from such observations as I have been able to make, Mr. Chairman, that the most critical problem, the most serious abuse in relation to wage assignments, arises when that device is used in the sale of goods. It is quite true, as the Provincial Secretary has said, that this amendment would not affect the loan shark, per se. There are other ways in which we have been trying to curb their activities, and we will have to give further consideration to other means of eliminating abuses.

However, we have now an amendment that will eliminate a very serious abuse, and that is the wage assignment that is often obtained without the knowledge of the buyer in the sale of goods. When a person enters into a contract for sale, or for the purchase of goods, he is asked to sign all sorts of documents printed in 6-point type and in the most obscure type of legal jargon, and along the way he signs the wage assignment and he may not even know that he has signed it.

He may have been unfortunate enough to get shoddy goods. There are a great many of them marketed in Ontario, as elsewhere. The goods fall apart in a very short period of time, but he is still stuck for the full price of them plus interest, which is probably at quite a high rate, and the seller has this assignment and this assignment can be a perfect instrument for intimidation.

He could threaten to go to the man's employer. There are many employers, unfortunately, who make it a practice that they simply will not make deductions from a man's wages to satisfy some private contract and that if a man's wages are garnisheed or if there is an assignment against him, he is fired. So the man is then in a hopeless position. He can be intimidated and browbeaten by a person who has sold him shoddy goods, and as my friend, the member for Riverdale says, he really has no opportunity at all to have his day in court; he is simply victimized.

This amendment would at least remedy that abuse and on that basis I think we should pass it. It will not remedy all the abuses with which we are faced in this very difficult field but it will remedy one important abuse so let us remedy it.

The Attorney General says that the House will likely be back in session in not too many months. I do not know exactly how to interpret those comments, but at any rate there is no doubt that this House as a corporate body, whether or not with the same members, will be back in session within a year. It seems to me that we might as well pass this amendment now and prevent a few people from being taken to the cleaners between now and the time the House reassembles.

There is no need to delay. An abuse exists. There will be people who will be cheated between now and the reassembly of the House if the amendment does not pass and therefore I think we should pass it.

One last point I would like to mention, Mr. Chairman, arises out of the comments made by the member for Sudbury. I must say that I was dumbfounded to hear that a bill we passed in this House a year or two ago, which would have reduced the limit on garnishees and assignment, was not assented to. I think this is a most serious abuse of the privileges of this House and a serious affront to the House. The House passed a bill through all readings; it represented the will of the House as at that time and apparently the government intervened and simply overruled the will of the House arbitrarily without the consent of the House, indeed without any reference to the House, without any consultation. It is an amazing affront and I am surprised that it could occur. If the government, after this bill was passed, had second thoughts about it, I submit it should have come back to the House. The bill was no longer the government's property after it had passed the House, it was the property of the House. It was the will of the House and I think it should have been submitted to the Lieutenant-Governor for assent. Presumably, under certain circumstances, the Lieutenant-Governor could have withheld assent; that has occasionally happened in Canadian history, but I certainly do not think that the government should have taken it upon itself surreptitiously and behind the scenes to withhold assent to a bill that the House had passed on its own recommendation. I wish to register my protest in the strongest possible terms, Mr. Chairman, to this serious abuse of the rights and privileges of this House.

**Hon. Mr. Yaremko:** Mr. Chairman, I would just like to clarify my interjections. I am in support of the position taken by the Attorney General. I am familiar with

both the abuse of wage assignments and the proper use of wage assignments, having acted for a number of credit unions for a number of years and participated in the development of the use of that particular instrument. However, my first experience has indicated to me that the adoption of this amendment will, instead of assisting people, hurt people, because the North American champion, instead of making seven wage assignments in respect of the purchase of goods, will now more than likely go to seven different lending institutions—some of them possibly falling within the category commonly known as loan sharks—to borrow money at rates of interest, secured by his wage assignments, possibly higher and on more severe conditions than he had been able to get at a reputable institution where he could have purchased the goods. All the member is doing, I suggest, with the type of person who resorts to the use of wage assignments without regard to his own welfare and the welfare of his family, is driving him to borrow money and then go out and buy the goods which he had his eye on.

**Mr. Chairman:** Mr. Renwick has moved that clause 19 of Bill 101 be amended.

**Mr. G. Bukator** (Niagara Falls): Mr. Chairman, may I, as a member of that committee which sat and listened to 1,400,000 words pertaining to this bill that we have before us, say that I did say at the time and every member of the committee unanimously agreed, that we should abolish wage assignments. There was no question about it in our minds. Each member of that committee received a barrage of letters from all credit unions saying: "You are going to take from us the only security that we have for the money that we loan on behalf of our people who invest in our credit union." The only document they have is this assignment of wages. I could not make an about face and say: "I agree with you." But at that time, Mr. Chairman, through you to the Attorney General, when they invited me to speak at a convention of some 52 credit union associations in the little village that I come from, I said: "I was one of the members of that committee who would have taken your security away from you. I did not know when we recommended this that the wage assignment was the only thing that you used and you made that very clear to your people. I did not know the small percentage of the times you had to use this particular wage assignment. It was infinitesimal, nothing to it at all; they just knew their wages were assigned and therefore they had to pay their bill. But we found documents of several cases, and the wage assignments involved. A man did not know he was assigning his wages, and these are the people we wanted to do away with, these are the people we wanted to protect the public from. And so we said abolish wage assignments." I said to the credit union at that time: "The Attorney General had delegations before him. I am sure that he will consider your problem well." As a matter of fact, the Attorney General was good enough to invite members of the committee to be there with him to meet the delegation. I did not make it that particular day, but I would like to say that we are in favour of abolishing wage assignments with the exception of credit unions, because of the reasons I have outlined to you. We have no other choice but to continue, and each member of the committee, I think, is obligated to vote along with the amendment.

**Hon. Mr. Yaremko:** The amendment is not what the member is suggesting.

**Mr. Bukator:** The amendment is, in my opinion, what I am suggesting — that we abolish wage assignments in every instance except with credit unions.

**Hon. Mr. Yaremko:** That is not the amendment.

**Mr. Bukator:** Then I wish somebody would make it clear to me.

**Mr. MacDonald:** Mr. Chairman, I want to attempt to make 2 points. I think, with respect, the Provincial Secretary has confused the picture here. I agree that this does not catch the continued activity of loan sharks and the Provincial Secretary, I think somewhat erroneously, argues that this is going to drive the person out so that he will be an even more ready victim of the operation of loan sharks. I agree this is another problem. I suggest that this government and this House should be giving even more attention to trying to devise more effective machinery for catching these loan sharks.

That, however, is not the problem. Where, I think with respect, the Provincial Secretary has confused the picture is that if the man is going to a traditional retailing outlet that does not abuse wage assignments, he is not going to be precluded from going there and getting decent credit terms instead of becoming the victim of the loan sharks. Our

problem is not that of the traditional retail outlets who operate in an honourable way and use wage assignments. Our problem is catching the shysters in the field.

Let me move to my second point. The real problem, the perplexing problem and the real dilemma that we faced on that committee and in the House, is, in the vernacular of the modern world, to separate the good guys from the bad guys. This is our problem. I submit that my colleague from Riverdale has come up with an incredibly simple technique in this complex field for separating the good guys from the bad guys. You will at least catch the area of people who are using wage assignment as part of the selling of a product or goods. If we have a technique for catching that group, let us do that; let us do it now. The problem the Provincial Secretary raises of other loan sharks still being free in the field is another and a separate problem. We will have to come back and give some more attention to that.

I would like to just emphasize the comment of the hon. member for Woodbine. I would hope that the Attorney General and the Prime Minister would permit this to be a free vote. Quite frankly, I think that as a free vote this amendement would pass, because we would achieve what we wanted, at least in an area where there is a serious problem and a serious abuse. This, I think, would avoid any embarrassment that the Attorney General would have because I think all we are doing is achieving one of the objectives that everybody who presented briefs to the Attorney General want achieved, with a possible exception if you had some of the operators and some of the shysters in there presenting briefs to you who wanted you to leave the field free and untouched so that they could continue operations.

If that is the only exception, I do not know why the Attorney General should feel honour-bound to respect these people. These are the people whose activities he wants to correct in the field of retailing through the use of wage assignments.

**Hon. Mr. Wishart:** I do feel honour-bound. I think if this House were suddenly, without any discussion or any opportunity for discussion with those people who made representations with respect to wage assignments, find that we have in committee of the House toward the end of this session done this, I think it would be most embarrassing. I do not plead with the House on account of my embarrassment.

I will say this. This bill, being a very new type of legislation, certainly in this province of Ontario, and requiring the preparation of very technical and complicated and expensive regulations which will take, I should think, some months—I will be quite frank with hon. members—it will take some months to prepare the regulations and then have them discussed and to have them fitted to the mercantile practices of our people who are in business and merchandising. I would think that this bill, when it is proclaimed, will need to fix a date some time in advance that will be applicable and effective.

I suggested a while ago that the House would probably be back in session within months. One of the factors that is in my mind is that this bill probably will not be made applicable to the merchants and to business and for protective purposes to the public for some months yet.

I think—and I would like to suggest this thought to hon. members—that we will be able to do this openly and fairly as I have undertaken we would do, in time. In the meantime, as the hon. member for Woodbine said, everybody is going to be neglected. They are not going to get the benefit of this bill for some months yet, anyway. I might as well make this very clear because it is going to take some time to prepare the tables and the forms, the setup, the consumer protection bureau, which is now being done, before this bill can be applied, in any event. I think, for the reasons that I have set forth, I must ask that the amendment be defeated.

**Mr. S. Lewis** (Scarborough West): Mr. Chairman, may I ask a question? Will the bill be effective by January 1, 1967? Do you think it will be achieved by then?

**Hon. Mr. Wishart:** Perhaps the question is a reasonable one but permit me to say that to name the day on which it will be effective is something I am not able to do. The actuarial tables—particularly for revolving credit accounts, there are different kinds to work out, annual interest rates and so on, to enable merchants to prepare the forms which will fit very specific types of contracts that are called for—are going to take some time. It is something that I cannot assess today. It may be 6 months; it may be 3 months, but at this moment I am unable to say just when that date will be. I would like to aim for January 1, 1967, but I cannot be sure.

**Mr. Chairman:** All those in favour of Mr. Renwick's amendment will please say "aye."

All those opposed will please say "nay."

I declare the amendment lost.

Call in the members, please.

All those in favour of Mr. Renwick's motion, will please rise.

All those opposed will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 17; the "nays," 55.

**Mr. Chairman:** I declare the motion lost and the section carried.

Section 19 agreed to.

Sections 20 to 30, inclusive, agreed to.

On section 31:

**Mr. Renwick:** Mr. Chairman, on section 31, I have no amendment to propose. I simply want to compliment the Attorney General for extending the ambit of clause 31.

In the original bill it was limited to itinerant salesmen who were registered under the Act. I think it deserves to be brought to the attention of the House, specifically, the wide ambit in operation of clause 31. As it is now drafted it applies to "any seller or lender," and "seller" is defined in the broadest possible terms as a "person who is in the business of selling goods or services to buyers and includes his agent." "Lender" means a "person who extends credit." I simply draw to the attention of the House the very wide language of this section. It applies to anyone who is a seller or a lender as defined and I certainly appreciate, and I know all of us do, the Attorney General's acceptance of this wide language in this important clause.

**Mr. Bryden:** I associate myself with the remarks of the hon. member for Riverdale in commending the Attorney General for accepting the proposal put forward in the committee It was a good proposal and the member for Riverdale was apparently too modest to say who it was who put forward the proposal. The member for Riverdale should be commended for having put this idea into the mind of the Attorney General. There is no doubt—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Bryden:** I will just repeat that I would like to commend the member for Riverdale on the very fine proposal he made. There is no question that this section 31 as it now stands greatly improves the bill.

**Mr. T. L. Wells** (Scarborough North): Mr. Chairman, I have obtained a lot of legal opinions in the last little while and there is a great feeling that this section is ultra vires of provincial legislations because it practically mirrors section 3061 of the criminal code. My lawyer friends tell me that this being the case, the criminal code would take precedence.

In other words, we might have here a case where the first person who is censored under this section ends up in a long legal battle that will put this whole thing into hiatus. I felt that the way the section was written before, where it was written just like The Used Car Dealers Act, and so on, was more meaningful. It could not have fallen into this charge that it might be ultra vires in this Legislature. I think that while we all certainly agree that there should be clamps placed on false advertising this is already in the criminal code in a very effective way. There is doubt that this section can actually do what it purports to do.

**Mr. Chairman:** Is section 31 carried?

**Hon. Mr. Wishart:** Mr. Chairman, I think I should say that we considered the section as it now stands and the amendment. There was in our minds the consideration as to the jurisdiction we had to widen the scope of that section so as to control advertising, the whole field of advertising The hon. member who has spoken is quite correct that those considerations are still there, but I think we have to run the risk, or at least make the test.

We had some similar situations in our Securities Act, where it was suggested to us that perhaps we were going beyond our jurisdiction and passing legislation which might be ultra vires. This might be ultra vires, but having faced that, considered it, we think it may be wise to legislate and let it be tested. If anyone wants to say you cannot do this, let them say so, because in what we are doing, the principle, the motive, is good. We want to have some control, some restriction on anyone who wants to attempt false, misleading, deceptive advertising.

Sections 31 and 32 agreed to.

On section 33:

**Mr. A. B. R. Lawrence** (Russell): Mr. Chairman, on section 33, dealing with the regulations, I wonder if the Attorney General would say a word as to what his plans are in the development of these regulations? By this I would draw the House's attention to the fact that this is obviously one of those bills where the development of the regulations is peculiarly significant, insofar as their detailed wording is concerned and the form of the restrictions and the form of the documentation that may be required.

It struck me as a member of the committee, when we were going through this bill, that although we were having no very great difficulty with the principle involved, that the solicitors attending before us, and some of those in the industry attending before us were very much concerned as to how the bill would work in fact. In other words, the practical and realistic results of the regulations, I suggest, are particularly significant and I wonder if the Attorney General would speak to this question?

**Hon. Mr. Wishart:** Mr. Chairman, I would be glad to say that we recognize, as I indicated a few moments ago, first of all it is going to be a matter of time. It is going to take time, and time well spent, to prepare the regulations properly. We certainly do not propose to prepare those regulations in a vacuum by ourselves. I think we must, of necessity, consult with people in the business world; we must consult with knowledgeable people. The committee had the benefit, for instance, of Mr. Douglas Irwin, a very capable actuary, in assisting it in its deliberations and its recommendations.

We would expect to have people such as Mr. Irwin. I have indicated to the groups who sat in front of us — sat with us actually — in the deliberations of the committee on legal and labour bills, that we would welcome the opportunity to talk further with them, to afford them the opportunity to make presentations to us, so we might consider their briefs. Then we will get the views from people in the business, and we will get legal views, the most competent we can, in addition to those of our own staff, and actuarial advice. Our whole aim is to fit these regulations to the Act and to the business, so that they will achieve the purpose we have in mind and at the same time, not unduly disrupt — as the hon. hon. member for York South says — not hit the good guys, but catch those who are trying to defraud and deceive the public.

But we will take ample time, we will take ample opportunity, to consult and get all the best advice we know how.

Section 33 agreed to.

**Mr. MacDonald:** Mr. Chairman, before we deal with section 34, I wonder if I might put a question and/or a proposal to the Attorney General with regard to this bill?

When in a country that has 11 jurisdictions, one national and ten provincial, and any one Legislature moves with an Act of this kind, it raises some rather obvious problems for businesses that operate nationally. They may follow the lead of this Legislature and publish papers and documents that can be used across the rest of the country, but obviously there is some need for a joint action, some uniformity in legislation.

I am not complaining that we have moved, because in the absence of action at the federal level in this field for quite some years now, the provinces could get into an Alphonse and Gaston act that could go on for another generation. I think our lead may make it possible for others to follow, or result in others following.

My question and/or proposal to the Attorney General is this: Are you in consultation with Ottawa, or with the other provinces in your various interprovincial conferences, to seek some uniformity of legislation, so that we could have this kind of thing applicable across the whole country?

**Hon. Mr. Wishart:** In drafting this bill, of course, the report of the select committee was widely accepted and widely distributed and widely publicized and a great deal of interest was shown in it.

In drafting the bill we did have an opportunity to sit with representatives from other provinces, particularly Nova Scotia, at the ministerial level, and Saskatchewan. I think some of the members are aware that Nova Scotia, although it introduced a bill — this is it, chapter 5 of their session this year — it actually followed our lead. We had consulted so closely that it knew what we were doing and we were aware of its approach. Saskatchewan, I think, is doing something likewise. We had suggested in those meetings, and I have had correspondence with other provinces, that this should be uniform legislation. Actually, I think I may say to the House that we have discussed it in the government and have considered quite seriously the possibility of having, not necessarily a federal-provincial conference, but at least a provincial conference, if we must do it on the provincial level, and I think perhaps it is where we should retain the jurisdiction, so that we might fit our Acts, our legislation, pretty much together. While Nova Scotia in a sense has beaten us to the punch, I would say actually it followed our lead, because the two Acts compare very closely.

We certainly are aiming to have a conference and to do what we can to persuade the provinces of Canada to adopt this type

of legislation to as uniform a degree as is now possible.

**Hon. J. P. Robarts** (Prime Minister): Mr. Chairman, I would like to add a word to that last discussion. I would hope to put this some place on the agenda of the Premiers' conference that will be held here in Toronto in about three weeks' time.

If you will recall, we did this some years ago in the portable pensions legislation. Resulting from that conference was a conference of officials to deal with the whole question of uniform provincial portable pension legislation across the country. The result of that to date has been that the bill in Quebec fits completely with our portable pensions bill, so that we have uniformity between the two provinces.

This is a somewhat different situation, but it seems to me this is the type of thing that is perhaps a natural for discussion at a Premiers' conference, which really is a conference where we exchange information as to what each individual jurisdiction is doing. We do not necessarily try to arrive at large conclusions, but we do inform one another and it did seem to me when we discussed this earlier that this might be a proper source of discussion at that conference.

**Mr. MacDonald:** Mr. Chairman, I just have a concluding word, having been critical of the government and the Attorney General on some aspects of this bill. I am glad in the closing hours to be able to say I commend them in this particular approach.

I would just like to underline the Attorney General's comment that there are areas of jurisdiction here, and there are some suggestions to the effect that there will be action through the Croll committee in Ottawa. But that will deal with the federal level and there is a provincial jurisdiction in which we should move jointly with the provinces. I think this is one of the areas, which as the Prime Minister has indicated, we have explored with our legislation and we should pursue here, whatever Ottawa does.

Sections 34 and 35 agreed to.

Bill 101 reported.

## THE MUNICIPAL ACT

House in committee on Bill 192, An Act to amend The Municipal Act.

**Hon. J. W. Spooner** (Minister of Municipal Affairs) moves that the bill be amended by adding after section 23 the following section:

> 24. Section 379 (a) of The Municipal Act as enacted by The Municipal Amendment Act, 1961-62, is amended by adding thereto the following subsections:
>
> 1. Notwithstanding section 482, a bylaw passed under this section provides for imposing fines of not more than $5,000 exclusive of costs on every person who contravenes such bylaw.
>
> 19. Every such fine is recoverable under The Summary Convictions Act, provisions of which apply, except that the imprisonment may be for a term of not more than one year for the breach of such bylaw.

and by renumbering the succeeding sections accordingly.

**Mr. Chairman:** Shall the amendment carry?

Amendment agreed to.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, I would like to express my appreciation to the Minister for bringing in this amendment at such a late date and to tell the House that it was very necessary inasmuch as the city of Hamilton some time ago passed a bylaw governing the hours and days of the operation of certain businesses in that district. It is common knowledge that they went to a great deal of expense through litigation in the courts to establish the fact that their bylaw was valid.

The bylaw established by the city of Hamilton establishes that certain businesses can stay open on Thursday and Friday evenings until 9 p.m., and on Monday, Tuesday and Wednesday they must close at 6 p.m. The bylaw also provides that they must remain closed on recognized statutory holidays, but this year one particular operation flouted the bylaw by staying open on May 24. Again the city council had to take court action at great expense to try to get a conviction. Their efforts were successful and the fine of $300 was levied against the company. Of course, this did not mean anything to them, and as has been said, fines of that nature only provide a licence for those who wish to violate the bylaws.

I realize that on May 31 of this year the city council passed a resolution urging the board of control to approach the Minister of Municipal Affairs to raise the maximum fine from $300 to $10,000 in regard to violating the bylaw. Nothing came of it. I myself lost track of the resolution and on Friday of last week I received a piece of correspondence from the Hamiltion early-closing association,

asking me to pursue this question with the Minister. On Tuesday of this week I put a question to him asking if he intended to raise the maximum fine from $300 to $10,000 in regard to the request from the city of Hamilton. The Minister's answer was that he had no knowledge of such a request and had searched his files diligently and found no such request.

I realize that things do happen in the best of businesses, and of course I attempted to reiterate my question yesterday, after I had ascertained that correspondence had been sent from the city solicitor's office on June 16 to the hon. Minister, followed by correspondence from the board of control on June 23 putting forth the request of the Hamilton city council for action by the Minister.

The Minister answered my question yesterday, and I felt he was quite abrupt and unfair. He rose in his seat and said that he would now answer the question I put to him on Tuesday and said that he had now received the correspondence and would answer the city of Hamilton in due time, or words to that effect.

I am not going to quibble with the Minister. I feel that there was a mistake made and I would have hoped that when the Minister found that the correspondence that I had referred to was in his possession or in the possession of his department, the first one on June 16 and the second one on June 23, that he would have at least advised me of the fact, and that there had been a mistake. Nevertheless, we have the amendment before us and I am sure that those people who have fought so long and so hard in Hamilton to bring under some type of regulation the large supermarkets in the Hamilton area will be pleased that we have this amendment before us.

We hope that it will be a deterrent to certain businesses that have openly flouted the bylaw. If they wish to have the bylaw reversed, they will take the same action that other people are expected to take in our society.

Bill 192, as amended, reported.

Hon. Mr. Robarts moves that the committee rise and report one bill without amendment and one bill as amended.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill without amendment and one bill with amendment.

Report agreed to.

## THIRD READINGS

The following bills were given third reading upon motions:

Bill 101, An Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit.

Bill 192, An act to amend The Municipal Act.

**Clerk of the House:** The tenth order. House in committee of supply; Mr. L. M. Reilly in the chair.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL

*(continued)*

On vote 207:

**Mr. V. M. Singer** (Downsview): Mr. Chairman, when we adjourned last night we were moving down the titles, and if we can keep any track of them we finished the last item shown as (s) on page 19. We were starting on the title, "Office of the Assistant Deputy Attorney General."

There is one question I have to ask about the grant to the legal aid fund, law society of Upper Canada, $35,000. We have our new Act and I do not recall whether that Act comes into force when it is given Royal assent or whether it has to be proclaimed subsequent to that date. I would hope that we would be embarking on our new system of legal aid with the least possible delay and the $35,000 in these estimates does not give me much encouragement.

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, the $35,000 is the existing plan, the estimate for the voluntary legal aid system. It is planned to get the legal aid plan as devised under the new legislation into effect as quickly as possible. I have a conference arranged, I think on Tuesday of this coming week, with the committee of the law society so we may discuss the arrangements and get them moving forward. We were waiting until the bill was passed in this session, and no time is being lost to implement it. The funds which will be required in the operation of the plan, I think the bill provides, will be paid out of the consolidated revenue fund for this year.

**Mr. Singer:** All right. When will we have the regulations? Has the Attorney General any idea, or are they going to result from the meeting of next week?

**Hon. Mr. Wishart:** This is what we are working out with the law society, among other things.

**Mr. Singer:** Would the Attorney General care to hazard a guess as to when this Act might start to work—one month, 2, 4 months?

**Hon. Mr. Wishart:** I am not much good at guessing on the floor of this House, Mr. Chairman. I could add that the law society has not lost time, it has sent its people out through the province to make studies and assessments of the work which would apparently be entailed, to get further information as to how the present plan is working and as to how the provisions of this plan will work, the appointment of directors and local area committees and so on.

**Mr. Singer:** Mr. Chairman, unless somebody else has something on that heading, I have some remarks on the next heading.

**Mr. Chairman:** The member may continue if he will, please.

**Mr. Singer:** That was the office of the assistant Deputy Attorney General. Then, Mr. Chairman, the next heading is "courts administration and land registration branch." Under the courts administration portion of that vote, I would think, would come the appointment of the registrars of supreme courts.

The Attorney General must be well aware of the furor that the recent appointment of Mr. Guild as registrar of the supreme court of Ontario created in Hamilton. He must be aware of the very angry meeting called by the bar of Hamilton where they passed a resolution that I think was opposed by only one gentleman, requesting that the appointment be revoked and asking that someone with some experience be put into that position. There were suggestions of political patronage.

I have no idea who Mr. Guild is. There is an interesting interview with him where he says that he knows a Mr. Connell, who, I presume, has some connection with this government. He was never a member of the Conservative Party and so on. I am not particularly interested in that.

What I am concerned about is what seems to me to be a very legitimate objection of the Hamilton bar, that when a vacancy did exist in that important office, there was not substantial strength among the trained civil servants available to move into that position. The Attorney General had to go out into the wild blue yonder and find someone and bring him in and give him that very senior and important position without his having had any background, either in the law or in court administration.

I suggest that the whole system of finding persons to take these appointments, whether in Hamilton, Toronto, London, Windsor, or what-have-you, has to be revamped from the very beginning, that we have to enter into a system of building up a civil service to do the administrative processes in our courts, that the Attorney General's department has to embark on a system of recruiting of young people, it has to pay attractive salaries, and it has to do a selling job so this sort of crisis will not continue.

I think the situation that existed in Hamilton indicates the very serious shortcomings of the system under which we presently work. In Hamilton there was the vacancy and the Attorney General had nowhere to look apparently to find the new appointee for that office. He had to go out into the outside business world. That decision of his met with a very substantial criticism of the members of the bar and the city of Hamilton.

My substantial question to the Attorney General is this: What is he doing, is he doing anything, is his department doing anything to try to overcome the lack of a continuing civil service to administer our courts throughout the whole of the province of Ontario?

**Hon. Mr. Wishart:** Mr. Chairman, to deal with that specific case first of all: When the registrar—I have forgotten whether he resigned or left because of ill health—but anyway he departed from the job and we did appoint the deputy registrar, who was Miss Joan Beake, a very capable civil servant with many years on the job. Her capabilities were such that she had practically, if I may say this, run the office as it were, and she knew the work and was most acceptable and she accepted the appointment. It turned out about three months after her appointment or thereabouts, her health broke down and she resigned. But we proceeded—and I want this to be made clear—with the promotion of the deputy from within the service.

Those local offices of registrars of courts do not have a great bench, or backlog as it were, of people whom you can move up; there are one or two, there is a deputy perhaps and an assistant. So that you cannot start training people outside of those offices to do the work in the office and you cannot afford to have a great bench of people

standing by. The only other proceeding would be to bring a deputy from some other area into another office. This we considered and we considered the opinion of the local bar, and this was not its idea of what was fit and proper.

We then canvassed the bar for some time and said, even before the appointment of Miss Beake, "We are going to need some officials here, what can you offer us?" and they were unable to give us any assistance. No lawyer in the bar at the level we are able to pay, which I think is $12,000, wanted to take that job—no competent lawyer, I think I will put it that way. There was perhaps one name which would not have pleased the bar or anybody else. I am not going to mention the name, of course.

But we did extend ourselves, first of all by using the in-service promotion, secondly to try to get someone from the bar. There was the suggestion that we have a lawyer, but they could not produce a lawyer. And then we got Mr. Guild who had been for a considerable length of time in a managerial position with a very reputable and substantial company, had good years of experience, was highly recommended from his own employer—the employer from whom we took him. We took him and trained him in another office for some weeks, as I recall, outside of Hamilton so that he would see the work going on under the hand of an experienced registrar

I know that when we made the appointment there was a sort of indignation meeting of the bar, and they said, "What did you do this for?" I said to them, "Well, you were not able to do anything. Although you make suggestions, you have nothing to implement them with. You have not anybody in your bar who will take the job." So I talked frankly to them and said, "Give Mr. Guild a chance; we have trained him, and I think you will find he will do a competent job." Since his appointment, I have talked, not with the bar session in Hamilton but with several members, and they will tell you as they have told me, that his work is most satisfactory.

That is all I can say. We did everything to try to promote from the in-service; we actually made the in-service appointment, then we could not get anyone from the bar. We got a competent person, we trained him outside, we brought him back and he is doing a good job.

**Mr. Singer:** Mr. Chairman, Mr. Guild is performing a good job and he is being accepted by the members of the profession and others who come in contact with him in that capacity. But the disease is still there. It may happen tomorrow in Windsor or in London or in Kitchener or somewhere else.

It seems to me that in this day and age of specialties, there should be some better system of training our administrative court officials, there should be some desire to make careers out of this type of service, and there could well be the same situation as with the provincial police. When the commissioner of provincial police decides that Inspector X has been in place Y long enough, he moves him to place Z and there seems to be no reason why, if you get young people and start to train them and they have a reasonable education, that within the terms of their employment, as they go up the ladder, or as situations change, they might be requested to move from one municipality to another.

In this way, Mr. Chairman, I think The Department of the Attorney General would be doing a substantial service to all the people of Ontario. You would be building up something which you do not have now and you would not get yourself into the unhappy situation that you got yourself into in Hamilton.

I would hope there is some programme for bringing younger people into these jobs, paying them reasonable salaries, and giving them opportunities for promotion, not necessarily in the municipality in which they start, but in the whole provincial system. It is one system, and I think we deserve, if we are going to have a good system of justice, the best possible administration of these offices.

**Hon. Mr. Wishart:** Mr. Chairman, I acknowledge the merit in the suggestions put forward by the member for Downsview, but let me not just pass this.

Hamilton, as I think I pointed out, was rather unique. You mention Windsor, or Oshawa, or wherever it might occur again. If the registrar died or took ill and had to leave his job, we would move the deputy up. This is what we do and ordinarily this would work.

**Mr. Singer:** I believe you did that in Toronto.

**Hon. Mr. Wishart: Yes. Ordinarily this would work, because the new person brought on would become the deputy and so the system would move.**

Hamilton was unique in that the deputy we appointed, having served for about 3 months, fell into the same situation as the person she succeeded. Her health forced her to resign and we were left in the particular situation that we did not have a trained deputy to follow. That is not a situation we face very often. Our policy through the service is to make the promotion within the service and I agree with the comments of the hon. member for Downsview.

**Mr. Singer:** There is another section that comes under this particular heading, and that is the land registration branch. I have been very disappointed that we have heard nothing from the Attorney General about any real system of reform in land registry. It has been variously described by many people—lawyers, members of the public, and informed students —that we have a wasteful, inefficient system of dealing with land registry. In fact it is there, apparently, because some group, one of our professions, the legal profession or some members of it, seem to feel that there is value and importance in searching the same title time and time again and examing the same kind of instruments, in making the same kind of reports, but most important of all, in collecting additional fees.

It is not unusual at all to have the same title searched 3 times in one transaction, by 3 different firms of lawyers, all of whom are going to get their fees for searching the same title, and doing exactly the same work.

I think this is wrong. I think our system is wrong. It encourages waste. It adds unneeded expense to the transfer of land, and I think it is high time that the government of Ontario concerned itself with correcting a situation that has been bad for many, many years and really has not had any substantial change.

Let me quote just a couple of paragraphs from an article that appeared in *Maclean's* magazine recently, dealing with this particular portion, and let me say that I commend the writer for these words. He says:

> A few weeks ago I took an efficiency expert on the tour of one of our country's busiest land registry offices. He was appalled at what he saw. A vast room full of lawyers and law students sitting at little desks, grubbing through sheaves of brittle old deeds, indentures and mortgages. Some of these documents were more than a century old. They had been written with quill pens in the Spencerian script of vanished generations of law clerks and they were stuck together with ancient bits of paper.

Now you have seen those documents, Mr. Attorney General, and so have I. We have all had to pore over them, because of our ridiculous system.

> There must have been half a ton of documents and record books scattered over the tables. There were a hundred times that many waiting upstairs. You got what you wanted by standing in line at a counter, filling out a library slip and presenting it to a little old man who popped it into a wire basket and then used an old-fashioned dumb waiter to slowly crank it upstairs to the second storey. My friend the efficiency expert was dumbfounded. He said it is like something out of Dickens. He happened to be right and as a lawyer this bothered me for we were witnessing in the York county land registry office the creaking legal machinery of another age, struggling with one of the biggest, most dynamic real estate booms in Canadian history. It is a Victorian anachronism that could at least add $100 to the price of the next house you buy. What was going on in that place and in hundreds of other land registry offices across the country was basically this. It is a specialized library where you go, or more likely hire a lawyer to go for you, to check to see whether the property you are buying really belongs to whoever you are buying it from or belongs to somebody else. As the system now operates this involves a check of every single document pertaining to a given parcel of land back for at least 40 years to an adequate root of title. Sometimes a search may go back a century to the old hand-written agreement that conferred to the neighbouring landowner grazing rights for cows. This is work for highly trained robots, a mindless repetitive operation that has driven succeeding generations of young lawyers to the brink of distraction and that costs Canadian homeowners needless millions every year. It is just a waste of young minds and homeowners' money that saddens me whenever I go into the land registry office. It is not even the fact that the whole operation could be computerized so that searching a title could be almost as swift and as cheap as getting a flight reservation. No, what depresses me is the fact that we lawyers tend to accept this system as something that cannot be changed, that perhaps should not be changed simply because it has always been done in that way. For me the land registry mess symbolizes what is wrong with far too much of our law, its blind

> and wasteful attachment to the modes and methods of bygone centuries. Because of this resistance to change, Canadian law is sometimes unjust, too costly, too slow and too excessive.

There is the case, Mr. Chairman. I say amen to the last words of this writer. I would hope that sometime in the immediate future we do something about eliminating this thoroughly wasteful, useless and inefficient system of dealing with the registry of land.

**Mr. J. Renwick** (Riverdale): Mr. Chairman, on the point the member for Downsview raised, I can do nothing but heartily concur in what he says. There are very real anomalies that have developed in the field of real estate conveyancing in the city of Toronto. For example, for many years the lawyers spent a great deal of time excluding from practising a separate profession—those people who chose to call themselves conveyancers but were not lawyers. I think, by and large, the law profession managed to establish a monopoly in this field.

The strange result, of course, in downtown Toronto at the present time is that any firm of any size does not send a lawyer to the registry office to make the searches. They hire either independently or as members of their staff, people who are trained in searching, or who have obtained some training in searching titles. They have no professional qualifications, there is no training given to them, other than what they pick up in the law firms in which they are employed.

They do all the work that is done in the land registry office for most of the large firms. They then come back to the law office which employed them and review the work with a solicitor from the notes and abstracts and other details which they have brought from the registry office.

I think this simply illustrates the uneconomic and unintelligent way, Mr. Chairman, in which land transactions have taken place in the province of Ontario over a number of years.

Just think back to what could have been accomplished if, say, from the year 1946 until now, every land transaction which took place in the province of Ontario through a registry office at that time had to be transferred to the land titles system. Even though the cost would have been somewhat higher in the transactions, a large block of the land in the province of Ontario, certainly in southern Ontario, would by now be under the land titles system.

I realize that at this point it is not possible to introduce a simple system by which each transfer of land from now on will be taken out of the land registry system and be recorded in land titles with all the benefits, simplicities and economic saving which would result from such a method. I think that time is, unfortunately long past. I think it should have been done from 1945 or 1946 on.

I think it is now absolutely essential that the Attorney General provide a scheduled method by which land in various blocks and tracts and under various plans is systematically noted in an orderly way. Even though it will mean the province bearing the largest share of the additional cost involved, over the next 40 or 50 years, this will eliminate the land registry system in the province and make certain that all land in Ontario is under the land titles system.

In this way, there will be a tremendous saving in the economic waste of manpower that the hon. member for Downsview has referred to, and there will be a tremendous saving in cost to the individual person who owns property and is engaged in selling it, Mr. Chairman.

There will be the advantage that a person will, for practical purposes, be able to dispense with the services of a lawyer in this field. I realize that for the law profession—where for so long conveyancing throughout Ontario and, only until recently, in downtown Toronto, is part of the backbone of the remuneration of the legal profession—this may not be a very acceptable proposition. I think that the Attorney General should now block out the province of Ontario under all the plans and make arrangements through each registry office on a systematic basis, that if property in a certain plan is being transferred in a given period of time, that that transfer must be taken out of land registry and put into land titles.

One of the ways that this could be done would be for the Attorney General to develop such a schedule and insist and pass whatever statute is necessary to meet this requirement. I am at a loss to understand why this particular field of improvement has not been dealt with before now. It seems ridiculous that year after year people should have to stand up and complain about the land registry system.

I have an example here which could happen I believe, to anybody in the province of Ontario who believes that they own their property and have a good title to it. The hazards which are involved may appear exceptional in this letter, but they certainly were

not exceptional to the person who was interested in selling a piece of property and the people who were buying it. The person who was proposing to sell it thought she had good title and the person who was buying it wanted to buy it.

A preliminary investigation was apparently made by a solicitor in this case advising the intending purchaser about the property. In his letter, I think it is worth quoting to show exactly the kind of ridiculous situation which has developed in the registry offices in Ontario, he said:

> I attended at the registry office in X on May 16 to make an investigation of title to lot seven on the west side of Y street as shown on plan 296 for the township of Z. Firstly, I am enclosing herewith a photo copy of a portion of the registered plan which shows that lot seven has a frontage of one chain on Y street by a depth of 2.5 chains on the south limit. You asked me to see if the road at the back lot had been closed, but as you can see there is simply an area of unsubdivided land at the back of the lot, and there is no road shown on the registered plan as such. If you are going to search the index of roads you have to at least have the name of the road to go by, so I do not see how I can tell you much more about whether or not a road at the back of lot seven has been closed.
>
> However, this is not the principal problem, because on searching this title—I went back to 1879—I found that it was very confused and it is difficult to say whether or not Mrs. Carson has a good title to the land at all.
>
> Firstly, she received her deed from R. G. Crone dated the seventh day of June, 1943 and registered on the 16th day of October, 1944. Since that time, Arthur Crone entered into an agreement on the 14th day of April, 1945 and registered on the 27th day of June, 1945 [notice this was more than a year after he sold the property to Mrs. Carson] agreeing to sell the land to Gordon Lequyere. Again, on the fourth day of May, 1960 Margaret H. McElroy and Arthur Beaupre sold the land to Jane M. Barker by a deed registered as instrument number 116022.
>
> These two documents, the agreement of sale between Crone and Lequyere and McElroy and Beaupre to Barker, should be explained before Mrs. Carson is paid any money. I cannot understand what people would be doing selling her property if she was still the owner of it. In any event, there are even greater problems than that, and these arise due to the title of the previous owners to Mrs. Carson.
>
> The property, the entire registered plan, was originally owned by a Mr. Melville and a Mr. Fair. They never sold a lot seven to anyone, but in 1879 James Kelly by his will left lot seven to Margaret Kelly, his wife, in trust for his children. There is nothing to say when James Kelly got the title to this property to leave it to anyone, nevertheless in his will he specifically refers to lot seven on the west side of Y street.
>
> The will does not say how many children he has, nor is there anything registered on the title to say how many children he had. However, deeds numbers 5827, 8950, 10692 and 9200 are from various parties —Jane Kelly, Elizabeth Kelly, Annie L. Kelly, Jessie C. Kelly, Mary Clegg, Margaret Taylor and Sarah E. Kelly, John Kelly for lot seven on the west side of Y street. All the deeds recite that the parties signing are children of James Kelly and have agreed to release their interest in the land to John Kelly, the son of the deceased. However, the point is that they do not say if there are any other children that did not sign and therefore if there were any other children of James Kelly who did not sign off to John Kelly, John Kelly would not have a good title to the property. Following these four deeds to John Kelly by the seven people who allege that they are heirs of James Kelly, there is a deed from David Melville, Isabel Frame, Kate Burnett, Helen Melville and Annie Armstrong, Jessie M. Browning the heirs of Andrew Melville—

the man who owned the plan in the first place and so far as I found, never sold it to James Kelly—

**Mr. Chairman:** Has the member almost finished?

**Mr. Renwick:** I will just be a moment, Mr. Chairman.

> —to Jessie M. Patterson for lot seven on the west side of Y street. Deed 10703 is also a deed from the executors of the estate of Andrew Melville to Jessie M. Patterson for lot seven on the west side of Y street. It boils down to this. The Melville estate apparently never thought that Kelly owned property because they gave two deeds for it, one from the heirs on the 18th of November, 1904 and from the executors on the second day of June, 1904 to Jessie M. Patterson.
>
> If they were wrong and James Kelly did own the property, then there should be a deed to him, and secondly for his son John

Kelly to get good title there should be some evidence that all the children of James Kelly signed off. There is no evidence of this anywhere on the title. Arthur Crone, the man who sold to Mrs. Carson, got this deed from Campbell McAllister, the son of John Kelly who died on the 19th day of June, 1936.

The upshot of all this is that there seems to be two claims of title over this property, one leading from the estate of Andrew Melville through his estate to Jessie M. Patterson and the other one from James Kelly through John Kelly and McAllister Kelly to Arthur Crone to Mrs. Carson. I think before you do anything further in this transaction you should make an appointment to come into my office and discuss these matters with me.

It being 12 o'clock, noon, the House took recess.

No. 170




# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

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## Thursday, July 7, 1966

Afternoon Session

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Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JULY 7, 1966

The House resumed at 2 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL
*(continued)*

On vote 207:

**Mr. V. M. Singer** (Downsview): Mr. Chairman, we are going to have a little difficulty calling the vote with the Attorney General not here, are we not?

**An hon. member:** He will be here.

**Mr. Singer:** I am sure he will be, but let us not get into it without him.

**Mr. J. Renwick** (Riverdale): I would hope the Attorney General would comment on the remarks the hon. member for Downsview and myself made about the registration system.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Chairman, there was a question directed to me before the orders of the day and, with the consent of the House, I will give the answer to the leader of the Opposition. Is he here?

Mr. Chairman, under an arrangement between The Departments of Labour and Education, persons who complete a two-year occupational course in hairdressing may, on the recommendation of the principal, be accepted for apprenticeship or further training leading to an examination for a certificate of qualification. This arrangement has been in effect for more than two years and is known to school officials across the province through a memorandum circulated by The Department of Education.

The Department of Labour had been advised that the Castle Frank course was a regular two-year occupational course. Accordingly, the officials of the Castle Frank school were informed that the arrangement between The Department of Education and The Department of Labour would apply in the case of the nine students. The Department of Labour has since been advised by The Department of Education and the Toronto school board officials that the Castle Frank course is of three years' duration. Further discussion and investigation have indicated that the course is of an advanced nature. On this basis, the students in question were accepted for immediate examination for certificates of qualification.

**Mr. Renwick:** Mr. Chairman, I was hoping that the Attorney General would make some comment on the question of the land registry system and the land title system in response to the member for Downsview and myself.

**Hon. A. A. Wishart** (Attorney General): Yes, Mr. Chairman.

We have the two systems, as has been pointed out, in this province—the registry office system, and the land titles, or Torrens, system of registration titles—and we have had both in Ontario for a considerable time.

First of all, I think members are aware that there is provision which is made use of from time to time for land to be moved from the registry office system, where the persons dealing with land, search titles and satisfy themselves and take their own responsibility—or the solicitor who searches and takes the responsibility—as to the validity of the title.

But there is provision, I believe it is in The Municipal Act, whereby any municipality—that is in areas of the province which are under municipal organization, and this includes all the counties, and those cities and municipalities in the districts—may move land areas or property areas from the registry system over to land titles. It is a matter of passing a bylaw, I believe, and making an application. The land is then certified as to the state of its title, and it moves into the land titles system.

The land titles system is the system where the Crown certifies or guarantees that title. You go in and look at the title, which is kept up to date, showing the last owner and any encumbrances that exist. You do not have to search back through the years to determine how the property came down from A to B to C to D, or it may have been through 30 different owners or more—which is the registry office system—and to see what encumbrances exist on it, and whether they have been discharged, in other words to determine the state of title yourself.

The land titles furnishes a certificate saying this is the state of the title, it is owned by A, mortgaged by B and that is all there is to it.

There is a provision in our law enabling land to be moved from registry to land titles and this is being made use of more and more frequently. Under The Certification of Titles Act and under The Boundaries Act this is being done, and I think my information shows that last year there were some 80 applications for areas to move into the land titles system —80 applications received and 80 applications completed. The total value of the lands and buildings that were certified as of December 31, 1965, was $79,534,000.

We have made changes in The Land Titles Act this year to increase that movement, to encourage the movement of lands from registry to land titles. We made provision for additional estimates where the government will assist in establishing boundaries and in the certification of titles. We have made changes in the assurance fund which had grown to something in excess of $1 million. This is the fund provided for assuring or insuring titles under the land titles system. There is provision in the legislation we presented earlier this session that the interest, or a substantial portion of the interest from that fund, will go to pay for the surveys procedures in the certification of titles and in surveys under The Boundaries Act, so that these lands may move over to land titles—at least it will facilitate that movement.

Last year we made grants to Hawkesbury in the amount of $4,025; Vaughan township, $2,000; Pickering, $1,232; Oakville, $8,000; Thorold, $1,990; Clinton, $1,650, and Waterdown, $4,965. Those are made for the purpose of clearing titles under those Acts which I have mentioned.

If I may be permitted just to recite something of my personal experience in my own riding in the city of Sault Ste. Marie, in the district of Algoma, the two systems work side by side there, and I have for many years worked under both those systems.

One of the titles that were cited here today, as an example, went back over 100 years. I think the member for Downsview made reference in his remarks to having to search back for 100 or more years. Actually, it is very rarely that one has to go that far back. There is provision, I believe it is in The Registry Act, that you might go back 40 years to a good root of title, and if you find it you start from there. Ordinarily that is the normal situation, that is about as far back as you need go.

There is another situation which I think is common, in fact I know it is very common, that lawyers who have a practice in conveyancing, searching of titles, and dealing with real estate, generally in their own communities, build up search abstract files. They search a certain lot in a subdivision, they get the basic title and if they keep that on their records and another lot in that subdivision or that area comes in, they simply do not have to go back because they have made their basic search and they have brought it up, say, to 1963. If they have a sale or purchase to make today they know that the title is good because they have searched it before and all they have to do is review it from the last time they looked at it, which may be a year before or maybe only a month before.

The registry office system is not as bad as it may be painted by some people and, quite frankly, in my own experience, it would be a toss-up as to whether I approached the land titles with a search or the registry office. While land titles is a good system, if one gets a certified title, some of the technicalities which surround the obligation of the master titles to give you a good title sometimes delay one or frustrate one. Generally that may not be so. But you can go into a land titles office and it is not just a matter of going in there and in five minutes having your title assured. However, I think that there is no question that the Torrens land titles system is the better one and all I can say is that we are doing everything to encourage the movement of land from the registry system to land titles.

As the member for Riverdale suggested, I doubt whether we should take a mandatory attitude to municipalities and counties and cities and say, "You must move this land into land titles all at once." I think if we did approach it either with substantial encouragement—I mean financial encouragement—and perhaps with a little bit more energy than we are doing to encourage the transfer, that we would achieve this and achieve it before too long. Certainly we have made a good stride in that direction in the legislation and in our approach to it this year and in this policy we are following. Perhaps this is some reassurance.

**Mr. Singer:** Mr. Chairman, the remarks of the Attorney General, I do not think, are any answer at all to the problem that has been put forward by the member for Riverdale and by myself.

First of all, the Attorney General's experience in practising is in a smaller community than the municipality of Metropolitan To-

ronto. But, having been in the municipality of Metropolitan Toronto a fair portion of the time in the last several years, he must have some idea of the fantastic expansion that has taken place in land development.

In my own municipality in the township of North York, which had a population of 25,000 at the end of the war, there are now 360,000 and I would guess that the transactions that went through the county of York registry office for North York, Scarborough and Etobicoke would be what? Fifty times, 100 times, as many transactions—perhaps 500 times as many—than would ever be seen around Sault Ste. Marie.

You are comparing apples to oranges. What goes on in the county of York registry office is a disgrace. I think that there has to be something better indicated by government as to how they are going to fix up this wasteful system of land registry that bilks the public.

I say this with no apologies to my colleagues in the legal profession.

It is not unusual, Mr. Chairman, to see three different lawyers doing exactly the same work for one transaction. They are all searching the same documents; they are all arriving at the same conclusions and they are all extracting 1¼ per cent of the fees up to $20,000 and whatever the rest of the tariff is.

Surely this is a wasteful and unnecessary system, and surely it lies with the government, first of all, to take away from the lawyers this needless and bilking monopoly that they have? And surely it lies with the government to give the citizens of Ontario a reasonable break insofar as ascertaining who owns property?

This being done, this government is reluctant to move dramatically in any field of reform and the system of land registry is just another example.

**Mr. Chairman:** The member for Riverdale.

**Mr. K. Bryden** (Woodbine): Mr. Chairman, the hon. member for Riverdale is willing to let me comment.

I want to follow up on the letter that he read before the lunch adjournment. For those who followed it, I imagine it was almost comical by the time the member had finished reading it. The wheels within wheels complexity that existed in relation to one lot worth a relatively small amount of money.

**Mr. G. A. Kerr** (Halton): It shows the need for a good lawyer.

**Mr. Bryden:** The hon. member says that it shows the need for a good lawyer. If you get a lawyer to clean up that mess, you would have to pay about twice as much as the lot is worth; that is the difficulty.

**Mr. Singer:** I do not think that even the member for Halton could.

**Mr. Bryden:** I think we should look at this in the human terms, Mr. Chairman, that is the main reason I got up. I do not want to repeat what the member for Riverdale read into the record, even if I were capable of repeating it, but I want to put it in its human terms.

The case to which the member for Riverdale referred actually arose in regard to a constituent of mine. It was too much for me to figure out so I went to the member for Riverdale about it. Here is the situation. The lady who owns—or who was certainly led to believe for a good many years that she owns—this lot, purchased it by paying good money to another party back in 1943. She has a deed to the property which, certainly to her and to me as well, indicated that she owned the property. She has been paying taxes on it year by year and she has all her receipts ever since 1943. There was certainly nothing to lead her or anybody else, as far as that goes, to believe that she did not own that property. Yet, since 1943, other people have been selling her land to other people.

Maybe these other people actually own it and she does not—I do not know, but there is something wrong somewhere when a person can have a deed registered and fully believe that he owns the property concerned and then another party can come along and sell it to some other party and get that transaction registered in the same office on the same file and the first person knows nothing about it.

I admit that I am a neophyte in this field. I know very little about it, but I must say that I was shocked when I realized that such a thing can happen. Apparently it is quite possible; it not only can happen, but it does. I do not know how frequently, but I know that it happened in this case.

What remedy does a person have in that situation? As I say, she not only paid good money back in 1943, she paid taxes all these years; she never did develop the property as she once planned to do, but she paid taxes. Then, ultimately, she decided, more than 20 years later, and after more than 20 years of paying taxes, that she never

was going to develop it and so she was willing to sell it—actually to some relatives of hers. When the sale was ready to take place the relatives, quite properly, decided to have the matter looked into by their lawyer and the lawyer turned up this mess.

This was the first that she had ever heard of it and if that sort of situation can exist —and if it can happen in one case, it can happen in others—it is certainly time that something was done about it. I believe that there are procedures under statutes called The Quieting Titles Act, whereby it may be possible to have her title cleared, I do not know. But it certainly looks to me that the cost of doing it would be out of all proportion to the value of the property which she now wants to dispose of. There should be some remedy for a person like that, and at the moment there does not appear to be any.

**Mr. Renwick:** Mr. Chairman, I will be very brief. I would like to elaborate a little bit on a proposal which I make to the Attorney General in view of his comment that I spoke about a mandatory scheme. The scheme which I suggested would involve the direction by The Department of the Attorney General in co-operation with the registrars in the various county and district registries throughout the province by co-operating with those registrars to designate, on a planned basis, the plans registered in that particular office. So that if at any time by the ordinary course of the transfer of land registered in that plan a transfer were to take place, it would be obligatory at that point that the transfer would be made to land titles. It was not a suggestion that a particular plan be taken and automatically transferred into land titles. It was a suggestion of designating plans in co-operation with the local registrars over a period of time—and my own view is that it may very well take 25 years or 30 years to accomplish the ultimate completion of the transfer of all land in Ontario into the land titles office. It would seem to me that, in a planned and orderly way, without making anything obligatory, other than the fact that if you happen to be transferring property which is registered within one plan at any time after a certain date, that particular parcel of land must be transferred into land titles.

In my view, it has to be on a long-term planned programme, because to get the property into land titles a complete search of the title has got to be made. Once it is in land titles it is guaranteed by the province, and the province has got to take adequate assurance to make certain that the property, when transferred, is transferred properly. But it is within that framework over an orderly 25-year period that it would be possible to accomplish the objective that we seek.

**Hon. Mr. Wishart:** Mr. Chairman, I think that the views of the hon. member and myself almost coincide. I did not mention the great difficulty there would be in trying to do this at once. We just would not have the surveyors. It will take a period such as the hon. member mentions to accomplish this. It is what we are really doing, perhaps not to the degree that he suggests, but we are encouraging it, I think, with 80 applications last year. The increased encouragement we are able to give now will move us, I think, fairly quickly into land titles.

But there are problems. First of all, the very thorough complete, final search must be made, because you cannot overlook somebody's interest there. Once you move it into land titles, the government is responsible for it. Secondly, the thought that he says you take the plan in now in registry, and then some day you say if a lot on the plan at some date, it is transferred into land titles. If any transactions occur in the meantime, you have still got the business of recertifying that particular lot before you place it in land titles. The proper way to do it, I think, is to take that block, that lot, that subdivision, as planned and as drawn and as certified, and move it all into land titles. From that day on everything is land titles. That is the way we are moving and I think we will get there in a reasonable time.

**Mr. G. Ben** (Bracondale): Mr. Chairman, when I was on city council I moved a notice of motion that we make an endeavour to consolidate into one system the three systems that we have in the municipality of Metropolitan Toronto. Very few people realize that in Metro Toronto we have three registry systems. We have the county registry system, the city registry system and the Torrens, or land titles, system. There are a great number of properties in this area which are in at least two municipalities. For instance, the dividing line between the city of Toronto and East York in many instances runs in such a manner that the dwellings are located in the city of Toronto but the garages are located in the township of East York. The same applies with reference to York township and the city of Toronto and, in all probability, may apply between Leaside and Toronto, and Forest Hill and Toronto. We have, at any

rate, three registry systems and some of these are very antiquated.

My friend was reading—

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if the hon. member would let me give him what I think should be a correction in his terms. I do not think it is fair to say there are three registry systems. There are three offices.

**Mr. Ben:** There are three registry offices.

**Hon. Mr. Wishart:** You have the registry system and the land titles and you have three offices carrying out the registrations.

**Mr. Ben:** Yes. We have three separate offices and there are properties in this metropolitan area which require a lawyer to search in three different registry offices. It is more convenient now that they have all three offices in one building, in the city hall. One would have to search three different locations to search one title. The complications that can arise out of the ordinary system go beyond that.

I had one title in this area where I had to go behind a plan, because it was part of another plan. It happened to be lot 7 on the other plan, but that happened to be part of three other plans and the particular lot I had was part of three plans. One plan and two concession lots. For one bound, they had the centre line of a creek that is some place underground out at Sunnyside. It was in chains and links, and it followed the centre line of a non-existing creek which empties into Lake Ontario right at Sunnyside, where Parkside Drive is now in High Park. Incidentally he estimated it would take $10 million to transfer all of Metropolitan Toronto into the Torrens or land titles system, but—

**Mr. E. W. Sopha** (Sudbury): A clever distinction.

**Mr. Ben:** I do not know which is further underground at the present time, but this one happened to be called Dog's creek.

As the Attorney General pointed out, most lawyers, once they search being a plan keep a record of that search, or an index card. It would facilitate transferring all the land into the Torrens system if they were to start in reverse. For instance, if they made an immediate start into putting the most recent county plans into the land titles system, they would only have to search behind the plan once. Any registrations subsequent to the plan would be few in number, because in all probability in most cases, the homes would be occupied by the first owner after the registration of the plan, other than the owner who registered the plan. You might have one or two owners since the plan.

It could start working back to cut down on the number of registrations which would be required to be searched since the plan. If they worked their way back, eventually they could get to the point, if they did take 20 years, where most of the plans they would be searching would have few registrations on them.

It has got to be done sooner or later. I suggest that the longer we wait, the more it is going to cost, because there are going to be more registrations on title that the land titles office will have to check to determine their validity. If it was done right now, I would suggest it would take considerably less than 25 years. It was estimated for the metropolitan area it would take from six to ten years.

I suggest that no other place in Ontario has as complicated a system as they do in this area with little pieces being sold from one neighbour to another neighbour to give him the necessary land area to enable him to put on a garage, and transfers of lanes and similar transfers. If a start was made now I would suggest that in ten years the whole system would be under the Torrens system.

**Mr. Sopha:** Mr. Chairman, if we are finished with the land titles and registry system, I want to go on to the next item, the supreme court. I want to make reference to the rules committee of the supreme court.

The rules committee is provided, of course, by section 111 of The Judicature Act and I would like to ask the Attorney General who the people are that comprise the rules committee. I do not have to ask the identity of some of them, of course, under the terms of the statute. To make the matter comprehensible, I will start at the beginning and refer briefly to the statute which sets up its composition.

It is composed of the chief justice of Ontario, the chief justice of the high court and five other judges of the supreme court; the chief judge of the county and district courts; two county or district court judges, who shall be appointed by the Attorney General. May I inquire of the hon. gentleman who they are?

**Hon. Mr. Wishart:** One is Judge Waisberg and the other is a judge also from northern Ontario; I believe it is—I cannot think of his name at the moment. He is from the northern part of the province. I am not sure whether

it is Judge Ross; I just cannot think of his name at the moment. I will perhaps have it in a moment. The appointee from my own staff is Mr. Allan Russell; Judge McLennan from Kenora. I thought it was the judge from Kenora.

**Mr. Sopha:** And the Attorney General or such other law officer of the Crown as he from time to time appoints. Who is that?

**Hon. Mr. Wishart:** I mentioned that was Mr. Allan Russell.

**Mr. Sopha:** I see. The master of the supreme court; three barristers or solicitors who shall be appointed by the benchers of the law society of Upper Canada. May I ask who they are?

**Hon. Mr. Wishart:** I must just frankly answer I do not at this moment know. I would have to get the composition, I do not keep the names in mind.

**Mr. Sopha:** Such other barristers or solicitors not exceeding three at any one time as may be appointed by the chief justice of Ontario. Who are they, may I ask?

**Hon. Mr. Wishart:** Mr. Chairman, I just have not those names at my fingertips. I can get them, I am sure. But that is the composition as set out in the Act. I will have that information very shortly.

**Mr. Sopha:** Fine. Like the gratuitous passenger, with whom I have had some success in respect to his plight, I would like to refer to the plight of infants and how they fared at the hands of the rules society. This I do in the hope that after the expiration of about five or six years some relief in respect of the infants will come from some anti-arteriosclerotic process in respect of the hearts of the rules committee.

**Mr. Bryden:** Is the member electioneering?

**Mr. Sopha:** I would assume, if we were perfectly honest in everything we do in this House, we are always electioneering.

The rules passed by the rules committee, and I suppose for a long time, have contained this provision:

> In actions in the supreme court to be tried at Toronto without a jury, a defendant after appearance and not later than 15 days after service of notice of trial or assessment of damages may pay into court a sum of money in satisfaction of the claim or cause of action or of one or more of the claims or causes of action for which the plaintiff sues.
>
> 2. In all other actions such payment may be made after appearance and not later than eight days before the day fixed for the commencement of the sittings for which notice of trial or as assessment of damages has been given.

**Hon. Mr. Wishart:** I wonder if the hon. member would refer me to the section he is reading.

**Mr. Sopha:** Rule 306 of the rules and practices.

Of course, I do not think it stretches credulity and I do not think it ought to unduly insult anyone—no one ought to be that sensitive—when I say that rule exists mainly for the benefit of insurance companies. This will probably oscillate the member for High Park as soon as he hears those fighting words, but that is why it exists. Payment into court in a damage action, in a tort action, is a method by which the insurance company attempts to coerce the plaintiff and indeed the plaintiff's solicitor to accept the amount paid into court in satisfaction of the claim asserted, and failing to accept the sum, to run the risk of a danger then of getting less and being assessed the costs of the action after the date of payment in. I hope I have made myself clear in that respect. I might at this time inform hon. members of the House, subject to any contrary opinion that is forthcoming from any other lawyer or any other person for that matter, that you will note, Mr. Chairman, in respect of the time periods in the first one it speaks of not later than 15 days after the service of notice of trial and that, I take it, applies to the city of Toronto where the trial system is a continuous one. In all other actions outside this great metropolis, payment must be made not later than eight days before the commencement of the sittings.

I can tell you, Mr. Chairman, that in many cases the insurance lawyers will want to pay money into court after those time periods have elapsed and then I can further inform you that a motion made for payment into court after the time periods have elapsed is almost never refused. Now if you employ an agent in the city of Toronto, as we are obliged to do under the rules of court, and you receive notice of motion that the insurance company wants to pay into court in satisfaction of the claim, let us say four days before the opening of the sittings at Sudbury or Cochrane or North Bay, then your agents at Toronto, at least mine and I have a very good firm of agents, will tell me it is no use opposing this because the master of the

court, hearing the motion, will automatically grant it.

It seems we have arrived at a great impasse in the era of legal enlightenment where there is a fair degree of automaticity about these orders of the court. But that is the situation and that is the way the insurance company likes it. Though the Attorney General has not got the list of the personnel on the rules committee, I would venture to say that if we did see the names of the individuals that make up that body, we would see a fair number of lawyers who carry on heavy practices of insurance litigation. And I sometimes felt in respect of the framing of the rules that there is undue preference given to the desires of insurance lawyers in respect of the privileges granted by the rules of the high court.

But, there is the device that we plaintiff solicitors have to face. And there is always that element of coercion in a damage action. The insurance company pays the money into court and you have to get the client in and tell him: "Look, here is a piece of paper that is notice of payment into court and the insurance company has paid in respect of your claim the sum of $5,000 in full satisfaction and you must decide now whether you are going to take that amount or whether we are going to go to trial in an endeavour to get an assessment which is higher." The individual of course, says, "Do you? Well, what do you say about it? What is your advice?"

After all he has paid the dog to bark and he wants to hear him bark, so the lawyer has to tell him the position he takes, and as a lawyer you must then point out to the person that if you do not take the money and you proceed to trial and you do not get more than the amount paid in then you are liable for all of the costs after the date of payment in. Well, automatically he says, "How much will those be?" And you have to tell him that the larger portion of the bill of cost is that portion created at the trial of the action. So he might face a bill of costs, five, six, eight hundred dollars, which, were they assessed against him, would be taken off the award that he gets, which would be a substantial victory in terms of money for the defendant and his insurance company.

Well, I am not sure that in an enlightened system of justice that the whole business of payment into court ought to be eliminated from our law. However, today I would be satisfied to impress upon the Attorney General and the jury, the other members of the House, that at least one part of the rule is truly iniquitous and that is the part of the rule that encompasses within its operation the claims of infants. An infant, in law, I inform my hon. friend from Grey South, is anyone who, in fact, has not attained the age of 21 years. Here in the rule there is no exception in respect of the payment into court in satisfaction of the claims of infants. Now, it is very interesting to note about section 111 of The Judicature Act, that at least in one of the provisions which gives power to the rules committee to make rules—I refer to subsection (f) or subparagraph (f), that there is specifically excepted from the jurisdiction given to the rules committee the power to delegate responsibility to inferior officers of the court in respect of (1) matters affecting the custody of children, (2) proceedings enabling infants to make binding settlements of their real and personal property or marriage. So one can readily see that in the delegation of powers to the rules committee that the Legislature many years ago had a concern in passing the statute providing for the delegation that there should be some limit on the power of the court to make rules affecting in some degree the rights of infants. Before it imposed that limitation, and I am just wondering aloud, if it occurred to the Attorney General's representative on the rules committee, that when the committee comes to deal with the rights of infants he might signal the notice of the chairman who probably is the chief justice of Ontario and say to him with the greatest respect, "Speaking on behalf of my superior, the Attorney General of Ontario, who sends me here, may I submit to your lordship that only the Legislature of Ontario can deal with infants, no other body without a specific grant of power encompassed in a statute may deal with the rights of infants."

Now, that is a proposition of constitutional law that I am prepared to make. If I ever had a truly appropriate case where an insurance company paid money into court in satisfaction of an infant client then I would be prepared to take that case to the court of appeal and thence to the supreme court of Canada. I would argue that it is ultra vires of the rules committee under The Adjudicature Act to pass any rules which in any way mitigate or deteriorate or detract from the rights of infants, before I would say that the Legislature has expressed its clear intention in setting up the office of official guardian, in passing The Child Welfare Act, in passing The Infants Act, and in passing several other statutes that it alone can legislative jurisdiction to deal with infants and no one else, however august the body, may presume to pass any regulations in any form that mitigate from infants' rights.

I guess the representative of the Attorney General on the rules committee has never made that argument. Perhaps when the Arctic monsoons blow again from the north, the Attorney General may say to me, "How about you going down to that rules committee and representing me?" I would be delighted and I would go down and make the argument to them. I would like to confront a few of those insurance lawyers down there and say to them: "You know the rules of the court, gentlemen, really do not exist for your convenience and that of your clients. They exist for all of the people and all litigants who find their way, unfortunately, into Her Majesty's courts in an effort to obtain compensation for wrongs and torts done to them."

I base that statement, which may seem to be a bit of an exaggeration, on the fact that had I reason or inclination to take the time I would take the hon. members of the House through these rules of practice and show them in other parts the rules where the insurance companies have reflected for them their great concern about their rights in the courts. In that regard, just in passing, I refer to the iniquitous rules that give them the privilege to invite themselves into an action as a third party, into somebody's action—but I have spoken on that before.

I am a plaintiff's lawyer; I act for plaintiffs only. I do not act for insurance companies. I think one of the reasons I do not is that insurance companies have some guy in an office who sends down a mimeographed memo every three weeks which says: "You have not replied to our letter of February 18. May we have a reply?" And it is mimeographed. That is all he has to do, send out letters to the lawyer. Well, my clients do not write to me; they do not send me mimeographed letters telling me that I have not telephoned them in the last three or four weeks, so I hope that my equanimity will persevere to a greater extent so that I do not have to put up with that imposition on my time with such letters from insurance companies. It is more satisfactory to act for plaintiffs in every way.

However, that is a digression. My complaint is that there is a serious imposition on infants. It is bad enough that an adult has to face that decision: Do I take the money in court or do I run the risk of being held liable in costs? But for an infant it is intolerable; it is just intolerable that those advising the infant and responsible for his guidance through the litigation should be forced to make that decision on his behalf. In many cases, it has meant that the infant got much less than he was entitled to and which he perhaps might have got if he had made the decision the other way and gone on to the court.

It has another side to it that should be related—that hon. members should be informed about—and that side is that no person may settle an infant's claim once an action is started without the approval of the court. The court has ultimate responsibility to approve the settlement on behalf of the infant. And since we have decreed that and indeed, at least in Toronto, the approval of the settlement is made by the court, the official guardian who is our agent, the agent of the Legislature to protect the rights of infants, he in turn is asked for his approval on behalf of the infant and the official guardian, his representative, may make any representations to the court that he wishes to make on behalf of the infant.

Having hedged the infants around and about as we have with the protection they have because we realize that young people are not able to decide these things for themselves, I consider it to be something in the way of—I am trying to think of a pejorative word—a bit of an imposition for the rules committee to presume that it can come along and detract from the rights of infants in the way that I contend they have done in not excepting infants from the operation of rule 306. I would urge upon the Attorney General that whenever the rules committee meets again his representative under clause (c) and his representatives—or at least the people he appoints under clause (b) to county and district court judges, so that is three the Attorney General has there out of the myriad of people—that he might suggest to them that they say to the rules committee: "Let us change that rule." Then he might find out who the such other barristers are—not exceeding three—who might be friendly. I do not know that he would get very far with the three appointed by the benchers of the law society of Upper Canada, they are pretty independent-minded.

Those people, and he might not have much of an imprint on them, are very able and very successful people. I looked over their list and I think most of them are insurance lawyers, so I do not think that there would be much hope. But you never know, the Attorney General might muster a majority from the several people who comprise the rules committee and if he does not muster a majority then I, for one in this House, am ready to support a statute or a bill that he introduces into the House that takes away the powers of the rules

committee to deal in any way with infants, in any way at all. I do not think that they should have any power to deal with infants. If anybody is going to deal with infants in this province, then we only are going to deal with them here, and we will say what the considerations are that will affect them and their rights in the courts or anywhere else. We do spend a good deal of time in this House voicing our concern for the welfare of the children of this province and I am just as concerned about their legal welfare as I am about other aspects of their welfare.

**Hon. Mr. Wishart:** Mr. Chairman, I now have the personnel of the rules committee for the hon. member. It is composed of the chief justice of Ontario, Mr. Justice Porter; the chief justice of the high court, Mr. Chief Justice Gale; the supreme court judges are Mr. Justices McLennan, Jessup, Evans, Parker and Donnelly. There were five county court judges, and Judge Weisberg and Judge McLennan from Kenora, the Attorney General's representative, Mr. Allan Russell, QC, of my department; and there is Judge Wilmot, a member and the master, Mr. Roger. The barristers are J. J. Robinette, QC, R. F. Wilson, QC, and G. D. Watson, QC, and special appointment, Mr. Mariott, who was the master.

**Mr. Sopha:** We only had the names of three lawyers—Robinette, Wilson and Watson from the law society. There are three more.

**Hon. Mr. Wishart:** The chief justice has not named them.

**Mr. Sopha:** Oh, he has not named them?

**Hon. Mr. Wishart:** No.

**Mr. Sopha:** Well maybe he will appoint me.

**Hon. Mr. Wishart:** Well, possibly. Just to speak briefly about rule 306. First of all, I think it is quite apparent from the approach the hon. member takes that he is certainly not a defendant's lawyer, he is a plaintiff's lawyer. I think he is frank to admit that.

The rule has been in the rules of practice for a very considerable time and is not designed for insurance companies. It is true that insurance companies make use of it, because they are quite often defending either on behalf of themselves or an insured, and therefore it comes into play. But it is designed for all defendants and I think the main purpose of that rule, of payment into court of a sum which a defendant says: "I think this I would be prepared to admit is a reasonable claim." When someone sues for some fantastic or extravagant or exorbitant amount, a defendant has the right under the rule to say, I think a fair price to pay in satisfaction of your damages, or your claim, is $5,000 and you are suing for $50,000, and the plaintiff then takes the risk of accepting that or taking the chance of getting more, in which case he is not faced with all the costs, just his own. If it turns out that $5,000 or less is, in the opinion of the court or the judge and jury or the judge, a fair amount, a sensible amount. Then, of course, there is the risk of the plaintiff paying all costs after the date of payment into court. There is not much difference in this procedure as outlined in this rule than in the matter of parties reaching toward a settlement. The settlement may be offering an amount, it may be accepted or refused. If it is refused, many clients have had the sad experience of refusing a settlement and going to court and coming out with less than they were offered before they went in.

It is a sensible rule. It is designed to direct the minds of parties, particularly plaintiffs, toward what is a reasonable approach to the amount they should recover.

As to infants, I think I should just say this: That infants must sue by a party called in the rules, a next friend, who is a guardian really, a parent or guardian; or by a guardian *ad litem*, a guardian for the purposes of the litigation appointed by the court. The rule that a settlement made on behalf of an infant must be hedged about with the discretion and the approval of the court is a sensible one. It is one designed, I think, much to the credit of the legal profession. They have it in the rules so that at least no one may take advantage of an infant in court. They pass upon it and that is a sensible thing.

I would just suggest this: I must say I do not agree with the approach set forth by the hon. member for Sudbury. I do not think it is a valid suggestion that he makes. It may be worthy of consideration and I would be glad to do that and refer it to our representative on the rules committee to see whether it should be put forward. But I would think this, that if he feels there is such validity in this attitude, that he might persuade the members of his local bar to support him. I have not heard any resolutions of that sort coming from any bar association.

There is that approach. I am sure he is a member of the law society of Upper Canada

and undoubtedly of the Ontario bar, the provincial bar and the Canadian bar association. These are forums in which, in particular that of the Ontario section of the Canadian bar where, if he could propound this idea and get acceptance, and if it were to support it, or even if his own bar association, his own local law association were to support the things he has suggested here today, they would come forward with much more strength than they come from one member alone.

**Mr. Singer:** Like the suggestion of the Ontario section of the Canadian bar of injunctions; that was supported by them.

**Hon. Mr. Wishart:** Well it has more strength than if it were made by the hon. member for Downsview alone.

**Mr. Singer:** More strength—and nobody is doing anything about it.

**Hon. Mr. Wishart:** That is all I suggest.

**Mr. Ben:** It is on family courts, sir.

**Mr. Chairman:** Yes. I am wondering if there is anybody who wishes to speak on the present topic?

**Mr. Bryden:** Mr. Chairman, are we now on the item headed supreme court of Ontario?

**Mr. Chairman:** Yes, that is item No. 20.

**Mr. Bryden:** I have some comments I would like to make under the heading of supreme court of Ontario. Perhaps I should make them now since that is the item that is before us.

I, as a layman, Mr. Chairman, feel convinced that we have to take a close look at our whole system of administration of justice. I realize that as a layman I am, no doubt, treading on dangerous ground and there are many who would very likely take the view that I could not possibly contribute anything useful in this field. It is this very fact, however, that encourages me to make some observations.

One of the problems as I see it is that the administration of justice is in the hands of what is very close to a sort of mystery cult, with its high priests on the bench and its lesser priests and votaries who have been admitted to the bar as the saying goes. This esoteric group is very jealous of its position and resents anything that could possibly be construed as interference by the uninitiated, such as myself. The only thing, Mr. Chairman, is that the uninitiated happen to be the people, and I think that we have to accept the proposition that laws exist for the benefit of people and people do not exist for the benefit of those who are charged with the interpretation and application of the law.

We all know that the whole administration of justice, especially the higher the level of court you get into the more this is true, is associated with a great deal of ritual designed to produce awe in the mind and soul of the humble citizen who may, for some reason or other, find himself there. The whole atmosphere is deferential. The justices on the bench are to be treated with the greatest of deference; not merely respect but deference, Mr. Chairman.

I am not suggesting that there should not be dignity in the operation of our courts and that those who preside there should not be treated with respect, but it goes far beyond any normal respect. It is strictly a deferential attitude. Here are these people lifted up above the common herd and the common herd is to approach them with awe.

Now, Mr. Chairman, who are these people? In most cases—and I emphasize that this is not true in all cases, there are some notable exceptions—but in most cases they are former political hacks. Successful politicians go to Parliament, and even into the Cabinet. Those who are unsuccessful or who have wearied in well-doing may very well find themselves on the bench, if they happen to have supported the party that is in the position to make the appointment at the time when they become available for appointment.

I am not calling attention to anything that is not already well known. In fact I think there was a study made just recently that emphasized this very point. Yet they have not necessarily shown any special qualifications other than the qualifications that might make them acceptable to politicians who have certain patronage to dispense. They happen to be available at the right time to benefit by this patronage.

Yet they are put in a situation where they are persistently deferred to. It takes a very superior human being, when he is faced with perpetual deference, to avoid getting himself confused with God.

This, I submit, is the sort of thing we run into frequently. I think it is high time we reconsidered the whole method of appointment of judges at all levels, and particularly in the higher courts. I am not in favour of the alternative of simply having, shall we say, a committee of law society or some committee of lawyers that will in a sense work with the government in making appointments.

I think this just gets us back into the area of the ingrown cult, I think we have to look more broadly than that in finding people who can make recommendations or perhaps even up to a certain point veto appointments to the bench. I am not here today prepared to come forward with any specific recommendations as to the kind of system of appointment we should have, all I am saying is that it is high time that this matter was given serious study and serious consideration and was discussed broadly in the country. Let us bear in mind again that it is a matter that is of interest to far more people than merely the legal profession.

I do not use the word "merely" in this particular case pejoratively—

**Mr. Singer:** Or demeaningly?

**Mr. Bryden:** Or demeaningly—I use it merely in the sense of solely. There are other people obviously who are affected.

Another abuse, as I would call it, that I think we should be looking at is the length of time that it takes to get justice. In fact, I do not have any precise information on the length of time it takes, for example, for the court of appeal of Ontario to render judgment, or the average length of time it takes to render judgment in any cases other than those which can be disposed of very quickly. I have been told that the average length of time is declining. One does not know. The Attorney General's department, as the hon. member for Riverdale pointed out on an earlier occasion, does not produce an annual report, we do not have any information of matters of that kind, important as they may be to the public at large.

But the fact remains that it still takes a long time for many judgments to be rendered in other than purely routine cases. Anywhere up to a year, I am told, litigants may have to wait, before the court of appeal of Ontario deigns to register a judgment in their case. I think that sort of delay is nothing short of a public scandal. I cannot believe that it requires that amount of time to render a judgment, even in a complex case.

I realize it does take some time, the court obviously cannot render its judgment immediately after hearing the case, it does have to take some time for consideration and for checking the authorities. I realize that. But I do not see why it should take more than a month in any case for the judgment to be handed down. When the thing is delayed for six months or eight months or a year, I cannot help but believe that the judgment is less likely to be a good judgment.

I am certain that after that length of time, the court itself will have forgotten some of the finer nuances of the matter that is before it. So that the length of time in my opinion is likely to lead to a lower quality of judgment. But it is not that that I am mainly concerned with, what I am mainly concerned with is what is does to the public. The poor man simply cannot get into our courts. The monetary cost in itself is serious enough for him and probably will deter him altogether, but even more serious than the monetary cost is this inordinate delay. The poor man, the little man, cannot wait that long, he just cannot wait for months and even years.

If a case goes to the supreme court of Canada, he definitely has to think in terms of years before he will have judgment rendered. Why is it necessary to take all this length of time? It does not appear to me that judges are overworked as a result of their duty as judges. I am not complaining about the kind of hours they hold, I am not complaining about the holidays they take, all I am saying is they ought to get on with the job they are paid to do.

They are paid well, I am not complaining about that either, and they can look forward to good pensions and I think that is a good thing too. But then what do we see? We see judges accepting commissions, remunerative commissions all over the place and sometimes one wonders if they are judges in a court or public commissioners. They are always accepting commissions. Now, if they have time to undertake these difficult and complicated commissions, then I think they have time to render their judgments without undue delay. It seems to me—

**Mr. Chairman:** I would point out to the member, as far as we are concerned here, we make an allowance to the judges through the province and it is statutory and we are prepared to answer any questions in connection with it, but we are really not dealing with the supreme court judges themselves, their appointment, of course as you know, is a federal matter.

**Mr. Bryden:** Well, Mr. Chairman, I did make a reference to the appointment of judges and I appreciate what you have said, that the actual appointment is a federal matter. But, the courts surely exist by virtue of an Ontario statute, the courts are all constituted by provincial statute, and the judges are appointed by the federal government.

I did make that reference to appointment but I will not pursue that, I am now just concerned about the actual administration of

justice in the courts and this is a matter that comes entirely under our laws as far as I know.

At any rate, in my opinion, this is a serious matter, it has serious cause for complaint and it has a serious consequence for a great many people and I do not think there is any excuse for it at all. As I said, if judges have time to accept commissions all over the place, then they surely have time to get down to business and get their judgments rendered within a reasonable time. This is a major factor in the delays that people encounter if they get involved in court cases.

I may say, and I have no doubt I may touch some raw nerves here, but as far as I can see, the legal profession is far from showing maximum zeal and energy in pursuing matters entrusted to it. There are great delays arising at that level too.

But regardless of where the delays arise or who is at fault, the point is that they do arise. It has been said that justice delayed is justice denied and in my opinion, many people have justice denied them because they cannot get it with reasonable dispatch. They are in the position where they simply cannot go to court at all, or if they do go to court, they may win their case and lose, because what they wanted settled should have been settled far sooner than it was and by the time the matter finally is settled, it really is purely academic.

This point in my opinion ought to be given consideration by this House and by the Attorney General's department and we should be thinking in terms of possibilities of reform.

**Mr. Chairman:** Are there any other items on page 20?

**Mr. Renwick:** I would like to have a little bit of guidance on two points as to matters I would like to raise.

One is in connection with the debt counselling service and the second one is in connection with the compensation fund of the law society of Upper Canada.

I am at a loss to know just at what point, but I assume it must be under this vote, that I could bring those two matters up.

**Mr. Chairman:** The debt counselling service I would judge would have come under the latter part of 208—I will check with the Attorney General—under registration, examination.

I judge that the debt counselling service comes under the latter part of 208. Is this correct, Mr. Attorney General?

**Hon. Mr. Wishart:** Mr. Chairman, I am prepared to answer it at any time, but if you prefer, under vote 208.

**Mr. Chairman:** No, I will be guided by you.

**Hon. Mr. Wishart:** Since it has been asked, Mr. Chairman, perhaps I could dispose of it now.

The debt counselling service is an organization supported by many business organizations of this city. I think the board of trade, and so on, and individuals and organizations. It was brought to my attention some months ago—I think early last year—by Mr. Vanek, a solicitor, who was, I think, the chief officer of it with a group of the eminent people associated with him. I remember Mr. Parkin, of the architect's firm, was one of the leading lights in the organization.

They were offering a counselling service to persons having debt troubles arising out of credit purchases generally, and that sort of thing, the very sort of thing that the select committee on consumer credit recommended be set up and fostered by the government.

Last year we encouraged the debt counselling service to go forward with this plan. They had opened a new building in the north part of Toronto. I attended that opening and took part in it, and there was some publicity attached to that, which they asked me to help with.

**Mr. S. Lewis** (Scarborough West): Did you have a cocktail?

**Hon. Mr. Wishart:** The hon. member for York South was speaking, I think the day before yesterday, about what we had done in the way of education along with the recommendation of the committee. This was one of the things we did to give publicity. We have made a grant to that service which is along the line of recommendation that we should support such an organization, and it is carrying on a work of counselling persons who have trouble with their financial affairs—counselling service in respect of their debts.

**Mr. D. C. MacDonald** (York South): Has anyone set up a service anywhere else in Ontario?

**Hon. Mr. Wishart:** No, I think this is the first one. I trust it will spread. I am not sure it is the only one, I think it is. The grant which we gave I think was $26,000. We asked Ottawa to co-operate and the grant from Ottawa is $22,000, and from industry a similar amount, $22,000. A total of $70,000.

I was going to mention that when the hon. member for York South was speaking the other day about this matter. He mentioned particularly education. I brought my file into the House later that day, but the time ran out on me and I had no opportunity to report that we had followed up on the matter of education. I had immediately taken it up with the Minister of Education by correspondence, and I have his correspondence which is not now in front of me—as to the courses which are directed to the secondary schools, towards economics, credit purchasing, and that sort of thing, which is included in it. I have not got the details in front of me.

There has been a suggestion from certain groups who have approached us and to whom I have given interviews, that we should start our education even in the grade schools, at the grade 6, 7 or 8, something of that sort. But we do encourage this debt-counselling service. It may be, and I think there has been a suggestion made, that more and more along the line of the recommendation which was made, that government has an obligation to support and maintain such a service and to see that it is extended through the province.

Our present grant to it, as I say, is $26,000, with $22,000 from the federal government and $22,000 which they have been able to raise from industry.

**Mr. Renwick:** Well, Mr. Chairman, before I comment on it, I would just like a couple of more pieces of information. What area does this particular counselling body serve in Metropolitan Toronto, and is it now functioning and what staff does it have? Does it have any co-operation from the finance companies who, after all, in a large measure share some of the responsibility for the overwhelming burden of debt that a large number of people manage to accumulate by financing on credit?

**Hon. Mr. Wishart:** You are asking about geographical areas?

**Mr. Renwick:** Yes.

**Hon. Mr. Wishart:** I think I am correct in saying it serves the whole metropolitan area.

**Mr. S. Lewis:** No! North York and Weston.

**Hon. Mr. Wishart:** Is it only North York and Weston? I am glad to be corrected.

**Mr. S. Lewis:** North York-Weston debt counselling service.

**Hon. Mr. Wishart:** I wonder if the hon. member is sure he is right when he says it is only serving North York and Weston?

**Mr. S. Lewis:** Well, that is what it is called, the North York-Weston. That service is part of the North York social planning council with the Weston group.

**Hon. Mr. Wishart:** I am going to have my file brought in and perhaps I would have been wise to bow to the wisdom of the chairman and discuss this on the next vote. I have a file on this matter and it is quite thick, with names and addresses and purposes and so on, all set forth, so perhaps I will wait and do that. I do not believe—

**Mr. Renwick:** Mr. Chairman, would the Attorney General deal with the compensation fund of the law society at this time?

**Hon. Mr. Wishart:** That is not, I think, in my estimates, is it?

**Mr. Renwick:** Well, I do not know where it would come. There must be some place at which we could comment on the compensation fund of the law society.

**Hon. Mr. Wishart:** I think I would say this, it is not in my estimates because we have nothing to do with the law society. That is their fund.

Interjections by hon. members.

**Hon. Mr. Wishart:** Are you talking about the compensating fund for debtors, to make good to persons who have been—

**Mr. Renwick:** For defaulting lawyers.

**Hon. Mr. Wishart:** Oh yes. I did not recognize it, never having had anything to do with it.

**Mr. Chairman:** Under what vote then, Mr. Attorney General?

**Hon. Mr. Wishart:** Well, I will deal with it now, Mr. Chairman, if you will allow me. It is not in the estimates at all.

**Mr. Chairman:** It is not?

**Hon. Mr. Wishart:** May I proceed?

**Mr. Chairman:** Well, if it is not in the estimates, it is not properly before us.

**Mr. Renwick:** Mr. Chairman, I think it is most important that we have an opportunity to comment upon it. With leave of the Chair and the consent of the Attorney General, I would like to give my single experience of acting for a person before that compensation board to illustrate my concern about the way it is operated, and to suggest to the Attorney General—

**Mr. Chairman:** I would suggest at this time that we continue with our votes and perhaps at the conclusion of the vote, if you want to bring it up then, we can consult the Attorney General at that time.

**Mr. Ben:** Mr. Chairman, I wish to discuss the juvenile and family courts.

After I had made—I believe it was either my Throne speech or my first speech on the estimates—the Minister of Reform Institutions read to this House and into the record part of an article written by one, Pennington, in the Toronto *Telegram*, where he used throughout the article the words, cesspool and dung heap.

**Hon. A. Grossman** (Minister of Reform Institutions): I was quoting him as quoting you.

**Mr. Ben:** Well he was not quoting me and the Minister knew he was not quoting me, because it was written in jest. He made predictions, as he said, through dark-coloured glasses, none of which could possibly be true. But the reason he attributed to me the phrase "cesspool and dung heap" is because I referred to the Metropolitan Toronto juvenile and family court as being a cesspool of iniquity and a dung heap of injustice. The press in its wisdom saw fit to shorten that phrase to "cesspool and dung heap."

Now, why did I use that phrase? Incidentally, I used that phrase to the people in the Metropolitan Toronto juvenile and family court. Why did I use that phrase? Well, in order to have a better appreciation of what we call a juvenile and family court, one has to look at The Deserted Wives and Children's Maintenance Act and get a better appreciation how iniquitous this legislation is. One begins to wonder where the Attorney General's department has been all this time, and why he refuses to make any changes.

He has available to him some reports. I asked that these reports be tabled at the beginning of this session. They have not as yet been tabled. The hon. Attorney General stated that these reports were prepared for him by his staff and that was not so. The reports in question—the last report in question—arose as a result of remarks I made in the Metropolitan Toronto council in discussing the estimates of the juvenile and family court.

**Hon. Mr. Wishart:** Did the hon. member say that the Attorney General's report was prepared by—

**Mr. Ben:** By a member of his staff for his use.

**Hon. Mr. Wishart:** By a member of my staff and a representative of the Toronto juvenile and family court, that is what I said.

**Mr. Ben:** That is not the report I have reference to. The last report was from the metropolitan council.

**Hon. Mr. Wishart:** That is the only one I have.

**Mr. Ben:** They submitted a report and the report had been submitted to the Attorney General's predecessor twice removed.

**Hon. Mr. Wishart:** No.

**Mr. Ben:** I asked for that report also. That was submitted to him. I believe the authors were Mr. Ambrose Shay, who is now the sheriff, the administrator of the court, Judge Bennett and Judge Grudeff. I think it got into the hands of the predecessor twice removed, who is now the Minister of Lands and Forests, about four or five days before he left that particular office.

At any rate, under The Deserted Wives and Children's Maintenance Act, there is provision for the juvenile and family court, making an allowance for a wife who has been deserted. The Act also defines what desertion is.

In other words, the Act provides that a wife may leave the husband with her children, but still be deserted within the meaning of the Act and is entitled to maintenance, if the husband whom she left had been guilty of cruelty.

But there is no provision in this Act for the reverse. In other words, a wife making $100 a week can abandon her husband and three or four children and her husband may be left in the position where he is only making $60 a week and has to support those children. In order to earn that $60 a week he has to have a babysitter or pay for nursery facilities, and there is no relief for him. The Act defines what constitutes cruelty and it states without restricting in any way in the generality of section 2:

> Causing reasonable apprehension of bodily injury or of injury to health, without proof of actual personal violence, that renders the home an unfit place either for a wife or a child, may be held to constitute acts of cruelty within the meaning of section 2.

But a wife may be the most slovenly creature on this earth, she may abuse her children, she may abuse the husband, both mentally and physically, and there is nothing he can do. He cannot even go to the court

and ask for help and get help—he can always go to the court and ask, but there are no facilities for offering him any assistance. A wife can go there and they will summons the husband before the counsellor, and there will be a charge laid against him whether there are grounds for having the matter brought before the court or not. The husband can do nothing.

Under this particular Act, I should state that a wife without just cause can leave her husband, and if there are children and she takes the children. The husband, although he may not pay anything towards her maintenance, must pay towards the maintenance of the children, and that is only right. But if she leaves her husband and leaves the children with the husband, there is no provision for the husband to go to any court of law and get financial assistance from the wife who may be earning twice or three times what he is earning, to get financial assistance for those children.

Now surely they are the creation of both the husband and the wife. Surely what is good for the goose should be good for the gander, or vice versa.

Under the Act, an application cannot be made for custody of children. Under the Act, the judge may entertain an action for custody if the matter is already before the court in an application for maintenance. It states that a magistrate or a judge may, in an order made under this section, make provisions as to the custody of the child and the rights of access thereto, and so on.

In other words, if a wife brings the husband before the court asking for support or maintenance, she can also ask for custody of the children. But a husband cannot go to the family court and ask for maintenance, therefore he cannot ask for an order for custody. He has to find funds some place and go through the surrogate court or the high court. That is the justice in this Act.

The Act specifies that a wife or whoever has care or custody of a child may apply for a show cause summons where there has been contempt of an order for access. But there is no provision for the husband applying for a show cause summons. As a matter of fact, under section 5, it reads:

> An information under this Act may be laid by a wife or child or by a person having the care and custody of a child or with the consent of the Crown attorney by any other person.

We tested this section in court recently, because to me it seemed iniquitous that a person to whom the court has granted access to his child must first of all go and get permission from the Crown attorney—not from the clerk of the court, not from a judge, but from the Crown attorney, to lay an information requiring the wife to show cause why she should not be held guilty of contempt of a court order.

Now, in this particular instance the Attorney General has a thick file. In the first instance, the husband had been summonsed to Hamilton to answer the original information. He pointed out that he was residing in Toronto and asked that the evidence of the wife be taken in Hamilton and transmitted to Toronto as is provided in the Act, and he could put up his defence in Toronto. The judge refused to do this. As I say, the Attorney General has a thick file on all the correspondence that passed.

To make a long story short, the husband was denied access to his children, so he refused to pay. He was brought up on show cause summonses, I do not how how many. But an offer was made to him that if he would not press for access to his children, the wife would not make claims for support. He continued to press to see his children and the next thing he knew he got another show cause summons. And that is when it was brought to me after I had made some statements in the press.

We appeared about three or four times, and in each instance the wife did not appear to enforce this summons. Finally her lawyer said they were going to proceed and the judge read the summons.

I asked the judge to read the information. He said: "We do not have an information." I said: "Well, you had better have an information." He said: "Oh, we never have information." I said: "Well, you had better have in this instance, because if you cannot produce an information charging him with any offence, I am taking my client and I am walking out."

To make a long story short, there was no information. They just issued a summons on their own, on the fact that one of the officers connected with the municipality of Hamilton, and the one fellow in charge of arranging their pay there, was the father of the woman who had something to do with it.

At any rate, Mr. Chairman, there was no information laid.

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if the hon. member would permit me a word to the Chairman?

Mr. Chairman, I appreciate that we have had several instances of this in various items of my estimates, that members put on the record detailed incidents of their personal experiences in various parts of the estimates, the courts, the juvenile court, the land titles office, the registry office, the supreme court and so on. Now, these are interesting and perhaps they are helpful, I think they are. However, I know that the hon. member has other incidents he could recite and I am prepared to say this, that I know he is speaking particularly of the Metropolitan Toronto juvenile and family court. I know that it has flaws, that it has not been at all satisfactory in many respects in its operation.

I wonder if I might say this? I do not want to shorten his address at all, but we are trying to deal, I think, somewhat in a general way with the amounts we are going to vote for these purposes which the estimates indicate.

Now, in the matter of the Metro juvenile and family court, I think the hon. member is aware we have approached Metro some weeks ago and said we will take over the total responsibility for its operation; and in doing so not only will we take total responsibility for operation, but we will remove from Metro the cost of probation and family counselling services which they formerly paid.

Those arrangements have gone forward. They have been approved, I can say to you, by the government and by Treasury. The agreement has been drawn. It has been approved by the Metro council, or whatever board it is that approves on their side. It is about to be executed. The only feature that we have not completely finalized is the discussion of how the Metro employees, those engaged and paid by Metro, fit into the arrangements that apply to those employees we appoint but whom Metro pays.

Now the purpose of my remarks is simply to say this: We are about—just about—to take over the complete operation of the Metropolitan Toronto juvenile and family court. I am interested in the experience of the hon. member, and I am sure he could recite others, and I just say this to him. I am prepared to accept that things there have not been to the satisfaction of perhaps any of us. I would like to suggest to him that if he could perhaps refine the detail of it and make his general conclusions available to me, we could perhaps show him some improvement very shortly as we get into the operation of that court.

**Mr. Ben:** Mr. Chairman, I will try to oblige the Attorney General.

**Mr. Chairman:** May I add to the Attorney General, with a word of admonition, so that the members do not go into detail as he has indicated.

**Mr. Ben:** I might point out that the Attorney General did not touch on, in the slightest, the subject of my discussion today; but I nevertheless will take into consideration his request that we limit discussion on our personal experiences.

I would just mention that I have something—transcripts of evidence—which will substantiate what I have to say, if the Attorney General wishes to question or cast doubt on any statement I have to make that I—

**Hon. Mr. Wishart:** I have no thought of casting doubt on any statement of the hon. member. I am just saying that if he reads transcripts of evidence I am sure there are hundreds of cases he could read, but I do not think that is really the helpful thing. If he could say from his experiences that these are the conclusions he reaches; that the family counselling service is not adequate, that the probation service is not adequate, that there is not enough money spent on this, that, or the other. These are the things that I think we could take into account or we could discuss, and I could get detail perhaps later.

**Mr. Ben:** Fine! That is exactly what I propose to do.

I have been discussing it. The example I was going to show was that people are summonsed before the court without an information being laid, that they do not abide by the Act, that there seems to be a lack of knowledge of the contents of this Act and the Act in itself is one sided and iniquitous. It is a misnomer to caption this The Deserted Wives and Children's Maintenance Act—but it is not a family court. It is a court for extracting money for the support of deserted wives and children.

It should not be called a family court because a family includes a father, and a father has absolutely no status or rights in the family courts of this province. There is not a single Act that offers him any protection whatsoever. There is not a single Act which offers him any protection for his children, if his wife deserts him, unless you want to call in the children's aid or some other social service agency that will take them, but there is not a single piece of legislation which offers any protection to a father and a child to keep

that family together; as I say, unless you want to bring in the children's aid or some other social agency.

Under this Act, as I pointed out, a husband cannot bring an application for a show cause summons, to have the wife show cause why she should not be held in contempt of a court order, in not letting the father have access to his children without the consent of the Crown attorney. You try to get the consent of the Crown attorney, as we have been doing. I tried to get it in writing so I could bring it here. I cannot. They say get the permission from the judge.

This is all principle. The magistrate or the judge, he may hear the case in private. Under our law a case is supposed to be heard in open court. When the case involves sexual offences or something else of that nature, then it may be heard in camera, which means the public is excluded, but court officials and lawyers and the press are permitted to remain in court.

The way this Act is interpreted the word "may" has been translated into "shall" and the cases are held in private and not even a lawyer can go and sit there except for two judges. One of them who is no longer there, would permit members of the bar to sit in and listen to the cases. No one was permitted in except the court officials. No one knew what went on in that star chamber behind those closed doors. There is no law on it to indicate what goes on, no precedent, unless a case is taken up to a higher court on appeal.

It is strange that the same Act provides that where you have an appeal the county court judge may hear it in chambers. It does not permit an appeal to be heard in private, but the original case may be heard in private and, as I say, nobody knows what goes on in there. Why are the press not permitted in there? Why are not lawyers permitted to sit in there so they can judge what goes on in those courts?

**Hon. Mr. Wishart:** Why should the press be in to hear family disputes that affect children's lives, and the differences between their parents? Should this be bruited across the newspapers of the country?

**Mr. Ben:** It is the duty of the press to report those things, Mr. Attorney General, without mentioning names. They can mention incidents so that we will know how much wife beating goes on in this country, how much desertion goes on in this country, how much juvenile delinquency we have in this country, what kind of juvenile delinquency it is, what kind of penalties are handed out to wife beaters, what kind of penalties are handed out to juvenile delinquents. Should we have some laws on it, some *stare decisis* on it—

**Hon. Mr. Wishart:** Mr. Chairman, we have laws—

**Mr. Ben:** You want to push the whole thing under the rug.

**Hon. Mr. Wishart:** We have a law which says that—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Hon. Mr. Wishart:** With respect to juvenile offenders particularly, we have had a law, we have had it for many years, and I think a very wise law, that not even their names may be mentioned. The public may not watch their trials and their tribulations, so as not to put a mark on them for the rest of their lives. The same thing applies to family disputes which should not be subject—why should the public be prying into differences which a wife and husband, or mother and husband may have with the children, which the court is trying to resolve, probation people are trying to get them together? Why should they be marked, and their families marked with that sort of publicity? I do not think the press is interested in that.

**Mr. Ben:** Mr. Chairman, perhaps I should not let the Attorney General interrupt any more, he has his head in the clouds.

First, I did not say the public should be admitted, I said the press and the bar. Now, that is different from the public. You could hold the cases in camera where only members of the bar and the press would be permitted and the press, as at present, would not be permitted to publish the names of any of the participants; they would be able only to give the facts and the penalties imposed.

But you do not see fit to do that because it would show what an incompetent situation the Attorney General is permitting to exist.

**An hon. member:** Nonsense!

**Mr. Ben:** Nonsense? Let me give some examples. Now I will have to give some examples because the parrot over there said "nonsense," so I will show you.

**Mr. Chairman:** The member for Bracondale will refer to members in the House as hon. members, please.

**Mr. Ben:** I will get to some of the justice that goes on under the aegis of the Attorney General, the protector of justice in this province in a minute. Since he takes this attitude, I was going to cut it short, but now we will go into a little detail.

Interjections by hon. members.

**Mr. Ben:** For instance, under this Act a husband, if he wishes to appeal, cannot do so unless he has funds to apply to a court to stay the original order of payment or else his appeal can be dismissed. If a person ordered to pay money under this Act is in default, any appeal or other proceeding taken with respect to such order may be dismissed. Let me give you some examples. Our law says—at least the hon. member for Sudbury will tell you that he thinks it is a principle of our law—that the person charged must first have some evidence adduced against him before he is called on for defence. These are some transcripts—these are not some I have been connected with—but these are transcripts I obtained after there were complaints to me of injustice. I paid for these transcripts to determine whether or not the facts were as recited to me by these people who complained.

**Mr. L. C. Henderson** (Lambton East): Has the member got his receipts?

**Mr. Ben:** I have the receipts. First of all, they do not take a plea, they do not ask you whether you are guilty or innocent. The charge is read, there is no plea taken, they do not ask you whether you are guilty or not guilty and then they just swear the defendant. The defendant, not the complainant, but the defendant. Sometimes they do not even swear him. That is one instance there.

Here, they did not even read the charge or ask the defendant if he was guilty. Again, charge read, no plea taken but they swear the defendant. Again, charge read, no plea taken —whether a man says he is guilty or innocent, on with the trial, of course he must be guilty because he is there. Charge read re children, no plea taken. Charge read re wife, no plea taken. This is what goes on in the Attorney General's honourable court. As a matter of fact, I can product a transcript of a hearing where there was no plea taken, not a single witness was sworn, therefore no testimony was taken, the husband and wife were in court; "guilty, pay or you go to jail." That is Ontario's version of the British system of justice. The man who permits this situation to perpetuate is the man sitting over there whose estimates we are now considering.

Let me give you a few examples of what can happen in these wonderful courts the Attorney General runs. This is what happens when a man says he cannot pay. The husband says: "There is no use making an order for more than $10."

The court: "You will have to borrow money, work hard, do something to help support your children. What do you think will help support your children? If you had no children, you could go ahead and do what you want for yourself, but you have children, so you have to do something to get money somewhere, even if you have to borrow it."

In other words, what the illustrious gentleman over there is saying, "Rob Peter to pay Paul." That is exactly what these courts say. Go and steal it, that is the typical Tory attitude. If you cannot do it legitimately, go and steal it.

Interjections by hon. members.

**Mr. Ben:** The member for Waterloo South says if husbands cannot pay they should go and steal. And those sentiments are echoed by the other members sitting next to him. That was the attitude expressed by that particular judge, if you have not got it, go get it some place.

I have another one here where the man was on unemployment insurance, getting $33 a week. The judge said he was to pay $20; not only that, but the illustrious judge made a statement that if he does not pay out of his unemployment insurance, he is breaking the law and he will go to jail for breaking the law—for not giving his wife money out of the unemployment insurance. That is their knowledge of the law, Mr. Chairman.

There is another one. The Attorney General knows the law. There has to be such cruelty as will permanently endanger the health of the wife if it is continued. In this particular case, the wife accused the husband of cruelty because he demanded his conjugal rights and the court upheld it. That now becomes cruelty — doing what human beings have been doing since they came out of that amoeba; but that is your court.

**Mr. S. Lewis:** The member is not serious surely.

**Mr. Ben:** I am serious. Although I must point out that there is a high court decision in Great Britain which states that excessive demands are not cruelty. They do not follow that law here.

**Mr. Chairman:** I know the member is anxious to adhere to the rules of the House and I should remind him he should speak only from his own seat.

Interjections by hon. members.

**Mr. Ben:** I want to get back to some more of these decisions. In all these cases, the courts force the defendant to take the stand and prove his innocence before the wife has established any case of guilt. You are not called upon to rebut any evidence but you have to prove yourself innocent of facts which have not been placed before the court. That is the system which the Attorney General perpetuates. The Attorney General talks here of the province of Ontario taking over the cost of the operation of the family court. The cost of the operation of the family court is not the problem. It is the function of the court and what those people who are there do to earn their money.

**Hon. Mr. Wishart:** That is not what I said, I said we were taking over.

**Mr. Ben:** You were taking over the cost, the responsibility of the maintenance.

**Hon. Mr. Wishart:** No, no, the operation of the court.

**Mr. Ben:** Well the operation—the appointment of the probation officers and the judges and the clerks was always this province's responsibility. You called the tune although Metro paid the price. The judges of whom I complain were appointed by this government, not by Metro. They just footed the bill, so the Minister offers no solution.

Take this judgment: The unemployment insurance gives you "that money to give to your wife. If you do not, they will lay a charge against you."

The unemployment insurance does not give anybody any money to give to the wife. It is unemployment insurance to which the person is entitled. But here is the judge telling the man that the unemployment insurance commission will lay a charge against him if he does not give $20 out of the $33 he receives to his wife.

Interjection by an hon. member.

**Mr. Ben:** That is this government's policy.

**Mr. Chairman:** I would ask the member to continue please.

**Mr. Ben:** Now here is another instance: The jurisdiction of the Toronto juvenile and family court—and I presume all the courts are going by this law—with reference to maintenance for children, extends only to the age of 16. In this particular instance, there had been an order for the support of two children. After one of the children attained the age of 16, the husband reduced the amount that he was paying because the child no longer came within the jurisdiction of this court. The wife brought the husband up on a show cause summons for being in default and although it was pointed out and the judge acknowledged that one of the children was no longer—he was not a child any longer, he was a youth—was no longer within the jurisdiction of the court. It was acknowledged that the amount that had been paid was sufficient to cover the one child, but what did the judge say? What was his position? Ordered to pay $126—on January 29, 1960—or 30 days in jail.

The judge had absolutely no jurisdiction once that child attained the age of 16, but it seems that the order goes on in perpetuity and if there are four children to begin with and they keep on attaining the age of 16, that last one will get the whole amount, according to what the judges think in this particular jurisdiction.

Here is another one. There are no provisions in the Act for an interim order. In this particular instance, the judge in the middle of a trial made an interim order. He told the husband he had to pay $20 a week while the case was going on. It was pointed out that His Honour had no power to make an interim order.

"Don't tell me what you are going to do after you are out of my court," was the reply.

Then, next from the husband: "Your Honour has no power to make an interim order." The judge said: "Interim order here, $20 a week; first payment due."

An interim order was made. The husband had to pay to the wife $20 a week or go to jail. When the case reached its conclusion, the court found the husband innocent. The court found the husband innocent and he was to be not liable for the support of his wife because she had without just cause, deserted him. But in the interval, before he had heard all the evidence, the judge imposed a penalty of $20 a week on this husband. This is the hon. Attorney General's—

**Mr. R. A. Eagleson** (Lakeshore): There is nothing wrong with that.

**Mr. Ben:** There is no provision in The Deserted Wives and Children's Maintenance Act for it.

**Mr. Chairman:** Order.

**Mr. Ben:** In another instance, although not a tittle of evidence was heard and the husband refused to take the stand before his wife and refused to be sworn until the wife presented her case, the judge ordered payment or jail in the alternative. He stated that the wife was on welfare and when he was subsequently asked at the hearing why he stated that the wife was on welfare when she, in fact, was earning over $100 a week, holding down two jobs, he said it was because the welfare officer happened to be sitting in court. He happened to be sitting in court out of curiosity. You do not need evidence; you can go on supposition.

Now back to the operation of the family court. First of all, I do not believe that it should be called a court, and if it is a court, then it should be a court. It should be divided into two separate functions. One should be a family counselling service and only if the family counselling service fails should the parties end up in court. Since Judge Little came into this court and turned it on its ear, the needs of the public are secondary. Before Judge Little, who this Legislature worships so much, came to this place and brought in professionalism, a wife who had been beaten up or who was in danger of her life could go there and by awaiting her turn, could immediately get action. But, believe it or not, although a person could go down to any magistrate's court and lay any information before a justice of the peace, if you go to the family court now, you must first make an appointment for an appointment. That is the new intake system they have down there to give it professionalism.

I was speaking with a woman last evening in this House, outside this chamber, who was badly beaten by her husband and went to the family court. They told her they could not give her an appointment before Monday, this coming Monday.

This was an appointment to discuss the matter, not to give a solution to the matter. Or rather, it was an appointment for an appointment to discuss the matter. Mind you, she is lucky; sometimes it is longer than that. And then, what happens?

In the first instance they may mail the summons under The Summary Convictions Act or they may serve it, but at any rate it will be quite a while before the matter comes up to court. Sometimes, if you appear the first time and the case cannot proceed you have to wait from four to six weeks for the next open date to hear the matter.

This is regarded as a family matter—with which the Attorney General professes to concern himself so much. He will not let the newspapers or the bar in, to see what is going on. Nobody suggested giving names and addresses of the parties, but he will not even let the light of day into those star chambers.

And psychiatric service—in essence, there is not any. There is not any. I believe they have one part-time psychiatrist, but it takes anywhere from 4 to 6 weeks to get an appointment to see the psychiatrist or for the psychologist to see the children or the wife or the husband, with whom the Attorney General purports to express so much concern. Now, many people who have matrimonial difficulties will not go to that place. First of all, it is called a court, it is called the juvenile and family court, and the word "court" alone scares a lot of people away because they just dread courts, with the bailiffs and the sheriff's officers and all of the black-robed lawyers. It just scares people off. That is why you cannot even get witnesses to go to court, so the average individual is scared of courts and he will not go down there. Those who are not scared of the word "court" will not go there because they have heard of what it is. I suggest that it should not be called a court; it should be called a family counselling service and the Act should provide that either the wife or the husband can institute proceedings in this counselling service and require the other spouse to appear. And I suggest the Act should empower the counsellors to compel the parties to appear before the counsellor or a social worker, especially if they have children. As a matter of fact, I think it should be insisted upon where the welfare of the children is involved.

Only when the counselling service has determined that it cannot bring about the reconciliation of these parties, or in any way assist them, should the matter be brought up before a court and the court should then be strictly a court of law. It should determine only the guilt or innocence of the parties charged. Has or has not the husband in fact deserted the wife and children, or has or has not the wife deserted the husband and children, because I submit, as I say, what is good for the goose is good for the gander, and women who abandon their children should be just as liable to be brought up before the court as as a husband. It took two of them to create those children.

Then, I believe that the court should not determine how much is to be paid, but the matter ought to be referred to an official referee who should determine exactly what the husband is capable of paying.

One of the criticisms that the previous administrator had of the administration of justice in the family court was that they were too quick to make orders for payment for the maintenance of wives and children when there was no hope of those orders being enforced and then they did not enforce them. They make an order, way above the capabilities of the husband, and then when the wife tries to enforce the order which the court gave to her, they would not enforce it. Show cause summons after show cause summons, and I think any solicitor here who has anything to do with the family court knows this.

Therefore an official referee should look closely into the financial ability of the husband to pay and the financial ability of the the wife to continue, and he ought to determine the sum which should be paid, and paid consistently all the way through.

I would suggest there should be taken into consideration the fact that this husband, if he is the deserting one, or the mother if she is the deserting one, if they have children by other than their own spouse and are maintaining a family home, that the amount required to support that new home should also be taken into consideration. Because I would much rather see one well run home, even though the parents may not be married, than two broken homes where there is not a father or a mother.

The father is just as responsible for the illegitimate children he brings into the world as he is for the legitimate. The strange part about it is, I do not know what this court would do, this family court, if the woman, the other woman who had children by this man, went to the court for an affiliation order and the court found that this man was, in fact, the father of her children and ordered him to pay to support those children.

Now, what would happen—by the way it is the family court that enforces both of these —what would happen then if he went up before a judge? Which order is the judge going to enforce? They are both orders of the court. They cannot enforce one without holding themselves in contempt for not enforcing the other.

Mr. Chairman, another point is they ought to revamp the system they have of keeping control of husbands. If this government and the previous governments have seen fit to make it an offence not to notify the registrar of motor vehicles of the change in an address of the owner of a driving permit or the owner of a motor vehicle, why should it not also be an offence not to notify the courts of your change of address if you are a husband who has been ordered by the court to support your family? Then perhaps the Minister of Public Welfare's department would have a much easier time finding these husbands that abscond, leaving a wife and three children unsupported and on public welfare. It should be an offence not to notify the family court of any change in address by a husband who is supposed to be supporting his children. Furthermore, the court should keep track of the payments.

This is what happens in many instances. The wife gets an order from the court for the maintenance of perhaps herself and her children, and the husband gets the right to have access to the children. But the wife does not want the husband to come and see the children, and in this day and age a wife can very well support herself; sometimes she can earn more than her husband. So she is not interested in the money, she just wants the husband to stay away.

The husband takes the attitude: Well, since I cannot see my children, I am not going to pay and this situation goes on for two or three years. During the interval, arrears of $1,000, $2,000, $3,000, $4,000, $5,000 build up. I have had one instance where there was close to $9,000 in arrears built up in this particular manner.

Then one day the wife meets some financial reverses. She needs some money. Where is she going to get it? Her mother tells her: "Well, that good-for-nothing husband of yours has not been paying you for five or six years, he must owe you a lot of money. Why not go down to the family court?"

She goes down to the family court and they haul the husband up in court for being in arrears. The husband, meantime, who has not seen his family for four or five years because the wife would not let him and who was budgeting according to what he had to lay out, was not paying. He was spending his money. A semi-bachelor, or a quasi-bachelor, he finds the court saying that unless you pay $500 or $600 by Friday, such-and-such a date, 30 days in jail, 60 days in jail; and there are transcripts where the accused says to the judge: "Well, what do you want me to do, steal it?"

And the judge answers, "I do not care where you get it."

The court should keep a record of all payments under a proper system and any time the husband falls more than 30 days in arrears a card should go out to the wife: Have you been receiving money directly, with a return stamp on the card, and she just puts no or yes.

If it is no, they send a card to the husband: Why have you not been paying, come down here and explain. Then if the wife says she is not receiving it because she does not want the husband to come and see the children, the husband says I am not paying because the wife will not let me see the children. Then he could have it immediately brought up to the court to determine what should be done. In this manner you will not have arrears building up over two, three, four, five, six years.

I might point out that I think I would charge a mother who did not take the money that was coming to her for the support of her children. Many wives take the attitude: I do not want the bum, I can look after my children. The fact is every dollar less the husband gives for those children means a dollar less she has to spend on those children, and she is depriving them of something in life which they would, or might have had, had they had the money from the father.

Interjections by hon. members.

**Mr. Ben:** It is not necessarily so; I said they might.

**Mr. Chairman:** Through the chair, please. No interjections, please!

**Mr. Ben:** Now, on adoptions in the family court.

When the 1964 budget was presented to Metro council they asked for an increase in the number of court reporters from 10 to 12. We asked why. Only five courtrooms and only one of them operates morning and afternoon. So they asked them why increase the court reporters.

They can only use five at a time. The administrator said seven would be enough, that is all they need. I checked into the matter and I found they utilized one of the court reporters not for the family court but to type out transcripts of hearings in adoption cases. So I asked: Why do you need transcripts of hearings? And I found out why adoptions take so long.

The judges will not make an order for the adoption of a child until they have a transcript of the hearing. It takes months to get it sometimes. I said: "Why do you have to have transcripts of hearings? When judges sit in the high court and the court of appeal, they listen to the evidence, they do not have to have transcripts of evidence to come to their decision, why do you have to have it?"

Well, that is the way they work.

The parole officers, probation officers — oh, they pay fantastic salaries down there. For 1964, for the observation home, the amount that they were asking for the payment of the superintendent was $6,600. Assistant superintendents, there were two of them, receive $4,750 apiece; that is assistant superintendents. A recreational officer, $4,802. I guess he wanted to get a little more than the next man so they gave him $2. Social workers at $6,150 each, that is with a university degree. Psychologist, $7,500. They had one part-time psychiatrist who received $8,700. On the probation staff — it has gone up since — but at that time they received $5,250.

I would suggest to you, Mr. Chairman, that for years what is called the Metropolitan Toronto juvenile and family court has been nothing but purely and simply a pork barrel for the Tory government. That is what you make out of pork. The administrator of that court got up before Metro council, Mr. Chairman, and it was brought out that when Metro took over the payment of the salaries of the staff, they gave their clerical staff the usual tests given for applications for employment with Metro Toronto. Half of them did not pass, they could not even qualify to work for Metro. But this government had put them in there as employees.

The same administrator testified before Metro council that they were so inefficient that for every five he could replace them with three efficient people and he could get more money for probation staff and social workers, which were needed. The administrator pointed out that they keep a full kitchen there, and they have a chef and two assistant chefs for the detention home. We asked why, because it costs $1.60 per meal for those children. That is what it averaged out to, and the suspicion was that the staff ate more than the children.

In Lambert lodge they feed people on special diets for $1.90 a day, but it was costing $1.60 per meal to feed a child down at the Metropolitan Toronto juvenile and family court, and how much do little children eat? As I pointed out, the staff were eating more. We asked: "Why can't you get your meals from the Seaton house or any of the restaurants?" We ask them why they kept it open 24 hours a day, and were told a child may be committed any hour of the day, which is true, they could be brought in any hour of the day.

But the court is surrounded by restaurants, they have Seaton house right across the road

where they have a kitchen where they could get meals for a child. That is the kind of efficiency they have down there.

What were these $1.60 meals? Breakfast; one dry cereal, toast, milk and jam. Dinner; potato, vegetable, meat and milk, usually powdered milk. Evening; usually cold dinner, salad, and again powdered milk — $1.60 a meal. As I say, they are feeding adults at Lambert lodge on special diets for $1.90 a day.

Now, there is no suggestion we are trying to deprive the children of a meal. We are saying that they are spending money where they could use that same money to get a proper social service staff in there, some psychologists, which they lack at present, and some psychiatrists.

I suggested years ago that the school of medicine at the University of Toronto ought to take over the Toronto family court and use it as a clinic, and then they would supply the psychiatrists necessary, they would supply the doctors necessary, they could even supply the social workers, who would be serving there as part of their training.

**Mr. S. Lewis:** That is what Judge Little is trying to do now.

**Mr. Ben:** Well, I have been after him for four years, it is about time. By the way, I might say he turned me down when I put it up to him the first time. At that time, I came to the conclusion that if he did that he would have people there paid more than Bill Little himself.

Mr. Chairman, I spoke a little longer than I intended, but I came to the conclusion that the Attorney General was trying to draw a red herring over this whole subject by saying that they are going to take over the administration. They, in fact, have controlled the administration for years. They were the ones who decided how many psychiatrists there were to be; they were the ones who decided how many psychologists there were to be; they were the ones who decided how many social workers there were supposed to be and what they were supposed to be paid. They were the ones who have been calling the tune for years and years, since this place started. They are responsible for the results that come out of there, and nobody else.

**Mr. S. Lewis:** The provincial government is just now taking it over.

**Mr. Ben:** I think I made the point. It is not doing any good. I do not see the Attorney General listening that well anyway, nor any other member of the House. At least it is on the record for them to consider it. I am sure my friend, the member for Scarborough West, will have a few words to say.

**Mr. S. Lewis:** Mr. Chairman, I want to say in measured, but very strong, terms that we in this party dissociate ourselves from much of what has just been said. I want to say, Mr. Chairman, that I cannot imagine a more destructive, disreputable and irresponsible assertion than that the juvenile and family court is a pork barrel for the Tory party. I cannot imagine anything more destructive and irresponsible coming from a member of this House.

I want to put it on the record of this House. I want to say, Mr. Chairman, that the court —and I want to refer to some of its problems too—I want to suggest that the court suffers very severe difficulties, that it works under very considerable adversity. But the implication of all that went before, I suggest to you, impugns the ethics and the integrity of the people at the level of the court who have been working, I might say, in a heruclean fashion, to overcome those difficulties over the last several years. They deserve nothing but gracious commendation, rather than allegations of "cesspool" and "dung heap" and "pork barrel" and all the other words that followed so easily.

**Mr. Ben:** Is the member referring to the juvenile court or the adult court?

**Mr. S. Lewis:** I am referring to the juvenile and family court and the judges who, within the confines of limitations that are imposed on them, not only by this government—let us make it clear—but by Toronto as well, and have been, perhaps some of the greatest limitations over the last many years, that those judges are meting out justice to the best of their capacities within difficult and limiting circumstances, and I suspect that in some measure the Attorney General would agree.

The question of the admission of the press, Mr. Chairman, let me say on behalf of this party, is a very difficult and sensitive question, and I can understand the Attorney General's reservations. One does not, in carte blanche fashion, invite the press to sensitive and often touching and difficult-to-convey family situations. Similarly, the in-camera proceedings. In fact, legal counsel is permitted from time to time to in-camera proceedings. In fact, there may be circumstances which justify it and, in fact, to my

knowledge it is resorted to on very rare occasions rather than, as was suggested, or was implied, as a matter of course, at the juvenile and family court.

As to Judge Little and the emphasis on professionalism, Mr. Chairman, I will say that the effort to make sense of the clinic, to upgrade the qualifications and to bring in professional people was one of the most positive advances brought to that court in the last decade.

It, too, is worthy of commendation, rather than of any abuse.

So let no mistake be made of it, Mr. Chairman. We have concerns about the court, and I want to voice some to the Attorney General shortly in the context he suggested, in the context that the provincial government on August 1, 1966, as I understand it, is going to take over the operation of that court. I would like to set out some of the difficulties as I see them, but I want to say to you, sir, through the chairman, that they are offered in the temper of a constructive discourse and not quite so destructive an attitude toward the court personnel and their activities and their behaviour.

I will admit that the Act has deficiencies and I will admit, as the Attorney General will probably admit, that there are areas of amendment which are socially desirable and I trust that they will come to this House. I am perfectly willing to admit to the hon. member for Bracondale that there are times when the Act operates in a discriminatory fashion toward the male, although I think the emphasis is misplaced.

I think that, on balance, the female in this society still takes the brunt of the injustice in the family court situation, but I say to you, Mr. Chairman, that for too long that court and its officials have been abused. I would remind the member for Bracondale, and I say it to him in good faith as a fellow member, that in the ten years that Lorne Stewart has been senior judge of the juvenile and family court, the member for Bracondale has not seen fit to put his personal objections to the senior judge. One would think that a man who felt deeply about such issues would approach the senior officer of the court if, in fact, he felt that the Act and the protocols of the court were not operating in a satisfactory way.

**Mr. Ben:** The statement the hon. member has just made, Mr. Chairman, unknown to him, is not true. I have told the Attorney General what I think of his administration of the courts and I have told other officials in the court. The judge is not supposed to be the one who runs that court, but the administrator.

**Mr. S. Lewis:** Mr. Chairman, I will simply say that out of curiosity, because of what I think is the extravagance of the member's statement, that yesterday I asked Judge Stewart directly in his office whether any personal representations had been made in his memory. I think it is fair to say—I do not want to compromise him—but I think it is fair to say that he told me a little woefully, a little wistfully, that in his experience that had not occurred and that he almost wished it would, that as senior judge of the court he could make some of the internal corrections himself and do it in good heart and in good faith.

My experience of the court, I think, is confirmed by the experience of the hon. member for Lakeshore who has spent a good deal of time in the juvenile and family court and is working with the personnel. I think it is confirmed by all of the members of the select committee on youth who spent some time in the juvenile and family court, and it is not proper nor justified cavalierly to impugn the operations of that court.

Now, Mr. Chairman, I am worried about the court from a slightly different perspective. There are certain aspects of it which worry us in this party and worry us greatly. I think the Attorney General is aware of them. I want to deal with some of them very briefly this afternoon.

The first and perhaps the most important problem which it seems to me that the Attorney General will have to cope with when he assumes power over the court on August 1, is that of the detention home facilities. Mr. Chairman, I cannot convey to the members of this House how critical the situation is in the juvenile court detention home at this point in time, today in the year—if I can quote the member for Sudbury—19 and 66.

It is not simply a matter of air conditioning as the leader of the Opposition suggested to the Minister a few days ago, but let me say, Mr. Chairman, that it is so incredibly oppressive in that detention home, it is so deadening to the senses, it is so harming to the spirits and interests of youngsters that it cannot help but do some damage. I think it is simply not human to keep children in an atmosphere of that kind for more than two or three days, let alone at all. Many of them, as I am shortly to point out, have been in for incredible periods of time, incredible! The visiting area of the juvenile court detention home is so small that although there can

be 60 youngsters in that home at any given time, very often there is no room to see more than five or six of them on any given occasion.

Two weeks ago when there were 55 visitors in that home on one afternoon, it was reduced to chaos. They were meeting in the halls and in the corridors and spilling over the window sills.

**Mr. Ben:** Wonderful administration!

**Mr. S. Lewis:** I am not denying that there are problems with the courts, but I am putting it in a different context.

Thirdly, Mr. Chairman, just to show the general problems of the detention home, there are minor inconveniences, but which are rather important inconveniences. I was reminded of my colleague from Riverdale in his lead-off talking about the convenience of justice to the people of the province being the central theme of the Attorney General's department, and I was struck when relating that particular theme to the detention home itself where the taps on the sinks are so difficult to press that youngsters of seven or eight are unable to wash themselves; where there is no clothing ration, so that after pyjamas when they wake up in the morning they retreat back into the clothes that they were wearing the day before; where the isolation rooms in the detention home are stark, oppressive, hostile, lonely, and, I suggest to the Minister, injurious to youngsters, and there are isolation—

**Mr. Ben:** Wonderful administration!

**Mr. S. Lewis:** This is far more a question of something else which I will come to, than administration—where, Mr. Chairman, as this week, when you had two youngsters unbeknownst for a while with measles in the juvenile court detention home, there was nothing to do with those youngsters except to put them in an isolation room, close the door and leave them with a few toys and an excessive and unhappy degree of loneliness and nothing more, because there are not any separate medical facilities. That juvenile court detention home has not seen a stitch of paint in years—

**Mr. Ben:** What did Judge Lorne Stewart do about that?

**Mr. S. Lewis:** I will not accept the question.

**Mr. Chairman:** The member refuses to accept the question.

**Mr. S. Lewis:** I will not accept the question because I am going to answer all these friendly spasms of the hon. member a little later.

Even the ceiling in the girls' part of the detention home, the tiles in the ceiling, are beginning to collapse. In fact, several of them have already fallen to the floor and the day room has not sufficient facilities for the children. The children do the cleaning themselves in the juvenile court detention home under the supervision of one man three days a week. I would like the members of this House to visit the play yard of that detention home, cramped as it must of necessity be, between Jarvis street and George street, a little rectangle of a few hundred square feet with a volleyball net in the middle surrounded by the outside brick of offices on three sides and, Mr. Chairman, a concrete, grey wall 30 feet to 40 feet in height at the other end of the rectangle, which is more fitting to a maximum security prison in what it connotes, in what it conveys to youngsters, than it is to any part of a juvenile court and detention home.

Frankly, even the classroom setup is depressing. No more than eight children in the detention home can be handled at one time, no more than eight, four hours a day, which means no more than 32 children in any given day, and what kind of education can be given under those circumstances.

Now the fact is, to put it in some small summary, Mr. Chairman, that I really question the capacity of the architects who designed this detention home. I sometimes wonder whether they were designing a sort of conglomerate block in a vacuum, or whether they really related it to the facilities that were required for the children.

In answer to the member for Bracondale, let me say, Mr. Chairman, that Judge Stewart and Judge Little and Judge Moore and all the others at that court, have been desperately pleading for years to have these conditions altered—desperately. They have made submission after submission to the metropolitan council and they have been turned down. They also have been turned down by the Attorney General, and I make no bones about it. I want to say that the iniquity of the deed is shared in a dual fashion—at least somewhat late. Maybe it was the prodding of his colleague from Lakeshore, I will give him some credit, that at least at a late date, Mr. Chairman, the Attorney General is finally assuming the cost of that court.

Now, I say, Mr. Chairman, that it simply is not human to confine children under those

circumstances for any length of time. I challenge the Attorney General to spend three or four days on the second floor, without even a fan, of the detention home, on a cot in one of the isolation rooms and see whether his sanity was not assaulted, see whether his senses were not affronted by the indignity we are prepared to visit on children in the absence of any other kind of facilities.

Now, Mr. Chairman, the question then rises, well surely you do not keep children in this kind of environment for very long. I must say, Mr. Chairman, that I was under the impression that we did not. I was under the impression that it was, in effect, a holding centre, for an interim period of time for children to stay. Well, I asked the juvenile court and detention home people just yesterday, to draw for me, a number—I did not think there would be more than two or three or four—of instances of lengthy stay at the juvenile court detention home in Toronto, within the last eight months to a year. They gave me the following list and I want to put it on the record, because it is almost unbelievable.

There was, between the latter half of 1965 and the first half of 1966, a boy of seven, Mr. Chairman, who was in that juvenile court detention home off and on for 111 days, a boy of seven. As a matter of fact, he turned eight during the process of his confinement.

There was, in the last little while, Mr. Chairman, in fact, there still is, a young boy of 15, between January 20 and February 25, in the detention home.

That to me works out to roughly 40 days—it is 35 to 40 days. He was then home for a few days and from March 2 to May 2, for a period of two months, he was in the Ontario Hospital, Toronto; a boy of 15. And then from June 6 to this day, he is still in the detention home, another 30 days.

That is over 60 days in the year 1966 in a home which is simply not conducive to any kind of therapy or help for such youngsters. I would say to you, I do not think I betray any confidence, that one of the supervisory staff said to me, and I quote him honestly and accurately, the boy is cracking up under the pressures of the detention home and the shuttling back and forth from Ontario Hospital to detention home.

There is a young girl in the detention home now, 15 years of age, who has been there since June 14 and her clinic appointment is August 15. Now, that means she will be in that home, unless it is altered, for 60 days. She was brought into court on a breaking of probation because of truancy. Truancy! School closed at the end of June, Mr. Chairman, and she is going to wait for a clinic appointment until the middle of August, and she was brought in for truancy.

Now, Mr. Chairman, let me read some of the numbers of days into the records just so members know that children are in this detention home. During the months of April, May, June, July, August, September, where the heat and the oppressiveness is absolutely unbearable: 45 days; 131 days; 68; 72; 62; 82 days; 75 days.

70 days; 81 days; 43 days; 69 days.

And then right down in the last three to four months of 1966: 42 days; 111 days; 45 days; 42 days; 45 days; 56 days; 50 days.

Mr. Chairman, it is an abominable system and I appeal to the Attorney General that one of the first things he does when he assumes command of that court and control over it, is that he again press his colleagues to make alternative facilities available.

I am not going to strike out again for the interdepartmental committee report. I assume that it will see the light of day, that there is some conscience on those benches and it will see the light of day in the next little while and its recommendations will be implemented. But I know the Attorney General must agree with me that seven-, eight,- nine,- ten-year-old youngsters cannot possibly be expected to be unaffected by confinement in detention home facilities for between 40 and 135 days, without any proper facilities whatsoever.

Well so much for the extent of confinement, Mr. Chairman, although as I say, it is simply incredible. Let me say a word about the staff, because that leads to some interesting factors as well.

In May and June of this year, Mr. Chairman, there were something over 30 out of the maximum number of boys available—or that one could provide for—every day in the juvenile court detention home; and of the maximum number of 20 girls there were over 15 in the juvenile court detention home every day during May and June. It is a little less in the month of July, because the judges themselves are self-conscious, embarrassed and humiliated in assigning a youngster to that detention home in this particular month, and probably next month as well. So they are taking their chances and they are putting them elsewhere. They are leaving them at home, or they are asking the children's aid society to find an emergency foster home, they are doing anything to avoid detention home facilities.

But the rate of use at that detention home is exceedingly high indeed, and for the whole detention home, there are ten full-time people on the boy's side, to handle between 30 and 40 boys a day, seven days a week, 24 hours a day.

Now Mr. Chairman, it cannot be done. We are hazarding – and I think that the judges of the juvenile court have indicated this to the Attorney General – we are hazarding a frightening boiling point, a frightening explosion in that detention home; at any given time an incident that would appal us all by the lack of provision of adequate supervisory services. Because these supervisors constantly have to double up, Mr. Chairman. Every morning when the court meets the supervisor has to leave the floor, the supervisory area, and take a boy or boys up to the court to be heard by the judge and frequently two or three of them can leave at one time, when the whole shift includes only four or five. The supervisors do all their own clerical work. There is no clerical facility for them at all.

When a boy goes to training school, the supervisor leaves the detention home and takes him to training school. When he goes to hospital, the supervisor accompanies him. When he goes to airport, the supervisor accompanies him. The supervisor handles intakes and the supervisor handles discharge. In other words, the supervisory staff cannot begin to cope, Mr. Chairman.

And again, if one assumes a ratio of one supervisor to six boys as a minimum ratio, the Attorney General has to double his staff from August 1, 1966, in the detention home in order to function properly.

But we are caught on the horns of an insoluble dilemma, Mr. Chairman, because I do not think the Attorney General can double the staff on August 1. I think the Attorney General–and I hope he declares me wrong – is caught in the financial arrangement that exists for the year 1966. I hope that he can alter that and give an infusion of government finances for the last six months of this year and reverse an intolerable situation. But we may have to wait until January 1, 1967, and that I suggest to you is criminal, absolutely criminal. I hope that the Minister has enough, as I know he does, creative resources of the mind to find an avenue for solving the situation before 1967.

On the girls' side, Mr. Chairman, we are also half-staffed, so that the level of supervision operates at something like 50 per cent. The fundamental damage that is done in the absence of adequate supervisory staff, Mr. Chairman, is that there is absolutely no segregation available at the detention home, so that you have seven-year-olds, and eight-year-olds, and nine-year-olds, sleeping in the same room with, supposedly playing with, associating with, working with, 15- and 16-year-old youngsters who have a fairly tough and aggressive and hostile outlook on the environment and who are themselves, in some ways, very much consistent with the unreached youth syndrome.

Nothing, again, can be more damaging to a seven- or eight-year-old, confined for 111 days, as one of them has been this year, to that detention home.

And yet, Mr. Chairman, there is absolutely no possibility of segregation whatsoever, because there simply is not the staff.

Now let me refer to the clinic that the member for Bracondale also talked about, and slightly alter the number. There are three part-time psychiatrists at the clinic as of today. There are two social workers and there is not a single psychologist, and it takes anywhere from six weeks to ten weeks to get some kind of a clinical examination.

**Hon. Mr. Wishart:** I wonder if the hon. member would permit a question?

Mr. Chairman, I am very interested in hearing his remarks, but before he passes on from the detention area, he points out this long stay that children spend. It does seem appalling, but there are numbers there and they are in detention.

What crosses my mind is, how do you resolve that? What is the solution the member offers to get them out of those detentions? I know there are some things you could do about finding other homes and so on, but what is the solution the hon. member has before he passes from that area? Perhaps he has some suggestions, something that might be helpful.

**Mr. S. Lewis:** Well, Mr. Chairman, it is like asking a socialist to recite the manifesto; I would be happy to reply to the Attorney General at great length. I say to him that there are two very simple alternatives.

**Hon. Mr. Wishart:** That is what I would like to hear.

**Mr. S. Lewis:** One, it seems to me that in the interim it is within the capicity of the Attorney General–I say in the interim–it is within the capacity of the Attorney General

to find alternatives to the present detention home which he himself can establish. Facilities can be rented in the city, indeed other buildings can be purchased close to the juvenile court itself and painted, using all the techniques of colour therapy and all the other efforts that have been made to help children in periods of short-term detention, and allow them at least in the interim before they are placed, the kind of environment which does not damage them. And I do not think that is beyond our capacity to do. That is a cell-like atmosphere at the detention home. And I say that with pain—and I think the judges would agree—with some considerable sorrow. After all, if one stands at the end of the hall and looks down the hall—as I am sure the Attorney General has done—all there are, are in effect cells on either side of the hall that are inhabited by seven- and eight-year-olds and everywhere you go doors are locked with a key. Everybody carries keys around with them and you cannot walk for more than five yards before another key fits into another lock and another door springs into place behind some youngster, trapping him in a very real sense.

Now, I suggest to the Attorney General—

**Hon. Mr. Wishart:** Mr. Chairman, I have heard that alternative. Perhaps the hon. member has another. I do not want to get into a debate here but I am very interested. You see, in taking over the operation of the court and taking over a very substantial part of the costs, the arrangement we had contemplated with Metro Toronto was that their building, the home, we would rent at a nominal figure, a dollar, or something of that sort. But we have not in our contemplation, certainly not at this point, we have not agreed to go into capital building for Metro. I would think the suggestion the member has offered might be a very good one but the government had not contemplated, as far as I know—and I think I do know—building a new detention home or additions to it. The hon. member who just castigated us so severely and was an alderman of Metro Toronto apparently had never suggested that alternative while he had some voice in the matter. I do not know just how we might meet that but I am interested in hearing the member's suggestions.

**Mr. S. Lewis:** One of the things—well, air-conditioning itself simply is not sufficient, although I urge on the Attorney General that it is really imperative, and I have some small hope. I gather that two days ago members of the public health staff were in the detention home asking how in God's name it had escaped their notice for so many years, despite the fact that it had been requested for so many years. So I hope there is some movement there.

What I am suggesting to the Attorney General is that a detention home or an observation home as it is euphemistically termed from time to time, should, in fact, be just that, a home. It should approximate a home as much as possible within the limitations of recognizing that these youngsters are there for detention, so-called.

Also, I want to point out that a large number of these youngsters, probably the majority of them, are neglect cases. They are not there under any charge at all. They are brought in under The Child Welfare Act. They are just neglected kids for whom the children's aid society has no facilities so in the interim they are dumping them in the juvenile court detention home. Some of these youngsters have not even shown an anti-social act, it is a parental lack in this instance and yet there they are in the detention home. If it were possible even to rent facilities in the interim and give some provincial assistance in this direction, even to the numbers of only 20 or 30 children, and give the added impetus to the supervisory staff, you would take a tremendous strain from the detention home facilities as they now stand. I urge that upon the Attorney General for his consideration.

But let me come to the second point without belabouring it because I have taken members' time and they have granted a great deal of time this session to this subject. The real answer lies in the Minister of Health acting on the interdepartmental report on disturbed children. And everyone of us in this House knows it, every member of the Cabinet knows it, all the Cabinet colleagues on that interdepartmental committee know it, and everybody is waiting for the Minister, everyone, including his own caucus is waiting for him. We know where the impasse lies and we are waiting for the Minister of Health and as soon as the dam breaks, as soon as the Minister of Health decides that he will move on the recommendation, and will use the money from Treasury board for his diagnostic clinic and his alternative facilities and we begin to build facilities in this province as we should, then the Attorney General and the children in the detention home will not be in such an unhappy, unenviable and harmful position. That is the long-term answer, and I think those are the two alternatives. And I say I have now learned where the impasse is, I know it is not with the Attorney General, I know which Minister is holding things fire, as it were, and I appeal to him and to the Attorney General to use his offices.

Just two more small but I think important points. When the Attorney General takes over the juvenile court, I suggest to him that he really has to contemplate decentralization. That may again involve capital expense and there may have to be a concurrent contract negotiated, but there must be a court facility in Scarborough, there must be one in North York and there must be one at Etobicoke at the very least. At the moment we are denying justice on the basis of convenience as put forth by my colleague in his lead-off, because the juvenile court is situated where it is and people from West Hill or people from far west of the city cannot possibly get into the court under reasonable circumstances.

Finally, Mr. Chairman, what we need above all—and this is kind of nebulous so the Minister will forgive me if I am not as specific as he might wish me to be—but we need a definition of the court and the detention home and their relationship to the rest of the community. Let me take the detention home as an example. Is it a home for youngsters to hold them for two or three days? Is it an observation unit where they are to be studied by professional people to try to discern the problems? Is it an actual clinic or will it become a clinic where treatment will be provided in the interim? Is it going to provide long-term interim facilities in which case its structure, its physical structure, will have to be dramatically altered? What is the definition of that home? What is its rationale? What as its relationship to children in the community?

No one knows, least of all the judges themselves, despite the fact that they have been pressing for a definition for some time. And that leads into the whole policy about the juvenile and family court and his it relates to the community as a whole and how one establishes a relationship in a marked and increasing measure between that court and the rest of the community.

We in this party congratulate the Minister with good heart that he is taking it over on August 1 in some considerable measure and we urge him to move at the most rapid possible rate to correct the injustices that have been pointed out by discourse, not only in the House, by his own members and others of us on this side, but by the press, by a concerned public and by the feelings and outbursts of those primarily affected, namely, the children and their parents.

I do not think I can add any more to that general résumé, I had not intended to go on at this length. I say to the member for Bracondale, I say to him in a friendly fashion, that I was provoked to go on at this length but I do offer those suggestions to the Attorney General in a constructive fashion and I suggest to him they are truly urgent.

**Mr. Ben:** Mr. Chairman, I have a few questions of the last speaker.

**Mr. Chairman:** The member for Lakeshore.

**Mr. Eagleson:** I have just a few remarks to make with regard to the family court situation in Metro Toronto. I had a lengthy comment to make earlier that I think spelled out specifically the difficulties with which that court is faced. I think, to sum up, they are the diagnostic clinic, the detention home, the problems of the probation officers and the area of juvenile courts. My friends have spelled these out in greater detail with more specific examples than I am going to do at the present time.

But one thing I want to clarify now is a statement by the hon. member for Bracondale wherein he indicated that at the present time in the Metropolitan Toronto juvenile and family court it is necessary to have an appointment to have an appointment. I think this confused me and I am sure it has confused the other members of this House, thinking that we were putting such restrictions on the people involved with matters of this type at the family court level, that we were going to subject them to a double discipline almost, that is what I gathered from his comments. And this is completely wrong.

At the present time, anyone who calls the family court with a problem—and generally it is a wife—she is referred by the switchboard operator to a Mrs. Cattell. This woman is no more than a screening process at the court level for the ultimate advantage, I suggest, of all those who use the facilities of the court. Mrs. Cattell will discuss the matter by telephone with the person phoning and she will determine the seriousness of the offence. In other words, if it is a matter of desertion and if she finds that the thing need not necessarily be attended to that minute or the next day, it will be referred to one group. If it is a serious offence, in Mrs. Cattell's determination, it will be handed over to the new group of staff that has been recently added, and this new staff is the reason for this double appointment we have heard referred to.

The average wait of a woman with an assault case is approximately three or four days, which is substantially more speedy than most court appearances throughout any province. I feel that the family court in Metro Toronto is doing a completely distasteful task in the most expeditious way possible. I

think it is wrong for the member for Bracondale to castigate this court the way he has. He has been completely destructive in his criticism, and I feel that that destructive criticism is unwarranted.

**Hon. Mr. Wishart:** Mr. Chairman—

**Mr. Ben:** Mr. Chairman, I want to say something before the Attorney General gets up. First of all, I must compliment my learned friend, the member for Scarborough West, on his generalities. In my remarks, I dealt with the Toronto juvenile and family court and almost in its entirety dealt with the Act and the family court, domestic court. I touched on the juvenile court with reference to the length of time for appointments for psychiatric observation and for psychologist's observation and the staff.

All my address, otherwise, dealt with the Act and the way the judges interpreted the Act, what kind of justice was done. My hon. friend got up and he said I was utterly wrong. But he did not give one single example of what statement I made has been untrue except to chastise me for calling it a "pork barrel."

Now, I challenge the hon. member to point out where I had misled the House in the facts I recited as to the operation of the family court.

**Mr. Eagleson:** The appointment to get an appointment.

**Mr. Ben:** All right. Now, my friend, who has just interjected, the hon. member for Lakeshore, just hanged himself on his own rope because he pointed out that the average wait is three to four days and—

**Mr. Renwick:** Mr. Chairman, on a point of order, I would think the matter has been dealt with quite thoroughly now, and so far as the remarks of the member for Bracondale are now concerned, the record is there, it will speak for itself.

**Mr. Ben:** Well, I will speak on this subject as long as I please, and it not up to the member for Riverdale to determine when the subject has been dealt with.

**Mr. Chairman:** I would ask the member for Bracondale if he will try to confine himself—

**Mr. Ben:** Well then, you should have ruled him out of order, Mr. Chairman. He was not in order to get up and tell us—

**Mr. Chairman:** I will tell the member whether he is in order or not, as the Chairman, and I would ask the member for Bracondale if he will, please, avoid repetition, and if he will direct his remarks to the chair.

**Mr. Ben:** I have been directing my remarks to the chair. If you will permit me, I cannot keep my head in one position all day, and you can permit me to wave my head from side to side.

Now, Mr. Chairman, the hon. member for Lakeshore stated the average wait was from three to four days on an assault charge. You can go to the magistrate's court and lay an assault charge within one hour, but in the family court you have to, as in this instance last evening, the woman was told to come back on Monday, that is the earliest they could give her an appointment for the laying of the information, not the hearing.

If this hon. member is suggesting, Mr. Chairman, that they will have the man in court in three days, then I suggest he is misleading this House. She will get up to have interview with the proper officer for the laying of an assault charge against a husband, but the husband will not be brought up, as he intimates, within three or four days. The laying of the information takes three or four days, and that was the point I was trying to make, that it takes three or four days to lay the information. Whereas in a magistrate's court you can have it laid the day you go down there.

**Mr. Eagleson:** Why do they not go to the magistrate's court then?

**Mr. Ben:** They go down to the magistrate's court and the magistrate's court sends them up to the family court.

**Mr. Eagleson:** Oh, baloney!

**Mr. Ben:** Well, I am afraid it is not baloney, because just last night I informed this woman not to permit them to send her up to the family court because it would take too long, and that she should insist that the charge be laid there. My friend says it is baloney. Unfortunately he makes that remark because his baloney is utterly untrue. That is the practice, they send domestic assault cases to the family court.

As I say, I would ask the hon. member for Scarborough West to indicate just where I misled this House with reference to the family court.

**Mr. S. Lewis:** Mr. Chairman, I will just take a moment. I simply want to say to you and to the House, sir, that I dealt first with the tenor of the member's remarks, which

I thought was an unmerited and unwise tenor. Secondly, I did refer to some of the specifics. I refer to the press and the in-camera hearings and the use of language and to Judge Little's professionalism, I am not prepared to deal with the individual transcripts he read from. I have not seen all the transcripts.

Let me say to you, Mr. Chairman, that I am not at all sure I agree with the member for Bracondale on his views on conjugal love, but this is not the place to discuss this law. I think I probably could disagree with him on some of the points that he raised, even in the transcripts, but I did try to deal fairly as I understood it. If he thinks it was unfair, then I suggest he reassess the remarks he made.

**Hon. Mr. Wishart:** Mr. Chairman, I would just like to say very briefly that I am much indebted to the three hon. members who have spoken on this subject. Perhaps that is being a little charitable to the hon. member for Bracondale, but I do appreciate his sincerity. I appreciate that he was very sincere. I am particularly indebted to the other two hon. members for the suggestions they have made, the problems they have brought to my attention as the government approaches this new – not exactly new, but certainly an enlarged responsibility. I see new problems that I had not contemplated when we started to negotiate with Metro. These will have to be faced.

I wonder if I might just be permitted, Mr. Chairman, to say a brief word that crossed my mind as I sat here a moment ago. The three members who have spoken are all from Metropolitan Toronto and I began to wonder why. You know, the juvenile and family court extends across this province, and I have a responsibility with respect to them all. I wonder why I ever got into the situation of trying to deal with the situation in Metropolitan Toronto where all the problems seem to lie. But we shall face them and see what we can do with them.

**Mr. Singer:** Mr. Chairman, let me take the Attorney General out of Toronto in connection with this same subject. In the district of Nipissing there is no full-time magistrate. There are two part-time magistrates, Magistrate Nadeau and Magistrate Gould.

In addition to that, sir, there is no full-time juvenile and family court judge. Judge Wallace is the juvenile and family court judge.

Now, two points emerge from these simple facts, Mr. Chairman. I would think that the district of Nipissing is sufficiently large and important enough to have a full-time magistrate, and not to have a part-time magistrate with all the difficulties that that brings.

The second point, and my quite serious complaint, is that Judge Wallace, who sits as juvenile and family court judge, also practices as a lawyer and practices frequently in magistrate's court.

I think this indicates the obvious possibility of a serious conflict of interest, and I would think, sir, that the Attorney General should look into this situation immediately and make other arrangements. I do not think any judicial person who sits as a part-time juvenile and family court judge, should appear in magistrate's court in his capacity as a lawyer.

**Mr. Chairman:** Is there any comment on that?

**Hon. Mr. Wishart:** No, only to remark that we will certainly look into the situation. I thought the city of North Bay had a full-time magistrate.

**Mr. Singer:** My advice is there are two part-time magistrates. Magistrate Nadeau and—

**Hon. Mr. Wishart:** I will check that.

**Mr. Singer:** My particular complaint is addressed against Judge Wallace.

**Mr. Chairman:** Is there anything further at this stage? I know we have discussed the general items, land titles and so on. Shall the vote carry?

Vote 207 agreed to.

On vote 208:

**Mr. Singer:** Under vote 208, Mr. Chairman —the fire marshal's office.

**Mr. Chairman:** May I suggest to the member that under vote 208, we can deal with the items, 1, 2, 3, 4, 5. If there is anything at all, under any of these departments, this could be discussed.

**Mr. Singer:** All right, if you want to start at number 1.

**Mr. Chairman:** No, we can consider the five items. The salaries, travelling expenses, maintenance, and so on apply to the various departments and the various headings. I think under the circumstances we could go right

ahead with fire marshal's if you feel so inclined.

**Mr. Singer:** Yes, but then I do not want to be told later that I should have dealt with emergency measures at an earlier time.

**Mr. Chairman:** No, that is all right.

**Mr. Singer:** All right, fine!

Then let me deal with the fire marshal. That is the material I have here in hand at the moment.

There was a brief submitted to the Attorney General by the provincial association of firefighters—I am looking for a date on it—it is the most recent brief in any event—and there are a number of important recommendations in this brief, Mr. Chairman. The brief arises out of the deliberations of the delegates to the 43rd convention of the provincial federation of Ontario firefighters held in Belleville in June of 1965.

Now there are a number of recommendations there. I wanted to deal very briefly with two or three of them and ask the Attorney General what if any action he has taken or intends to take. I am not going to read the brief at length because he has had it, and I suspect most members of the House have had it.

There is the recommendation first of all of exclusions. It is the old argument, or the continuing argument, as to whether or not The Fire Departments Act includes district chiefs and captains of fire departments in the exclusion from collective bargaining agreements. Now that argument has been made to us on several occasions and the government has taken no action. I would like to hear what the Attorney General's attitude is.

Their representations in connection with the 42-hour week being the maximum work week for firefighters, seems to be a most reasonable—

**Hon. Mr. Wishart:** Mr. Chairman, I am sorry; I must apologize. I was otherwise engaged when the hon. member started to speak about his first question and I did not get it all. I wonder would he mind just relating it again?

**Mr. Singer:** Yes. I was dealing with this brief. I do not know if the Attorney General has a copy of it—

**Hon. Mr. Wishart:** I think perhaps I had it.

**Mr. Singer:** The first representation, the first subject they deal with in their brief, is the subject of exclusions from the bargaining unit and the question of whether or not district chiefs should be included. Now this is an argument that has been presented. I do not know whether it was presented to this Attorney General or his predecessor, but I can recall sitting in the legal bills committee and listening to these same representations made by a delegation of this group, where they argued that if you have too many exclusions they break down the effectiveness of the bargaining unit. And I think there is some substantial validity in this argument. I wonder what the Attorney General's reaction is.

Has there been any reply to this brief, any formal reply from the government, or by the Attorney General?

**Hon. Mr. Wishart:** No, I think there has not, and I think there has been no change. I know that we did have very keen discussions in the police area where we reached a policy that the chief of the force and the deputy chief were, as it were, on the side of management or were regarded as management personnel, that they were excluded from the bargaining unit.

I would have to check to see, I am quite sure no change in policy has taken place with respect to fire departments.

**Mr. Singer:** Substantially, what the firefighters are concerned about is the request originating in Kitchener at the meeting of the mayors and reeves where the mayors and reeves requested greater exclusions. The firefighters do not want the extension at all and I think there is some substantial merit in the position they put forward, because they believe that if too many people are taken out, municipalities can arbitrarily create so many of these subheads that they in fact destroy the bargaining unit. I think there is substantial merit in the argument they put forward and I would hope that the Attorney General, well probably by not taking any action, has indicated what his feeling—

**Hon. Mr. Wishart:** I think it is fair to say that we have not contemplated any change or any expansion of the exclusions.

**Mr. Singer:** Well then, the second point they make deals with the hours of work. The Act presently provides—what is it, a 48- or 50-hour week—and their argument is that it should be a 42-hour-week. They set out the number of municipalities here and the strength of these municipalities which have a 42-hour week or less. It would seem to me in this day and age, in 1966 where the practice is becoming very widespread insofar as giving

firemen a reasonable work week, that the 42-hour figure would be a much more suitable figure than the figure that is presently in the Act.

Perhaps we could deal with these one at a time.

**Hon. Mr. Wishart:** All I would say to that is that the hours of work per week, and so on, are a matter for continuing discussion. We have not reached a decision on this specific matter as yet.

**Mr. Singer:** Well 83 per cent of the federation members are presently working on a 42-hour week or less.

**Hon. Mr. Wishart:** That is right.

**Mr. Singer:** It would seem to me that when it is as widespread as that, throughout that particular profession or industry, or call it what you will, then there is some good commonsense in suggesting that the Act reflect present-day conditions.

The third point deals with adequate fire protection, and the resolution points out in the preamble that there are many municipalities in the province which do not provide fire protection for their residents commensurate with the need of the community. It is the same old problem that we have in policing. There are many municipalities that are unable or unwilling, financially, to make the outlay for fire protection. As a result great public harm is done. Fires take place and there is nobody there to fight them.

Now are there any steps being taken by government to deal with this very serious problem?

**Hon. Mr. Wishart:** I know it has been submitted and we have discussed the suggestion that we should put a mandatory provision in our Act requiring that this type of protection, approaching somewhat the same format or policy that we have in the police. But we have not defined a policy to go that far yet.

**Mr. Singer:** Well those are the three main points that emerge out of the brief to me. There are some others that we have dealt with on other occasions, but I think particularly the point about fire protection for all Ontario municipalities—I think the original legislation was designed for situations that existed perhaps a hundred years ago. It has not been substantially changed in principle or in purport since then, and there are great areas of the province of Ontario where there is no fire protection at all. There suggestion that every city and town should be made responsible for the maintenance of fire protection in the municipality and for providing and maintaining an adequate fire department in accordance with the fire department needs in the municipality is one that bears careful examination.

Perhaps it could be done on a county basis. We have heard so much talk about regional government and so on rather than trying to do it on the municipal basis. If we ever emerge with the policy of regional government, perhaps the region should do it. We do have the counties; I think in the settled part, the more heavily settled part in southern Ontario where the county organization is reasonably good, that you could start with the counties and fix some responsibility there because it just doesn't make sense that these areas of the province are without fire protection.

**Hon. Mr. Wishart:** I am just going to say something that occurs to me. We have discussed this problem previously; you are saying to me now—the hon. member is saying to me, Mr. Chairman—now every municipality should have a fire department. Yesterday he was saying to me "abandon your police forces" in these small—

**Mr. Singer:** But I qualified that.

**Hon. Mr. Wishart:** —and get them all together under regional. Now the same consideration in many respects apply. You have municipalities 15 miles apart and you have concentrated regional fire force located at one spot; a fire breaks out in one town and you have to deploy that and get it there, and a fire breaks out somewhere else; the same sudden demand for protective service that might arise in a police situation.

There are problems to this. There are some areas of the province which are heavily populated and municipalities are close together where they could serve, and they could make for efficiency and economy in this sort of consolidation. In other parts of the province, widely scattered areas and small towns have no adequate financial facilities to maintain a force, except on a somewhat voluntary basis.

**Mr. Singer:** Well, Mr. Chairman, I am not going to bother to go into statistics about fire losses and deaths in areas where there are not adequate protection. But my friend, I am sure, is familiar with those figures, and is as alarmed by them as I am, as all of us are. I suggest that where there are vast areas of this province that do not have any fire protection, it would sit well with government to begin to bring about some sort of programme where there would be some modicum of fire

protection for all parts of the province of Ontario.

**Mr. Chairman:** Is there any further discussion on vote 208?

**Mr. Renwick:** Mr. Chairman, on this question of fire protection throughout the province, I am indebted to the remarks of the fire marshal in an article which I noticed that shows that in 1964, across the province, municipalities operated 625 fire departments with 5,187 full time and 10,973 volunteer firefighters at an operating cost for the year of over $35 million.

Now, in the remarks that the member for Downsview makes, I wonder if the Minister could give us the same figures for the year 1965 as to the extent to which there has been any increase in the firefighting protection throughout the province. If I could repeat them again just for the Attorney General, 1964 it was 625 fire departments with 5,000-odd full-time and about 11,000 volunteer firefighters.

**Hon. Mr. Wishart:** I have not got the figures at hand, but I can get them very quickly for the hon. member.

**Mr. Renwick:** Mr. Chairman, the only other comment I have on this particular area, we were all distressed at the fire which broke out in the supposedly fireproof building in downtown Toronto two or three months ago. I am curious as to whether or not the department or the branch of the fire marshal, in fact, reviews the building designs for fire safety of the large number of buildings which are being erected both in Metropolitan Toronto and throughout the province of Ontario, or is this his area of responsibility?

**Hon. Mr. Wishart:** Was the question directed to the inspection of buildings?

**Mr. Renwick:** Building plans prior to their erection for the purpose of ensuring that they are built with the most up-to-date fire protection design.

**Hon. Mr. Wishart:** I mentioned in my remarks when dealing in the estimates, the responsibility of the fire marshal with respect to universities and buildings being built as hotels, schools, universities, but I think he has not the responsibility, as far as I know, with respect to general buildings. I will have an answer probably. Office buildings, I am told, are covered by The Department of Labour.

**Mr. Singer:** Mr. Chairman, every year since 1957—even before that, when I first began to sit as a member of the North York council, later as a member of the metropolitan council—every year since I have been here, I have objected and I continue to object today to the expenditure the government makes for the emergency measures organization.

**Hon. Mr. Wishart:** Would you report that to Ottawa, too?

**Mr. Singer:** Yes, I have, indeed. I say, sir, as I said on so many occasions that I cannot count them, that I do not think there is a greater waste of public money than the money that we are spending in this province and in this country on the emergency measures organization — spent by federal government, spent by provincial government, and spent by municipal government.

With these things in mind—and I am not going to make an elaborate speech of the type I have made in other years—I am just going to list a few brief facts, and I intend to move an amendment, sir, that items 4 and 5 of vote 208 be reduced to the sum of $1.

Now, we have reviewed all of the fallacies that go with Metro—the fancy signs that EMO will save you. I do not know what it is going to save you from, or how it is going to save you. We have talked about what happens when the sirens go off. Nobody really knows. We have sirens through this metropolitan area and I presume in many other sections of the province as well. I do not know how long it is since they have been tested, if they work or if they do work and they all go off, what do people do?

We talked about evacuation. The Attorney General admitted last year: "Let's be frank," he said, "the question of evacuating the people from Metropolitan Toronto just isn't a feasible one." I think he said that lots of people have poked fun at the idea that the posts are up on the road and the signs are down in the basement of some police station. Maybe there could be some value in it, he couldn't quite see it, but nevertheless he though that the vote should pass.

We talked about the whole shelter programme, the elaborate blueprints that were prepared, and later the abandonment of a private shelter programme. We talked about the special report that was made by the defence committee in Ottawa which in fact said—and I read a substantial part of it into the record last year—that most of the money spent up till this time has been a waste.

There was a study referred to that was going on in Alberta about methods of sheltering. What the results of that study have been I

do not know, and whether they have any practical application to the province of Ontario I do not think anyone knows either.

So for all of these reasons, sir, it is my opinion that the emergency measures organization as presently set up in Ontario has really little value, if any value at all, and does not warrant the expenditure of some $359,000 of provincial money. If we stop spending the provincial money the municipalities will stop spending their money, and perhaps the federal government will stop spending their money, and perhaps the whole tax burden across the board will be relieved just a little bit.

There is perhaps an argument to be made about the role in an emergency, but we have been arguing about the strengthening of our police forces and our fire forces. It would seem to me that with good municipal organization—and it is improving slowly, we are making some dent on the Minister of Municipal Affairs—with better police organization and the sort of fire protection that I was talking about just a few minutes ago, there will be reasonable municipal strength in civil service and knowledge and experience to take care of the emergency situations, floods such as hurricane Hazel and that sort of thing.

Therefore, sir, I move that items 4 and 5 of vote 208 be reduced to the sum of $1.

**Mr. F. Young** (Yorkview): Mr. Chairman, I rise in support of the motion made by the hon. member for Downsview. For a long time many of us have voiced our objection to EMO. There is no question that the form of the organization has changed; its emphasis has been changing year by year.

At one time, you will remember that Prime Minister Diefenbaker built himself a beautiful shelter with pink walls under the house of the Prime Minister and I think that the pink is now fading to a sort of yellowish hue and the shelter is a bit damp and unused. The mayor of Toronto built his shelter which is now unused and more or less discarded. I think Colonel Pollard had his which is now gathering cobwebs.

I remember an acquaintance of mine made up his mind some years ago that he was going to build a shelter. He did—a beautiful one—and then he built a house on top of it. The last time I saw him he was a bit disappointed because he had expected to tell a half million of us corpses, "I told you so!" Of course, he has not been able to do that yet.

We thought this idea was dead until just recently when we heard of two new developments; one a gasoline tank sort of an affair that you bury under the ground which is liable to float if the water table comes up. It may be that this might be valuable that we floated southward into the lake and across the lake to safety.

There is another fibreglass one which has an equalizing valve at the top for air pressure, but they have not yet explained to us how we are going to live after we get out of these things if, indeed, we survive a blast in them.

This shelter programme is taking a new form and emerging once more. We did have a suggestion some time ago that farmers build a shelter for their cows—how they are to protect them, I am not sure—but then the form that the EMO took a year or so ago was to move into the municipal field and take the place of the junior clerks in the municipal offices, making a request for certain extra fire equipment that was needed by the municipalities. This was supposed to be extra equipment for training purposes for emergencies. We discussed this in the House last year and all it has really amounted to is a supplementary bit of work in order to get the fire equipment for the municipalities.

The whole emphasis of EMO seems to have been to try to find a place where they could displace other people and do a job. I found rather an interesting item in the newspaper last November where EMO moved in to demonstrate portable hospitals. We are going to have some of these, I understand, around the periphery of each large settlement in Canada and it is rather an amusing story of how the emergency measures organization tried to set up one of these hospitals and were frustrated. When the deadline came, they had part of it set up, but did not get the whole thing done.

I would commend to the Minister of Health the fact that 30 of these hospitals are supposed to be situated around the periphery of Metro; if we have not an emergency in the hospital situation now, I do not know what we have, and so he should talk to the emergency measures people and perhaps get some of these hospitals in operation and get them going now while the emergency is here, instead of waiting for some future emergency which may not occur.

I heard on the radio the other day another advertisement from the emergency measures organization. They are now taking the place of the red cross and teaching mouth-to-mouth resuscitation for those who want to learn it, and so we are finding that EMO is moving in where the police and firemen ordinarily would operate and where we believe they can operate far more efficiently than a fifth

wheel. They are moving in on municipal clerks; they are moving in on the Ontario hospital association and hospital services, and now they are moving in on the red cross. It just seems to me that this organization is, as I have said, nothing but a fifth wheel in all these various facets of our civilization. The time is here for us to strike out this vote.

I would like to ask the Attorney General to justify this $500,000. I can see where he can point out certain fire equipment that is going to be an asset to municipalities. But that fire equipment cannot be bought without the organization.

I would like to ask him what part this organization played last fall when we had the major blackout in this province and across the Atlantic seaboard. I happened to be caught out in this blackout and I had to do a great deal of driving, and in coping with the traffic that night, I saw no evidence of the emergency measures organization operating anywhere. This certainly was an emergency in which one would expect that EMO would rise to the occasion and be of great usefulness.

So I think before this vote is passed this Minister ought to justify to this House the spending of $500,000 for the purpose that he designates, because I think EMO, as far as this House is concerned, is taken more or less as a big joke. Nobody is taking it seriously anywhere. Just recently EMO was telling us that one of the latest operations they are undertaking is digging a brand new hole up in Aurora for a second headquarters or for an extension of the headquarters because the first headquarters is not big enough to carry on all these operations they are doing.

What is the reason for this second hole up there? Why do they need it? What are they going to do with it? Just outside of Metro they are also going to dig some other holes and put in other headquarters here and there.

I would ask the Minister to tell the House why he needs this vote. I and the members of my party will certainly support the amendment which has been offered by the hon. member for Downsview.

**Mr. Singer:** May I add just one more word? I forgot that I had this reference here, but in June of last year there was a meeting of the Ontario chiefs of police association and they briefly discussed EMO. At that meeting, Chief McCarran, who is the chief constable of Guelph—Chief Robert McCarran had this to say.

He started the debate by saying: "So help me God I do not know what to do about emergency measures, nor does a single man on my force."

Other chiefs had similar complaints. One said that auxiliary police in his area had been issued flashlights but no batteries; another noted that a clock in an underground emergency installation at Camp Borden was running 15 minutes slow. Well, it is just a little icing on the cake; it gets sillier and sillier every year.

Why not do away with it?

**Hon. Mr. Wishart:** To answer very briefly the questions which have been put, as justification for the emergency measures organization. It is simply that we are asked by the federal government, by the Parliament of this country, to assist in a modest way in the provision of an emergency measures organization in the event of national disaster, or in the event of destructive war, and we accept that responsibility. It is one that has endured for some time and in the state the world is in today, our national government says that this is something which is part of their policy. They ask us to co-operate and all the provinces to co-operate to the extent of contributing a percentage of the money, Ottawa paying by far the larger part of the expense, and they asked us to develop an organization down through and in co-operation with the municipalities of our province. That we do; our organization has actually taken on a strong lease of life since we debated this item last year. A great many municipalities are well organized for emergency situations with communications, with fire controls, and with police emergency situations.

The Department of Health has agreements with the federal government for drug and medical supplies and for their location. I think that is being carried out throughout the province, so that they will be available in an emergency.

The shortest answer is—and I think the only answer that I can give—is that this is an obligation that we accept for the province at the request of the national government, and I suggest that it is an obligation that we should accept and carry out. I would certainly vote against the amendment.

**Mr. Chairman:** It has been moved that items 4 and 5 be reduced to the sum of $1.

All those in favour of the amendment say "aye."

All those against say "nay."

In my opinion the "nays" have it.

Call in the members.

All those in favour of the amendment will please stand.

All those opposed, please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 16 and the "nays" 62.

**Mr. Chairman:** Items 4 and 5 having been carried, will section 208 carry?

**Mr. Singer:** I wanted to ask a few questions about the office of the supervising coroner and the general inspector of anatomy. Could the Attorney General tell me the salary that Chief Coroner Shulman of Metropolitan Toronto is being paid and the salaries now being paid to the other coroners in Metropolitan Toronto?

**Hon. Mr. Wishart:** I recall that the salary of the chief coroner of Metropolitan Toronto, Dr. Shulman, was recently increased and it now stands at $12,500.

**Mr. Singer:** How about the other coroners?

**Hon. Mr. Wishart:** All the other coroners are on a fee basis as set out in The Coroners Act.

**Mr. Singer:** Would it be reasonable to conclude that the other coroners are getting more than the chief coroner?

**Hon. Mr. Wishart:** Oh no.

**Mr. Singer:** No. Are any of them getting more than the chief coroner?

**Hon. Mr. Wishart:** I would not think so. Very much less.

**Mr. Singer:** I see. I will put that one on the order paper. I would like to get that information at a later time; I am in no great rush for it.

**Mr. Chairman:** Is vote 208 agreed?

**Mr. Singer:** No, no, Mr. Chairman.

The Attorney General had a letter addressed to him from the clerk-treasurer of the county of Huron about coroners, when the resolution moved by Mr. E. Thompson was unanimously passed saying this:

> That, in view of the many accidents which are taking place at the present time, we, the members of the county council hereby petition the Attorney General of Ontario to appoint more coroners in the county of Huron.

Has any action been taken in regard to that?

**Hon. Mr. Wishart:** What is the date of the letter?

**Mr. Singer:** The letter is dated June 23, 1966.

**Hon. Mr. Wishart:** Right.

**Mr. Singer:** About 14 days ago.

**Hon. Mr. Wishart:** I hardly think there has been time to select and appoint coroners.

**Mr. Singer:** Well, I would think, sir, that particularly since the county of Huron is represented by such an able representative who does not sit too far away from me that the letter should have received extra special attention and that, since it concerns the county council of the county of Huron so greatly, some action should be taken.

I wanted to talk very briefly about another point insofar as Dr. Cotnam is concerned. This is a story about some remarks made by Dr. Cotnam in connection with water safety. He suggested authorities are too engrossed with motor vehicle accidents and appear to have forgotten the water accidents. Last weekend 18 people drowned and nine were killed in traffic deaths in Ontario. He said it is bad enough when people are drowned because of unexpected dangers but when they die in areas where past deaths point up the danger, it is ridiculous.

He points out several areas: The Rouge river area in Pickering township and the Gull river district in the Kawartha lakes were named as being especially hazardous.

The Rouge river flows through Graham park north of Highway 2 and in the past four years, six people have drowned in the same section of the same river. The coroner's jury investigating the latest death last year made the same recommendation. Last year we went into this and we asked how many recommendations were made, how they were processed and were they acted upon. The Attorney General said yes, they were catalogued and they were referred to the proper authorities and they were given careful attention and the recommendations, where feasible, were acted upon.

But, Dr. Cotnam says the coroner's jury investigating the latest death last year made the same recommendation as two previous coroner's juries, that a deep hole in the water near a crossing used by motorists be filled and the crossing closed. That would seem to me to be a very simple solution, it does not involve a great sum of money, it

involves finding the people responsible for doing it. But no one will admit responsibility in the area, the doctor goes on.

He says he has approached Pickering township council, The Department of Highways and the Metropolitan Toronto and region conservation authority, and the doctor complains that he cannot find anyone who feels the hole should not be filled in—everybody agrees it is the logical thing to do. Three coroner's juries have said it should be done, but, he cannot find anyone who feels they have the authority to do it, or I suppose the responsibility to do it. He comes to the conclusion it is disgraceful, and I agree with him completely.

Buck passing and red tape have foiled attempts to implement safety measures that could have saved lives in the Kawartha lakes and he moves to this other section. A coroner's jury investigating the death of a 49-year-old Orangeville man in the Gull river last year found that the man died when his boat went over the edge of an open dam and recommended log booms, cables and life saving equipment be installed on the site.

There are more than 40 such open dams in the area and so far nothing has been done to correct this very dangerous situation. Again he has appealed to a variety of authorities and none of them have chosen to act. It is frightening to look at some of those dams. A person does not have a chance if his boat is caught in the current. It is bad enough when only local residents use the waterways, they know about the dangers, but when tourists use them it is of even more concern.

There it is, Mr. Chairman. Dr. Cotnam, an important official in the service of this province has made his case and made it well. The Attorney General told us last year that these recommendations are carefully examined and sent to the proper authorities. Here are two specific cases where Dr. Cotnam points out nothing has been done; what is the government doing about it?

**Hon. Mr. Wishart:** Briefly, last year we initiated and established a central filing system to file and relate the recommendations of coroners' juries. The chief coroner—there is nothing in the law or in the Act which gives him authority to order or require that any authority, municipal or otherwise, carry out such recommendations. We have given thought to this, and the only solution or the particular solution that appeals to myself is that some authority be placed in the Act, enabling him to direct action by someone. In the case the hon. member first mentioned in the township of Pickering, and I think he mentioned the conservation authority of Metropolitan Toronto—

**Mr. Singer:** And The Department of Highways.

**Hon. Mr. Wishart:** The Department of Highways was approached. One would think that if the local people who comprised the coroner's jury were so concerned with the matter as to make such a recommendation, that their colleagues in the township who govern the township would be equally concerned and would take the necessary action. However, that is not the case. I think those recommendations are made for the benefit of and to be acted upon by the people who have the remedy in their hands in the area.

In an industrial accident, industry is required to remedy the situation, if it is an existing one. I can only contemplate the addition of some authority in our present legislation which would give the chief coroner the power to demand the redress that the recommendation calls for.

**Mr. Singer:** When Harry Truman was president of the United States, he had a sign on his wall that said; "The buck stops here." Apparently it does not stop with the Attorney General, the buck is continuing to be passed. Pickering says they no authority to do it. The Minister of Highways says he has no authority to do it. The Attorney General says, "Well, maybe it should be Pickering, or maybe it should be somebody else."

In this province, in this Legislature we are talking to as high an authority as there is; somewhere the buck has to stop. Here are two serious situations pointed out by one of the Attorney General's senior officials in what he believes and what I agree, is a serious situation that endangers life in the province of Ontario. Where does the buck stop?

**Mr. Renwick:** Mr. Chairman, is the member for Downsview finished on vote 208?

The Attorney General will recall that the question which I put to him before the orders of the day on June 1 about the coroner's jury verdict in the case of the death of Verner Frederick Gorr. The point which I made in asking that question was the fact that the workmen's compensation board had seen fit to second-guess the coroner's jury's verdict and in substance to repudiate it.

The problem that concerns me about that action by the workmen's compensation board

is that if a coroner's jury convened under the authority of the statute of the province is investigating a death, that a coroner is charged with that investigation, and all the circumstances are public and the witnesses and all evidence can come before that coroner's jury, and if, as was the case in this instance, the coroner is himself a doctor, and the jury is properly advised in the course of that coroner's inquest, then I do not think—and I would hope that the Attorney General would agree with me—that it is not then up to some other body which happens to come in for criticism because of the evidence which is adduced, can then in its own, shall I say self-serving way, conduct its own investigation about the cause of death and decided that the coroner's jury was wrong.

I would suggest to the Attorney General that in such circumstances, in this case the workmen's compensation board, if they wished to have the coroner's inquest reopened because they had not been provided with the facilities to place their evidence before the inquest, which could in certain cases happen, then the proper approach surely is for such a body to request that it be reopened, further evidence adduced at the coroner's inquest and the matter again placed before the coroner's jury.

It would appear to me to make it ridiculous for this Legislature to have passed a statute providing that there shall be coroners' inquests into the causes of death, the reasons for the death, and then to have the coroner's inquest take place and the jury makes its recommendation after hearing all the evidence, make its decision and its findings as to the cause of death and whatever recommendations it sees fit, and then because somebody happens to be criticized, have that body conduct its own internal inquiry and publicly announce that the coroner's jury verdict was not supported by the evidence.

I would hope that this situation will not develop in the province of Ontario, but I would ask that the Attorney General make certain that if in such circumstances in the future somebody feels that he has not had the opportunity to present evidence, that it has been improperly charged with some negligence or some malfeasance in connection with the death of a person, that the Attorney General instruct them that the proper course and proceeding is to ask that the inquest be reopened. Otherwise, we are in very real danger of making the coroner's inquest a fiasco in the province, to have no significance and no meaning.

I think this is sufficiently important that certainly bodies such as the workmen's compensation board, which does not have a relationship with the government but in a sense is a public body, that that kind of a board should not on its hook decide that they will conduct their own internal investigation and come up with the conclusion that the result of the coroner's inquest is wrong. I do not think that you can mix the two procedures, one a private one by a body desiring to exculpate itself from the responsibility which has been placed on it by the coroner's jury, and on the other hand the statutory obligation on the coroner's jury to find cause of death.

Now, there must be some procedure and some mechanism that the Attorney General could establish to make certain that this does not happen. This procedure which I suggest is a very simple one of reopening the inquest and hearing further evidence if somebody feels that they have been improperly and irresponsibly dealt with by the coroner's jury.

I would ask the Attorney General if he would comment.

**Hon. Mr. Wishart:** Mr. Chairman, my recollection of this case is fairly clear, I think. I recall that the workmen's compensation board did inquire after the finding of the coroner's jury at the inquest. They felt some of the evidence had not been presented. They were informed that the inquest could be reopened by the Attorney General, but I heard nothing further. As far as I am aware, no request came to that effect.

Then I learned, as the hon. member did, that they had established and held an inquiry on their own, in which I do not think I could have interfered. But the procedure is there. There was no reluctance on the part of the Attorney General to meet the request that the inquest be reopened and further evidence presented. This would be the normal standard procedure which we would follow. On that part of it, that is the answer, the workmen's compensation board were informed that this could be done.

A coroner's jury, of course, is an inquest, an inquiry into the cause of death where there has been misfeasance or malfeasance or negligence amounting to criminal negligence or otherwise and particularly the cause of death. It is not an inquisitorial body and no one is charged before it. It may make recommendations. Its purpose is usually to find the causes of the death, it may make recommendations but as I pointed out a moment ago, at the moment our law does not contain the authority to require the carrying out of a recommendation, which I would contemplate should go in The Coroners Act, giving

to the chief coroner or perhaps the chief coroner with the approval of the Attorney General or something of that nature, some authority to act. But I think what the hon. member was interested in was why this double procedure? It was not done, the second part was not done with our approval, or actually, as far as I am concerned, with our knowledge.

**Mr. Renwick:** Mr. Chairman, may I assume that, so far as the Attorney General is concerned, the verdict of the coroner's jury at that inquest is the one which stands—

**Hon. Mr. Wishart:** That is right, that is definitely right. The coroner's jury's recommendation and finding, as far as I am concerned, still stands.

**Mr. Renwick:** So that the criticism of that jury by the workmen's compensation board has no standing whatsoever in this province. It would seem to me that if this circumstance develops again where someone in this province, some body in the province, be it a public body or a semi-public body or a private body, chooses to in some way or other override the coroner's jury's verdict, the Attorney General, I think, could issue a statement saying that in the circumstances it is possible to have it opened and new evidence adduced. If they do not choose to take that opportunity, then so far as this government is concerned, because of the statutory requirements of The Coroners Act, the verdict stands. Otherwise, I think the Attorney General will agree, we run a very real danger of bringing coroner's jury's verdicts into disrepute in the province where, on the other hand, if anything in this kind of a society, their status and their importance should be upgraded.

**Mr. MacDonald:** Mr. Chairman, I would like to return to the concluding remarks of the hon. member for Downsview where he reminded the hon. Minister—as I am sure the Minister does not have to be reminded—that for years now, almost every year that I can recall in this House—the last ten years—there has been during the consideration of the Attorney General's estimates a review of some coroner's jury inquest report with regard to action that had not been taken.

Now the only apparent progress we have made, is that the Attorney General feels the only way of coping with this is to amend the Act to make it obligatory that action will be taken and that the recommendations will be fulfilled.

Can the Attorney General give us the assurance that such an amendment will be brought in not later than next session, or are we going to continue to drift with this?

**Hon. Mr. Wishart:** Mr. Chairman, as I suggested, there would be a way to act, but I think there would have to be safeguards thrown around the legislation which give anybody authority to require the implementation of the recommendation of a coroner's jury. You would be venturing immediately into a field where you are requiring somebody to do something directed by an inquiry type of hearing—a court of inquiry, if you care to call it that—where they had no notice that they should appear to state their case or to present any evidence they might have as to what other person or body might be at fault in the matter. To simply say that because a coroner's jury, capable as it might be, made a finding and went on to make a recommendation, to simply say that that in itself was sufficient to assert a right to demand that somebody carry out that recommendation I think is going beyond the bounds of our present safeguards in the law. Many of the coroner's jury recommendations no doubt have value, but I think that if we are now to go on and say that these can be made mandatory, and can be enforced, then I think we have to throw around that step other safeguards. It seems to me that it would be trespassing very seriously on the rights of citizens who had no chance at all how they were involved or why they should be involved, or had no opportunity to appear and give evidence that might be very relevant to the matter. So, in making the suggestion that perhaps the legislation could be amended, I would not just contemplate a blank provision in the Act without very serious consideration. I would not contemplate it without very serious considerations that would surround that, and that is all I can say at this time.

**Mr. MacDonald:** May I just pursue this as a layman? The thing that struck me as rather peculiar about it is that, (a) the recommendations are made and nothing follows. Now, I think that the Attorney General is being very frank, but if you just give the mandatory powers to somebody to dictate that action has to be taken by a municipality or by an individual and so on, this has certain dangers in it. This problem we have known for quite some time and it seems to me, and I rather hesitantly put this forward because I have not, quite frankly, considered this matter in any detail and certainly I am no expert in this field, but surely, one simple way of coping with the situation might be

an appeal procedure on the part of the body or the individual that the recommendation is an unfair one.

If I may just digress for a moment; another area that has always struck me as being a little peculiar is the grand jury report. Now, apparently there is no obligation on anybody. So what is the point of going through the motion of grand juries other than the publicity, I suppose, that is attached thereto—

**Mr. Singer:** It would have a good effect on the London city jail.

**Mr. MacDonald:** Well, I say other than the publicity that may flow from them and the action that may be generated because of that. But if we are going to leave existing society all procedures that have been there for centuries, and we just go through the motions because it always has been done that way, it seems to me that the time comes periodically when we should examine whether this procedure is worth the time and effort if there is going to be no follow-through, particularly in the instance of a grand jury report or in the instance of an inquest, recommendations are made.

Now, it is alleged sometimes—and just let me repeat the allegation—that due consideration has not been given, that the recommendation did not take into account all of the particular factors that should have been taken into account. So it seems to me, as a layman, that if you had some appeal procedure, the body that is going to have the order that they must take action can, in effect, go before the Ontario municipal board to indicate why, in their view, they do not think that this is a fair and a sensible recommendation. Then you would have the protection that I judge the Minister has in mind, or feels is necessary.

**Mr. Chairman:** Shall vote 208 carry?

**Mr. Young:** Mr. Chairman, I have some remarks to make which will take some time.

**Mr. Chairman:** Short remarks?

**Mr. Young:** No.

It being 6 o'clock, p.m., the House took recess.

No. 171




ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT—DAILY EDITION**

**Fourth Session of the Twenty-Seventh Legislature**

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## Thursday, July 7, 1966

**Evening Session**

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**Speaker: Honourable Donald H. Morrow**
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JULY 7, 1966

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF THE ATTORNEY GENERAL
*(continued)*

On vote 208:

**Mr. F. Young** (Yorkview): Mr. Chairman, in connection with this vote, I would like to bring to the Minister's attention through you, certain circumstances which transpired this year under this section of his department.

A year ago in this House we had a very extended debate about incidents in the Guelph reformatory, and those incidents I am not going into in detail tonight. We, I think, dealt with them very fully last year and brought certain circumstances to light.

When Ronald Franklin Cross of Belleville had died in the institution, an inquest had been held into the circumstances surrounding his death, and during the debate on those circumstances we brought before the House certain facts which emerged from that inquest – an inquest conducted by the local coroner, an inquest at which the family were not called. They were not notified of the inquest. It was an inquest where there was no mention of the fact that the prisoner at the time had been in detention prior to his death.

No witnesses were called from the work gang where he collapsed, nor was the custodial officer who dealt with Cross during his detention. These officers were not called at the inquest and we felt that there had been very serious neglect of the prisoner, in view of the fact that he had a very serious heart condition and should not, in any circumstance, have been working on the bull gang. After his collapse, the inquest should have brought forward much of this evidence which we placed on the record here and which is, I think, well known to most members of this House.

At that time, when we asked the reason of the Minister, why the family had not been notified, he answered us that – and I quote from page 1890 –

> Why was the family not notified of the inquest? Again I say that this question is mis-directed. . . . If the institution felt that the family would have been subpoenaed . . . this is what my staff says.

He took it for granted, in this case, that the Crown attorney or the coroner would have informed them of the inquest.

> Aside from that, if the hon. member wants to get into a matter of the responsibility of the Crown attorney or the coroner, I would suggest he take it up with a person qualified to answer that question, I am not.

And again, in connection with another matter, he said—this is the hon. Mr. Grossman speaking, on page 1889:

> Mr. Chairman, I do not recall making that statement here at all. I am saying that if you are not satisfied with the coroner's inquest, and the way it was handled, take it up with the Attorney General. He is competent to answer those questions and I am not.

Now, at the time of the Attorney General's estimates, we did ask the Attorney General regarding these incidents and regarding his responsibility in this field, responsibility which the hon. Minister of Reform Institutions said he had. At that time, the Minister came to the defence of his fellow Cabinet Minister and defended him and defended the whole operation of the inquest and what had happened there. He would not admit, as the Minister would not admit, that there had been carelessness, that there had been laxity on the part of the medical staff in the Guelph institution and so the matter rested.

Except for this, that one of the guards, the custodial officer who had dealt with the now dead boy, while in the hospital, wrote the Attorney General – and this was a matter of debate last year – and put before him certain problems in connection with the institution and certain problems in connection with this inquest.

Just to tidy the whole matter up, taking advantage of certain legal technicalities,

the Minister concerned just tidied it up by getting rid of this man who had dared to come to the Attorney General with this information. Now, whether the information was ever acted upon and whether reforms that were suggested were actually put into effect, I am not in a position to say. But in any case –

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Chairman, on a point of order. The hon. member is misinforming this House. The custodial officer he refers to was let out in connection with matters having nothing to do with this incident or the coroner's inquest, or any letters he may have written to the Attorney General.

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, I rise to a point of order. The hon. member has just stated, as I heard him, that the Ministers concerned tidied it up by letting the chap out.

My recollection, I think, is pretty clear that when the chap wrote to me, he wrote to me after he had left the institution. In any event, I had nothing to do with his leaving the institution. I am quite sure that the letter he wrote to me was addressed to me some time after he had left, and part of his letter was related to his leaving.

I certainly, in any event, had nothing to do with his leaving. Let us make it absolutely clear.

**Mr. Young:** Well, Mr. Chairman, I mentioned how this matter was handled, and that there were certain technicalities which put the thing on a more or less legal basis. But I think if the hon. Attorney General will check the date, he will find that the custodial officer in question wrote him while he was still in the employ of the government. His first correspondence came at that time.

**Hon. Mr. Wishart:** I do not think that is right at all because I think my recollection serves me well. One of the things he wrote about was the question of having an interview to see if he could get back in the institution. I think that was part of his letter. But in any event, I had nothing to do with his leaving the institution.

**Mr. Young:** All right, we will let that rest at that. But I do think if the Minister will check the dates he will find that the–

**Hon. Mr. Wishart:** He will not find–

**Mr. Young:** –custodial officer did write about certain problems in the institution prior to his leaving the employ of that institution.

But I bring this matter before the House because I wanted to lay the groundwork for another situation which emerged this year. I pointed out that in our opinion, and we brought this opinion to the House, there had been a gross laxity, if I might use that phrase, on the part of the institution and on the part of certain people in that institution. That was our opinion and even though the Ministers concerned were not willing to admit this, we still hold that opinion.

Now this year another event occurred, which almost paralleled the Cross case, and that is the incident I want to lay before the House tonight.

**Mr. Chairman:** We are dealing with the supervising coroner and general inspector of anatomy.

**Mr. Young:** Right. And this, Mr. Chairman, is what I am dealing with.

**Mr. Chairman:** I would like you, if you do not mind, to concern your remarks with the Attorney General, not with any other department.

**Mr. Young:** Anatole Chomenko died December 5, 1965, in the Kitchener-Waterloo hospital. An inquest was ordered by Dr. Belyea to be held in Kitchener on January 21, but later the chief coroner, Dr. Cotnam, set that decision aside. He postponed the inquest until March 4, to be held in Kitchener, and he, himself, took charge of the inquest. I think, because of the circumstances surrounding the one the year before, Dr. Cotnam felt he should step in here. In any case, I am not imputing any motives to him. I do not know why, I am simply saying I surmise that he felt this was important enough that he should assume charge himself.

I will say this, I attended the inquest and listened very carefully to what happened there, and Dr. Cotnam did a thorough job at that inquest. He called about 40 witnesses altogether and he called every person, conceivable, who had had any connection with the circumstances surrounding the death of Anatole Chomenko.

The documentation that came out of this inquest is a very interesting study, and again I say to the House that that documentation demonstrated almost an exact parallel of the kind of thing which happened the year before in the Cross case.

During the inquest we had several situations being called to the attention of the jury and I have made very, very careful notes of what transpired there. I also have transcripts of some of the evidence and a

newspaper clipping from it. Now, I do not want to quote in tremendous detail, but I do want to say this, that out of the inquest came this recommendation and I quote from the Toronto *Star* of March 5, 1966:

> A coroner's jury last night found a two-man Ontario reformatory medical staff extremely lax in the death of Anatole Chomenko of South Porcupine last December 6. It criticized Dr. Gordon Mellow, reformatory staff physician for 27 years, and Dr. Emilian Marchinovinski for not calling in a chest specialist earlier, in light of the fact that Chomenko had suffered a lengthy illness and recurring pneumonia, and had frequently spit blood. The jury found Chomenko died of bronchial pneumonia and a heart attack.
>
> It recommended that reformatory physicians be required to examine all patients before they are released from the prison hospital and to give a written release. It also recommended that hospitalization be compulsory, when it is the decision of the reformatory doctor, and a specialist be made more readily available to the reformatory.

The circumstances that Dr. Cotnam revealed in the inquest, in the cross-questioning and through the general process went like this: That Chomenko had had a history of lung ailments; he had had pneumonia; he had been in trouble with the law; he stole a car and went to the Ontario reformatory on January 29, 1965; he took pneumonia again which lasted from February 14 to March 24 and part of this time he spent in St. Joseph's hospital in Guelph, March 8 to March 24. He was well looked after there and the reformatory staff sent him there for proper care.

From this time, from his return to the reformatory until his death in December, ten X-rays were taken and none of them were normal. On April 6, the staff psychologist noted him as having no disability and that he was able to go on full duty. He said that he knew that he had had pneumonia, but he seemed to be all right.

The last of the five X-rays were taken on August 30, showing a partial collapse of the left lung; September 20 showed improvement; October 15, the left lung better, but with markings; on November 5, the lung was worse and on November 17 the lung was improved, but not good. All evidence showed that Chomenko was coughing blood. The first definite date for this was August 30. He had been in hospital August 20 to 25 for a boil on the buttocks; that was healed and he was released. On August 30 he came back with the complaint that he was coughing up blood. All inmates testified that they heard him cough and most said that they saw blood—those were the inmates who were subpoenaed first.

Dr. Mellow reported that he had seen the blood on August 30 and more on September 19. He said that there was no more for the rest of September. He thought Chomenko had a small pneumothora and that the scars were from a former pneumonia. He was in hospital from September 19 until October 1 and here on October 1, an incident happened. He was discharged that night.

Now up to this point, the doctors considered that he had a pneumothora, a collapsed section of the lung, and he was being treated for that. On October 1, that evening the guard said that he had consistently disobeyed his orders and that he was sent out of the hospital for misbehaving. Testimony is conflicting here. The guard inferred that he did it on his own; then Mr. Sanderson, the superintendent, testified that no one would discharge a prisoner without the doctor's order. A nurse then came on and said that Dr. Mellow had been notified by telephone and he discharged the patient. She first said that she must have done this; it was policy. Then she said that she did.

The guard was recalled and he said that this had happened, even though the coroner and the jury seemed to take for granted that the original testimony and the testimony of Dr. Mellow, which we will look at, was a fact. Now the entries that occurred were these:

> Sent out of hospital on charge. Dr. Mellow notified. Discharged by Dr. Mellow.

And something was said about the last two entries being added the next day, but this was not completely clarified. Chomenko was then sent to the main work party on October 1, and on October 15 he returned with a worse condition and there was no specialist's consultation even then. Dr. Cotnam remarked on this:

> Ten X-rays. None normal; 102 days in hospital for chest trouble, and no consultation with specialists.

This was Cotnam's outburst during the inquest. If he had been in a general hospital, such a consultation would have occurred.

Mellow said that there are no specialists designated by the Ontario reformatories but specialists can be called in when it is thought necessary.

These are the general circumstances up to that point. Finally Chomenko was sent to the Kitchener-Waterloo hospital. It was found there that he had a benign tumour in his left trachea and that was in effect when he breathed in, plugging the trachea, cutting off the air to the lungs and the feeling was that this had been the main cause of his lung trouble during the summer and fall.

During this evidence, I have this clipping from the Toronto *Telegram* of March 5, 1966:

> The senior medical officer, Dr. Gordon Mellow, said under questioning that guards removed Chomenko on October 1 from the reformatory hospital and put him on the heavy work gang. The custodial officer made the decision. "Sometimes they phone and tell me and sometimes they just take them out," said Dr. Mellow. The remark brought a shocked outburst from the Ontario supervising coroner, Dr. H. B. Cotnam. "This is terrible, a very stupid business. This is a doctor's decision," he said. "At the time I thought Chomenko was well enough so I just let him go. They contact me most of the time," said Dr. Mellow, head of the medical staff for 27 years. Said Dr. Cotnam, "It should be 100 per cent. You're the one who takes the blame if someone else discharges the patient."

**Hon. Mr. Grossman:** Are there sound effects in that newspaper clipping you are reading?

**Mr. Young:** Sound effects? I do not notice them here.

**Mr. S. Lewis** (Scarborough West): Just in case your imagination is not sufficient, the Minister is putting them in for you.

**Mr. Young:** Yes. There is an excerpt from the testimony and I will read it. This is questioning regarding his release:

> What time did it happen?
>
> *Guard:* About 9.30 to 9.15.
>
> At night?
>
> Yes.
>
> All right; would you tell us what happened?
>
> Well, the above inmate was ordered by myself and two other officers to stay in his own dorm or sunroom. He paid no heed to the orders and he kept going through the door. The former attitude of this inmate was very insolent. I had on another occasion warned him for the same incident.
>
> Was he taken out of the hospital section?
>
> Yes, he was.
>
> Where was he put?
>
> In a cell.
>
> He would be put in a cell, in segregation.
>
> We have heard evidence that he returned on or about October 15 to the hospital, two weeks later.
>
> That could be.
>
> But, in fact, he was released that night because of misbehaviour.
>
> *Dr. Mellow:* Yes.
>
> Well, wouldn't you have thought that, prior to his release, that someone, some doctor, should authorize this release? Or did a doctor authorize his release?
>
> No, I think he was just taken out. He had the opportunity to come right back in and see us again if he felt ill.

A jury man asked:

> Who made the decision that he was to go?
>
> That would be a custodial officer.
>
> He would not be a medical man, this person?
>
> No, it happened at night.

The coroner asked:

> Would they not have to have your permission before they put someone out of the hospital?
>
> Well, sometimes they have, and sometimes they just take them out, said Dr. Mellow.

The coroner asked:

> Did they call you on this occasion?
>
> I don't think so; I can't recall.
>
> *Coroner:* I think this is a terrible situation; a doctor should be called to discharge a patient, don't you think so?
>
> *Doctor:* Well, he was just removed for the night. Yes, I suppose.
>
> *Coroner:* They removed him for longer than that. They took him away for a week or ten days before he came back. I would think that would be a very stupid thing, if he required treatment in there he should have had the treatment before he was sent out.
>
> If he doesn't require treatment, he shouldn't be discharged.
>
> *Doctor:* At that time I thought he was just well enough to be discharged so I let him go.

Mr. Chairman, later we had Mr. Sanderson called as a witness and questioned about the procedure. He said this:

The procedure, I will have to point out, and I would like this to be made very, very clear, I think Dr. Mellow in his testimony became a little confused toward the finish and I don't think he quite realized what some of the questions were. I will make it clear and emphasize it. There is no one removed to hospital without some medical reason. If a person is in hospital, he cannot be moved regardless of how much a problem he presents.

*Coroner:* Can a guard on his own accord, if he finds the patient unruly or not behaving take that—

**Hon. Mr. Grossman:** I wonder if the hon. member would mind if I asked him not to leave part of it out, but to read the whole thing.

**Mr. Young:** All right, I was just trying to conserve the time of the House. I will read the rest of the section.

Interjections by hon. members.

**Hon. J. N. Allan** (Provincial Treasurer): Mr. Chairman, on a point of order, this has nothing to do with the coroners, not a thing.

**Mr. Young:** Mr. Chairman, this is the supervising coroner of the province conducting this investigation.

**Hon. Mr. Allan:** It is not the coroner at all.

**Mr. Chairman:** Gentlemen, I think the member could stretch a point and say that this had to do with the supervising coroner, but I think much of what he is reading there is not relevant to the Attorney General's estimates, that is what I am getting at. Perhaps he could sum up what he has to say in connection with the coroner and leave out some of the case history.

**Mr. Young:** I would be glad to. The hon. Minister of Reform Institutions asked me to read more and I was advising him, Mr. Chairman—

**Hon. Mr. Grossman:** If the hon. member is going to read, I do not want him to leave parts out to give the wrong impression, that is all. I agree it is out of order, too.

Mr. Chairman, on the point of order, what the hon. member is doing, in effect, is attempting to have the inquest all over again here without the benefit of the witnesses. I think the member would be in order if he read the evidence and objected, if he likes, to the Attorney General that the coroner did not handle the case right. I think in that case he would be in order. But to go into this whole inquest again, as I say, without the benefit of witnesses, is going to accomplish nothing.

**Hon. Mr. Wishart:** Mr. Chairman, on a point of order, the hon. member said in the early part of his remarks that Dr. Cotnam had acted in a very capable and thorough way and that every conceivable person who could give evidence had been brought before the inquest and given evidence. I think that paraphrases his remarks.

Now, I do not want to hamper him if he feels that reading this evidence has any relevance. Really, I think it has none, I think the point of order is well taken. But I think if he has something to say about the verdict, the action on the verdict, that might be relevant. I really cannot see the point of taking the time of the House during these estimates to read the evidence all over again.

**Mr. Young:** Mr. Chairman, I have read what I intended to read from the transcript. Now the Minister of Reform Institutions asked me to read more. I am quite willing to oblige him.

This is a serious matter. The hon. Minister of Reform Institutions saw fit to bring his estimates before the date of this inquest. I wanted to relate this inquest to a problem which I outlined at the beginning and I feel that this is very much in order because it has a great deal to do with the work of the supervising coroner in this province, Mr. Chairman.

**Mr. Chairman:** As we said at the begining, there is just a fine line here that we are working on, but I wish the member would stay right with the inquest as it affects the Attorney General's estimates and not discuss reform institutions, because the members have had that.

**Mr. Young:** Mr. Chairman, it is very difficult to deal with this particular inquest without referring to at least one of the reform institutions, and I have done that. But I think that as far as this House is concerned, they see the picture, that here you had a situation which paralleled a similar situation last year, a situation in which the Attorney General saw fit at that time to defend the action of the coroner, and this time the chief coroner took charge to make sure that the investigation was thoroughly carried out.

As I said at the beginning, it was thoroughly carried out. I agree with that. If there is any need to re-emphasize it, I am quite willing to do that. But the verdict that came in was a verdict of carelessness,

a verdict which I read at the beginning, that there was gross laxity in the institution, that certain procedures should be followed more carefully, procedures which we in this group outlined last year in connection with the Cross case and at that time insisted should be carried out. Evidently they were not, and so we had another case of this kind.

**Hon. Mr. Grossman:** Mr. Chairman, we must object. The hon. member is again misinforming this House. He did not bring up these matters in connection with the previous case. His objections at that time had nothing to do with the objections he is raising at this time. They bear no relationship to each other at all; and neither did his objections at that time.

**Mr. Young:** The objections bear relationship in that there had been negligence on the part of the staff of the institution.

Interjections by hon. members.

**Mr. W. D. McKeough** (Kent West): What does the staff of the institution have to do with this vote? Nothing whatsoever! The staff of the institution of the Minister of Reform Institutions has nothing to do with this vote whatsoever.

**Mr. S. Lewis:** On a point of order, Mr. Chairman, let us put the cards on the table. It is 8:30, everybody wants out, and so no one is prepared to tolerate what properly belongs in the Attorney General's estimates.

Interjections by hon. members.

**Mr. S. Lewis:** The fact is, Mr. Chairman, on the point of order —

**Mr. Chairman:** I had asked the member at the start if we could stay right with the Attorney General. Now I want to be fair and give everybody every opportunity to complete their observations, but I asked the member not to make any reference to the reform institutions because we had a really good debate on that. I think he should confine his remarks to the Attorney General's estimates on the coroner, and stay right on that, if he will, please.

**Mr. S. Lewis:** On a point of order, Mr. Chairman, we are discussing an inquest on this side of the House and it is not always possible to discuss the ramifications of an inquest decision within The Department of Reform Institutions because it is said by the Minister, and quite properly, that that is the prerogative of the Attorney General. I suggest to you, Mr. Chairman, that it is being very properly raised here, and in fact in the time that it is taking the House in the unnecessary altercation over it being raised it could be finished, I submit to the chair.

**Hon. G. C. Wardrope** (Minister of Mines): We have heard all about it, the hon. members did it twice before.

**Mr. Chairman:** I am going to rule again that we stay right with the coroner.

**Mr. Young:** Mr. Chairman, if I can continue: Last year, the Attorney General, as I said, chose to defend another Minister in connection with an incident of this kind. This year, after the inquest had been completed, after the verdict was in, in response to questions raised by I think two hon. members in this House, the Attorney General said he would look into the whole matter of the Chomenko inquest and do what seems fit. At the same time the Minister of Reform Institutions said he would look into it and bring in a report in due course. This report he brought in, and that report was tabled in the House on May 20 in respect of this inquest and to the verdict which was given at that time. As hon. members remember, the hon. Minister who had been so ably defended by the hon Attorney General a year ago sought and did succeed in criticizing the department of the Attorney General in this instance.

**Hon. Mr. Grossman:** How did I do that? How did I do that, Mr. Chairman?

Mr. Chairman, in the interests of trying to keep within the bounds of the Attorney General's estimates, I do not want to prolong it any further, but if you are going to allow the hon. member to get back to the subject and misinform the House, I feel that I have to get up and object to it.

I have at no time criticized the Attorney General's department. The hon. member at that time asked me to give an opinion as to whether the witnesses were properly called, that all the witnesses who should have been called were called, and I said I am not qualified to give an opinion on that, ask the Attorney General whether in his view this was properly handled. I think that is a proper statement to make and a proper and logical decision to come to without imputing that I was criticizing the Attorney General. That is ridiculous.

**Hon. Mr. Wishart:** On the point of order! I have listened to a good deal that I think

is certainly not relevant to my estimates. The hon. member has said, and has reiterated, that so far as the conduct of the coroner's inquest was concerned, the conduct of the chief coroner, the calling of the evidence, the giving and taking of the evidence, everything was complete and well done.

I think having reached that stage, Mr. Chairman, having reached the verdict of the coroner's inquest which had some reference to another department, that the matter ceases to be relevant to my estimates. I think that is very clear. He has referred to what was said in the House before. As far as I am concerned a question was asked of me on May 24 by the member for Riverdale. The question was: "Did the Attorney General agree with the Minister of Reform Institutions concerning the finding of a coroner's jury at the inquest into the death of Anatole Chomenko?" I answered on that day:

> Mr. Speaker, I do not disagree with the finding of the coroner's jury in the Chomenko matter, having regard to the evidence which was the basis upon which the jurors came to this conclusion.

The inquest having been fully and properly conducted, as the hon. member fairly admits, I cannot see that the discussion of the implications of the jury's recommendation or finding in respect to another institution, not in my department at all, has any relevance to my estimates, and I would ask you to rule that that discussion is out of order.

**Mr. Chairman:** Well, I think I made it perfectly clear to the members that my ruling is that we are not going to get into reform institutions at all, and I have asked them to stay right on this particular estimate of coroner's fees.

**Mr. Young:** Speaking now of the verdict of the jury of a coroner's inquest. This would be in order, I understand?

**Mr. Chairman:** No.

**Mr. Young:** This is the chief coroner who is conducting an inquest.

**Mr. Chairman:** I am going to rule pretty definitely on this for the benefit of the member. We must stay with the office of the chief coroner, and we are not going to deal with any other matters. We are not going back over anything. I am trying to be fair with the member. If he would continue on the coroner, I think we could make some progress, but if he persists in getting into reform institutions I will have to rule him out of order.

**Mr. Young:** Well, Mr. Chairman, we have the verdict of the coroner's inquest and my point is a very simple one, that it talks about carelessness and that verdict was of carelessness of a certain nature. But the hon. Minister of Reform institutions saw fit to come into this House and read a report which in effect condemned that verdict, and that is my point. There is no evidence—

**Hon. M. B. Dymond** (Minister of Health): Point of order, Mr. Chairman.

**Mr. Young:** There was no charge of—

**Mr. G. Ben** (Bracondale): Mr. Chairman, there is an implication here that the decision of the coroner's jury comes within the scope of the Attorney General's department. If that be true, then we had better get rid of the jury system because they are no longer independent and do not come to the decision based on their own volition, but that they are under the control of the Attorney General. I do not accept that. The only way you can discuss the decision of the jury is to admit that they are subject to the control in their decision of some department of government.

**Mr. Young:** Mr. Chairman, that becomes a little ludicrous because here we had the situation where the jury rendered a verdict. We had a situation where a Minister, affected by that decision, investigates himself and he stands up in this House and says that the arm of the Attorney General's department was wrong. This is what he says.

**Hon. H. L. Rowntree** (Minister of Labour): Mr. Chairman, I have been hesitant about speaking, but I must ask you to rule that the hon. member by his refusal to comply with the rulings of the Chairman, has forfeited his right to speak, and that is the case. I ask you to so rule.

**Mr. S. Lewis:** Mr. Chairman, speaking not on a point of order—

**Mr. Chairman:** If the member is prepared to go ahead on the other basis of the coroner without any further discussion of this case—

**Mr. Young:** Mr. Chairman, this case is vital to the whole concept—

**Mr. Chairman:** Well, I am going to rule that it is not vital to the whole concept and you can challenge my ruling if you like. If you have some more comments about the coroner's office I will accept them, but not on the particular case that you are discussing.

**Mr. S. Lewis:** Just a minute.

**Mr. Chairman:** Now, would you care to proceed on that basis?

**Mr. Young:** Well, Mr. Chairman, the whole point was discussed here just before dinner and the validity of a coroner's verdict is being called into question by a member of this House.

Interjections by hon. members.

**Hon. Mr. Grossman:** It was never called into question by anybody.

**Mr. Chairman:** I am going to rule that there be no further discussion and then you can challenge my ruling.

**Mr. S. Lewis:** Why? Why?

**Mr. Chairman:** Because we are not getting any place. I want some—

**Mr. Young:** Mr. Chairman, we are getting some place. We are trying to establish a principle in the whole complexity of whether a coroner's jury—

**Mr. S. Lewis:** On a point of order. I would remind Mr. Chairman and this House, that just before the House rose at 6 o'clock, the member for Riverdale rose from his seat and engaged in a discussion with the Attorney General relating to a coroner's inquest decision in a case—the name of which I forget—which decision was subsequently publicly contradicted by the chairman of the workmen's compenstion board. It was an entirely analogous matter. The cases are directly parallel, I submit, Mr. Chairman. And all that we want—

Interjections by hon. members.

**Mr. S. Lewis:** I am on a point of order, Mr. Chairman, I would like to—

Interjections by hon. members.

**Mr. S. Lewis:** Mr. Chairman, all I wanted to say to the Attorney General in this aptly described—I think the member for Sudbury would agree it is more Athenian than Chinese—but I would say, Mr. Chairman, that what the Attorney General was discussing before supper is exactly what the member for Yorkview is raising now, namely, the precedent of a coroner's inquest verdict over any other statement that might be made by an independent person, whether he be the Minister of Reform Institutions or the chairman of the workmen's compensation board, and the situations are directly parallel.

Interjections by hon. members.

**Mr. Chairman:** I am ruling the member out of order.

**Mr. F. Young:** Mr. Chairman, I challenge the ruling.

**Mr. Chairman:** The member is challenging the chair. All those in favour of the Chairman—

**Mr. E. W. Sopha** (Sudbury): Well, what is the ruling?

**Mr. Chairman:** My ruling is that he is out of order.

**Mr. F. R. Oliver** (Grey South): Yes, but on what grounds?

**Mr. Chairman:** All those in favour of the Chairman's ruling, please say "aye."

Those opposed, say "nay."

**Mr. V. M. Singer** (Downsview): Mr. Chairman, on a point of order, now, if we are going to have a vote on this, we want to know what your ruling is.

**Mr. Chairman:** Sit down and I will tell you what it is.

I ruled the member was out of order. Now we will call in the members and have the vote.

**Mr. Oliver:** On what grounds?

**Mr. Chairman:** That he is out of order on what he is talking about.

**Mr. Oliver:** Well, for heaven's sake. What kind of a Parliament is this, anyway?

**Mr. Singer:** You cannot do this. Now we are going to have—

Interjections by hon. members.

**Mr. Chairman:** All those in favour of the Chairman's ruling, will please stand.

All those opposed, please stand.

**Mr. Sopha:** I abstain from casting my vote, I do not know what the ruling was.

**Mr. Chairman:** Order, order!

**Clerk of the House:** Mr. Chairman, the "ayes" are 40, the "nays" are 12.

**Mr. Chairman:** The ruling is upheld.

Now we are on vote 208.

**Mr. Young:** Mr. Chairman, could I ask a question of you, or through you, of the Minister: When discussing the office of the chief coroner what are the limits set, when one is discussing an inquest conducted by the

chief coroner of this province? Where are the limits beyond which a member cannot go in such a discussion? I took for granted that one could discuss an inquest of this kind and all its ramifications. Evidently, by the ruling of the Chairman upheld by the House, I am wrong. Could I get some clarification of where the limits are so that we know for our own information in future what to do in this case?

**Hon. Mr. Wishart:** Mr. Chairman, I do not know that question is one I should rule on, but I am quite prepared to answer to the best of my ability. We discussed this very same subject this afternoon in the matter of coroners' inquests and in my remarks addressed to the Chairman on a point of order I drew to the attention of the House, and particularly to the hon. member, that if he was discussing the verdict he had already said the inquest was well conducted. If it was something about the verdict that affected my department, something that the Attorney General should do with respect to that verdict, he was at liberty to suggest, or express his view, on what the Attorney General should do; and I could reply and say he should or should not, I would take it under consideration.

I have already been asked, as I pointed out, a question in the House in May as to whether I agreed with the verdict. I said I did. Now if the hon. member had something to say to the Attorney General, that I have not acted on the verdict or that some action should be taken by myself or by my official, the chief coroner, that, I think, would have been quite relevant. But to read a lot of the evidence of the inquest, which he admitted was well done, and then to start discussing another department, Reform Institutions, I think was purely out of order and the Chairman was quite right in saying that was out of order.

**Mr. Young:** Mr. Chairman, with that information, I would simply want to know from the Minister then, what action is left to the Attorney General in case of the criticism of a coroner's verdict or the jury's verdict in a case like this?

**Hon. Mr. Wishart:** Mr. Chairman, again this verdict made certain statements with regard to another department of government. That department, I understand, acted, and the Minister in charge of that department made a statement in the House as to what action it had taken.

There is nothing, as I pointed out this afternoon, there is no power in The Coroners Act to authorize a coroner, chief coroner or otherwise, to enforce the recommendations of the coroner's jury. The coroner's jury is a purely inquisitorial court or inquiry. It is nothing but an inquiry.

The jury may find that a person came to his death or her death by reason of certain things. They may find persons have been negligent, they may find persons have been criminal; they may not have been and no blame may be attached. They may add extraneous things, such as recommendations, but there is no power in The Coroners Act, that is in my department, to enforce those recommendations. They are directed to the people they concern.

In this afternoon's case it was a township council or a conservation authority to fix a situation which apparently brought about, or was part of the cause of, the death of a person who drowned. That is as far as my department may go. We did discuss also, this afternoon, what steps might further be taken or taken under consideration to see if some authority could be granted. I explained at length that any such court, being purely a court of inquiry, no one being charged before it, it is simply convened for the purpose of inquiry, that it would be very dangerous, certainly without considering safeguards, to say to some third person who is not before the court, the coroner's jury, to say that they must act on the verdict of the coroner's jury.

Ordinarily on the verdict of a coroner's jury, where fault is found, the person is then charged. They are then brought before another court where they have a full opportunity to hear any evidence that may be given against them and an opportunity to answer.

A coroner's inquest is purely a court of inquiry to make a finding as to the causes of a death.

**Mr. Young:** Mr. Chairman, this makes the thing clear, I think, but the question still in my mind is this: Has the coroner any power to investigate at a future time certain recommendations that the jury may have made? The jury in this case recommended certain reforms that should be instituted. Unless there is some charge to be laid, the Attorney General makes no move at that point. If there is just carelessness or misconduct of some kind it does not call for a charge. Does the coroner at a later date come back and say to the institution concerned or the persons concerned: "Have you changed these conditions so that they are now eliminated as the cause of future trouble?"

**Hon. Mr. Wishart:** No, the coroner has no such authority. His authority is limited to inquiry into the cause of death, and if he does that inquiry fully and thoroughly and reports the result that is the end of his duty and responsibility. He has no authority to pursue it. I dare say, he perhaps would not be out of line if he were to comment later that a recommendation from a jury on some event that happened which he has investigated, he might state in his report that no action had been taken by anyone concerned. But he has no authority to enforce it. He holds one inquiry which should be complete, full and proper, and that is the end of his responsibility.

**Mr. Young:** Then if there is carelessness or misconduct on the part of some person or organization it is up to them to make the change really.

**Hon. Mr. Wishart:** If the coroner's jury brings in a verdict that some person was criminally negligent or deliberately brought about the death through malice or intent then it becomes the Crown attorney's or the Attorney General's duty or the duty of the law enforcement branch to see that charges are laid and that a hearing is held before a court of law.

**Mr. Young:** As a matter of fact then, what actually happens, if the chief coroner is investigating something which happened in some body of government, then there is no recourse, it is expected that the appropriate Minister will make the necessary changes and there is no other recourse for it?

**Hon. Mr. Wishart:** That is right.

**Mr. Young:** That is the person to make the changes; that is all I have to say.

The Attorney General indicated when we were speaking about the debt counselling service under vote 207 that he would get his file and deal with it under this vote. That was my understanding of his decision.

**Hon. Mr. Wishart:** I have the file here. The name of the body is the Credit Counselling Service of Metropolitan Toronto. I have now with my file the letters patent incorporating that body under that name and those letters patent were issued by the Provincial Secretary's office on October 6, 1965, the names of the persons may be of interest who are the directors and shareholders. They are Lucy Winifred Bryce, educator; John Burnet Parkin, architect; Arthur James Bray, executive; David Vanek, one of Her Majesty's counsel learned in the law; Kenneth Arden Lund, barrister; Saul Wolfe, manufacturer; Thomas Walter Caporale, public relations director; all of the township of North York; and Thomas Gordon Rimmer of the village of Markham, advertising consultant; Harry Barnett Shannon of the village of West Hill, secretary; Raymond Melville Cox of the city of Toronto, general manager; and Walter Thomas Rogers of the township of Scarborough, executive vice-president.

The objects are to provide a credit counselling service as a social service in the public interest of the general public of the municipality of Metropolitan Toronto in the county of York and district and in furthering such objects to provide debt counselling both remedial and preventive, assistance in debt consolidation where appropriate and education in the uses and abuses of the credit facilities. Second, to provide advice on budgeting matters, generally to assist persons and families with their financial problems, to co-operate with public and private agencies, organizations and associations; and, third, to seek the co-operation of merchants, lending institutions, banks and others, individually and through their associations and organizations to achieve the aforesaid objects;

To promote budgeting, thrift and the protection of individuals and families facing embarrassment and difficulties in financial matters with particular emphasis on situations arising out of the use of consumer credit; to conduct educational projects in order to acquaint the public with the proper uses of the credit mechanism and propose corrective and remedial measures where necessary, including such measures as may require governmental or legislative action;

Sixth, to act as an intermediary between debtors and creditors in working out satisfactory arrangements for the orderly payment of debts and as incidental thereto and objects therein to act as a trustee for the distribution of payments to creditors or in any other fiduciary capacity either with or without fee for such services.

Head office is in Toronto and there is attached a charter—bylaws—which is quite a voluminous document and a proposed budget and as I say they have opened offices, quite expansive and I think sufficient offices for their work; they have received grants from this government and the government at Ottawa and from certain merchants whom they have approached to assist them in a financial way. I gave those figures this afternoon.

I intended to mention they have appointed an executive director—I had word of this just this month—on the 13th of June—they wrote

to inform me that Mr. George Penfold of Don Mills had been appointed executive director. It gives some history of his activities. In the news release they say in respect to that appointment to Credit Counselling Service it is a new project in the public interest in Metro Toronto set up as a unique partnership between business, the province of Ontario and various local welfare agencies. It direction with a view to assisting persons in has been organized as a social function to serve the people of Metro to deal with the problem of an individual and his family who are in difficulty on account of a heavy burden of debt, will provide counselling, advice and direction with a view to assisting persons in financial trouble to work out a distressing debt situation. CCS office—that is Credit Counselling Service—will be centrally located at Yonge and Shuter streets, to serve best the needs of all residents in Metropolitan Toronto.

**Mr. J. Renwick** (Riverdale): Does the Attorney General have the background of Mr. Penfold who will be the executive director of the counselling service?

**Hon. Mr. Wishart:** I beg your pardon?

**Mr. Renwick:** Does the Attorney General have the background, the biographical background, of Mr. Penfold who will be the executive director of this service?

**Hon. Mr. Wishart:** I did not take the time to read it but I shall be glad to:

> Mr. George Penfold of Don Mills. Mr. Penfold has long experience in the consumer credit field, having been employed in many capacities in southern Ontario cities for nearly 30 years, the past ten of which have been in Metro Toronto. He has been prominent in various community activities here, and is presently a member of the executive board of the Ontario provincial committee of the air cadet league. He is immediate past president for Canada of the Royal Canadian air force association and has been a vice-president of the Royal Canadian air force benevolent fund.

Now that is all that is given on Mr. Penfold.

I might say that after we had examined the work of this organization, we doubled the amount of our originally proposed assistance.

**Mr. Renwick:** The questions I am asking are purely for information. I have no particular comments to make about this, but I am very interested in this field; part of it is undoubtedly due to ignorance on my part.

Is there any other similar body in the province of Ontario to which the government makes any contribution, or is this the first entrance by the government into financial support to such service?

**Hon. Mr. Wishart:** There is no other as far as I am aware. This is really, as was mentioned here, the use of the word unique, this is really a pilot project, which we have joined and supported and I think it may be actually a pilot project which will lead to the service being extended to other areas of the province where a need may be. I would hope that would result.

**Mr. Renwick:** I have no doubt Mr. Penfold is an entirely capable person, but his background has been in the financing field. I understand his whole experience, from what the Attorney General has said, has been with a finance company, or with finance companies for a long period of time.

**Hon. Mr. Wishart:** I did not get that impression. I do not think that is so.

**Mr. Renwick:** I understand that he was formerly employed for some considerable time with Household Finance.

**Hon. Mr. Wishart:** Maybe, I did not know that.

**Mr. Renwick:** I am not commenting adversely on that. I think it is wise that a person in such a debt counselling service would be a person fully knowledgeable about all the ways in which finance companies operate in the field and would have wide connections, undoubtedly through long experience, with other finance companies and perhaps it could ensure their co-operation.

I would suggest, Mr. Chairman, that the Attorney General give consideration to having some direct representative of the government, or someone who is their specific appointee, because of the financial interest of the government and because of the nature of the pilot project so that the government will be fully informed as to what takes place.

The area of concern that I have experienced when I have people come to me, as other members of the House undoubtedly have had them come, with a burden of debt that they cannot cope with, that the actual facilities in our society are almost negligible to enable people to deal with it. Secondly, when you do attempt to deal with it, in some

cases, you run up against the proposition that there is no real attempt by someone to assess the total overall financial position of the applicant, no one with the sociological or welfare background who can make that kind of assessment in a sympathetic way.

My experience has been you tend to run into people who talk in terms of the cut-and-dried financial proposition, whereas, I think, any debt counselling service has got to take into account that, at least to some extent, the creditors of such a debtor are responsible to some degree for the position which he is in. These are companies which, of course, have available to them credit checking facilities. They could be forewarned and forearmed about many of the cases where people get into debt by going to more than one finance company, sometimes as many as five or six or seven, for household goods, then they run into sickness or they run into unemployment or difficulties and they just do not have the money to carry the obligation.

Is there any law in Ontario which governs the people who can engage in this kind of business? I am commenting again simply because of the article which appeared some time ago about an outfit called Consolidation Services, and sometimes called Family Debt Counsellors, sometimes called National Associates, who were using, it appears, in rather an illegitimate way, the name of a lawyer, in order to carry out their purposes. The case that was referred to in this column came very close to defrauding the very debtor who was attempting in some way to get out of debt.

**Hon. Mr. Wishart:** Mr. Chairman, there is a law in Ontario. It has not had Royal assent yet, but it is Bill 100, The Consumer Protection Bureau Act. One of the duties set forth in that Act states there will be a branch of The Department of Finance and Commercial Affairs to be known as the consumer protection bureau, which shall consist of the registrar of the bureau, and such other officers.

The consumer protection bureau shall—I am going to read it to you, it is short, and it will, I think, give an answer to the hon. member:

> The consumer protection bureau shall disseminate information for the purpose of educating and advising consumers respecting lending and borrowing practices; promote existing counselling services in respect of consumer credit.

That is promote and assist. Then:

> (c) receive and investigate complaints of conduct in contravention of legislation for the protection of consumers;
>
> (d) enforce legislation for the protection of consumers;
>
> (e) perform any other duties given to it by any Act.

I would think that the director and his staff on the consumer protection bureau would be the persons who would represent this government in this field, and would not only promote and assist, but govern the affairs of credit counselling services.

**Mr. Renwick:** Mr. Chairman, under that Collection Agency Act, would the Attorney General tell me, does the government exercise effective supervisory control over collection agencies as such? The Attorney General is as aware as I am of the undue pressure which is often brought to bear on debtors in a most unhealthy way, certainly in Metropolitan Toronto, and no doubt elsewhere throughout the province.

**Hon. Mr. Wishart:** The question was whether—

**Mr. Renwick:** The Collection Agencies Act. Is that a supervisory statute? Does the Attorney General supervise people who are authorized to collect accounts?

**Hon. Mr. Wishart:** We register collection agencies. We regulate and supervise them and generally control the type of material, the documents, they use and supervise their activities under The Collection Agencies Act. I might say that in this counselling service, one of the conditions that we have attached to our grant is that it shall report to us periodically.

**Mr. Renwick:** Mr. Chairman, my last comment is that the Attorney General is undoubtedly aware that in Toronto if a person comes to you with two judgment debts outstanding against him, or three, he can go to Mr. Foxhall, in the city hall and take advantage of the so-called small debts consolidation arrangement.

Now, I think that is a very unsatisfactory position for Mr. Foxhall to be in. It seems to me that there should be some provision in the small debts court by which any person, if he has a judgment out against him, can in some way be referred to Mr. Foxhall, or whoever the appropriate person is, to see whether in all the circumstances that person could not have the benefit of some debt consolidation arrangement under the aegis of the court.

It would appear with this new facility in Metro Toronto, I assume a person in that position could go to this association and try to work out an arrangement on a voluntary basis or within the framework of a welfare service.

I am suggesting now to the Attorney General that he give consideration to that part of The Division Courts Act which would permit a person, say he has only one judgment out against him, but say it is for $1,000, he does not have to wait until he gets two or three out against him before he can have the benefit of the actual court arrangement.

I would think that in addition to this counselling service there is a very real area in the province of Ontario through the division courts, to enlarge the function of the division courts to provide for this debt consolidation arrangement, or a pro-rated payment over a long period of time centralized in a more, shall I say, orderly way, or at least in a better publicized and well-known way as to what people can do in such circumstances.

It is very frustrating to say to a person: "Well, you have one judgment against you; I cannot do very much for you until a couple more come in and then I can send you to Mr. Foxhall to take advantage of this small debts consolidation arrangement."

**Hon. Mr. Wishart:** I think the hon. member's point is that the present debt consolidation arrangement which is part of The Division Courts Act, would only work if you have more than one judgment against you—I think perhaps it is three. I know judges, in my own experience, when you apply take into account as well as the judgments, other debts. Certainly they take these into account in making the disposition as to how much should be paid. But the suggestion is a good one in the sense that it is narrowing the number of judgments or broadening the scope. I would be glad to take it under consideration to see what might be done.

**Mr. Chairman:** Shall vote 208 carry?

**Mr. Singer:** Are we on 208? I am waiting for vote 209.

**Mr. E. G. Freeman** (Fort William): Mr. Chairman, under 208, there is a matter that I would like to get some information on from the Attorney General. In the widespread activities of his department, it might be possible that the information I am looking for may not be readily available. One question I want to ask, is whether the Attorney General is in a position at this time to tell how many used car dealer licences, if you call them thus, are in effect in the province.

**Hon. Mr. Wishart:** I think I can answer the hon. member. Mr. Chairman, as of December 31, 1965, 3,062 dealers had applied for registration; 2,985 were registered.

Eleven dealers were refused registration; 66 abandoned their applications, and there were 77 that were either incorrectly filed or were being investigated, and these applications were abandoned; 9,014 salesmen applied and 8,916 were registered; 12 salesmen were refused registration and 98 had either incorrectly filed their application or they were being investigated.

As of March 31 this year, there were 378 written complaints received by the used car dealers' staff, and they were all dealt with as follows: redress was obtained for the purchaser in 175 cases; there was no redress obtained in 107 cases; 27 of the complaints were found to be not warranted; there was no followup by the person filing the complaint in 29 of those 378, and three of the complaints were anonymous—no one signed or gave any followup.

I think that I should like to say in answering the hon. member, that in our assessment of the used car dealers' situation at the time we were considering this bill last year—or was it the year before?—in setting up the staff it took some time as the hon. member will appreciate, to prepare the regulations and get out the forms for registration, and so on. Our surveys indicated a much larger number of people in the business than finally came forward to be registered.

Apart from the fact that quite a number of those who applied were not registered, it became quite apparent to us that the moment the Act was passed and they were required to register, a goodly number of them just folded and went out of business. We have knowledge that a good many of those who knew that they had no chance of carrying on business just got out of it and never approached us.

**Mr. Chairman:** Before we have further discussion on this point, I would ask the Attorney General if that does not come under the office of the superintendent of insurance?

**Hon. Mr. Wishart:** I have answered it, sir.

**Mr. Singer:** Mr. Chairman, on a point of order—

**Mr. Freeman:** May I have the floor, please, Mr. Chairman? I am also speaking on a

point of order—and I previously had the floor. The point of order is that I previously took this matter up with the Chairman of the whole House and he assured me that the matter should be brought up under vote 208; that is the reason for my bringing it up at this time and I hope you will not deny me the opportunity.

**Mr. Chairman:** Just a minute, before you go on.

**Mr. Singer:** I would like to get some clarification.

**Mr. Chairman:** Just a moment, please. It is my understanding that used car dealers and the mortgage brokers come under the superintendent of insurance. Is that right, Mr. Attorney General?

**Hon. Mr. Wishart:** No, that is not so, Mr. Chairman. The superintendent of insurance's office was reorganized two years ago and these registration features such as mortgage brokers and used car dealers and real estate brokers were taken out.

**Mr. Chairman:** So that they come rightly under 208, then?

**Hon. Mr. Wishart:** Yes, they do.

**Mr. Freeman:** To the Attorney General through you, Mr. Chairman, thank you for the information, and the very complete information that you were able to supply.

The main purpose of my bringing this matter to the attention of the House, at this time, has to do with the very, very widespread activities of this department and the very great importance of this department, and when I speak of the importance of it, I am speaking of its importance in more ways than one. There are undoubtedly a large number of sales of used cars per annum and this in turn results very satisfyingly to the hon. Provincial Treasurer and to the retail sales tax department and I am sure that it is a very important item to him and to the province.

There is an area, Mr. Chairman, that I think is extremely important and it is this. Many of the used car dealers, and I suppose this includes the new and used car dealers and the used car dealers in the two categories, are confronted from time to time with an insurance situation which I think is extremely bad. In the past, and I am sure the Attorney General understands this situation thoroughly, the insurance companies apparently have gotten into the habit of cancelling the bonds of the dealers which, of course, results in the immediate cancellation of the bonds of the employees unless they can transfer their activities to some other used car dealer or car dealer. I have on more than one occasion during the last several months had this matter brought to my attention. It is placed in many places and I am prepared to cite the cases here. Now, these insurance companies in cancelling the bond of the car dealers, have put them in a position where they can be—as a matter of fact they are—sitting on a powder keg equipped with an extremely short fuse. That fuse can be ignited at almost a moment's notice and blow them all out of business. In many cases these people have many thousands of dollars invested in their business action. One in particular had in the area of $200,000 and became quite desperate toward the time when his bond was about to expire and he found it very difficult to renew with another company.

And I do not think this is a fair thing for business people in this province. I like the idea of the Attorney General telling us that when this Act was brought into force, many of the people who were operating in a marginal way or probably in a somewhat fraudulent way just neglected to apply for a licence to carry on business under this Act. It probably had a very salutary effect there. But there are probably still some who are operating in a very marginal way and are highly suspect for their method of business operation. But there are, I think, quite understandably, a very large number of the used car dealers in this province who are operating very, very ethically. They are good business people, they are citizens in the communities and they try to do a good job.

In speaking on behalf of people of that type, at this time, I think that anyone in this House would agree that any type of legislation or any type of action, any type of business action that is likely to peremptorily put any reputable business person out of business, almost overnight, as it were, should be definitely frowned upon. I think we all could agree upon that. And I do not like the idea of some of the insurance companies and the actions they adopt in that they may overnight, as it were, cancel the bond of one of the people who are covered under the used car dealers bonding operation. They charge a certain fee for that bond, which is agreed upon and the dealer is quite happy to pay it, undoubtedly, to be covered and be able to operate.

But, when that dealer finds that he has to go to another insurance company to obtain coverage, they have found on more than one occasion that their bond has been doubled or in some cases tripled.

Now I do not think any of us would agree that this is the type of business operation that should be looked upon with anything else but a very serious frown. I think government should do something about this. I think this government should be in a position to entertain the idea—and I understand, Mr. Chairman, too, that the used car dealers branch has either seriously thought of the idea or certainly more than toyed with the idea of taking over this insurance bonding operation themselves—and I would think this would be something that the government, this government in this province, could very well do.

I do not believe, after the investigations I have made, that this is an area of operation for the recognized insurance companies to be in. I think it gives them the power to hold a hammer over the heads of the people whom they are covering and I think it is a very unfair type of situation.

I would hope, Mr. Chairman, that the Attorney General has given some serious thought and his people have given some very serious thought, to the idea of the government taking over the bonding of these people. They would find that it would be a worthwhile business operation, but first of all it would assure the people who are bonded, the people who are in this type of business, it would assure them of a much fairer deal than they are getting at the present time.

And, Mr. Chairman, I very seriously recommend my thinking to the Attorney General's department.

**Hon. Mr. Wishart:** Mr. Chairman, I would like to inform the hon. member, through you, that we are aware, we have had complaints of this same nature and we are no happier about them than the hon. member. We think it is reprehensible on the part of insurance companies to do this.

We have had complaints from the used car dealers. We have taken the matter up with the companies concerned. The superintendent of insurance is aware of our attitude and what is going on. My understanding is that some insurance companies—and they are perhaps not all in this class—will insist if they are to give the bond on getting all the other insurance that the dealer has, liability, fire and so on, otherwise they cancel his bond and then, as the hon. member pointed out, if he goes elsewhere he may find his bond premium substantially more than he had to pay before.

We have taken this up with individual companies, we have made the superintendent of insurance aware. If the hon. member has cases, individual cases, I would be very glad to hear them. I know the dealers have been much exercised about this and have suggested that they might have it set up something like a compensation fund such as the lawyers have or some arrangement whereby they can bond themselves.

I had not thought of the suggestion that the government might bond them. This might be feasible. I am not sure but what something of this nature is done in connection with stock auctioneers and dealers. However, the situation is one which certainly is not right; it deserves remedy and we will move to it and see what can be done.

I might say further that knowing this situation, the staff of the used car dealers branch have been very lenient and very reasonable where a dealer is left without a bond and is having difficulty getting another one. He is not cut off in those circumstances on doing business, he is given every consideration and every extension of time. So long as he is making an honest effort to get bonded again every consideration is extended to him. We have this matter in hand and I would be glad to have any further cases the hon. member has and we will follow them up.

**Mr. Freeman:** Thank you, Mr. Chairman.

Briefly, another item I would like to get some clarification upon, Mr. Chairman, is that in many cases the used car dealers and car dealers have been over the years—and I am sure we have all had experience enough to realize this is true—they have been employing people on what might be called a part-time basis. I was somewhat disturbed, Mr. Chairman, I believe it was last spring, not too long ago at any rate, to have a letter handed me from the used car dealers branch directed to a used car dealer, which told this chap in no uncertain terms that he had to cease and desist from the idea of using part-time employees. It would seem to me that in retail business generally—and certainly this is a form of retail business, that is to say used car sales is certainly a form of retail business—that part-time salesmen are an accepted part of the sales picture. I am wondering, and I think a good many of the used car people are also wondering, why the branch adopted this attitude, why they took this line of thinking.

Another reason for my being interested in this matter is that in smaller communities, particularly in the smaller communities, there are one or two or three or perhaps more used car dealers and in many instances they have growing families, some of the senior

boys attend school or they may be even working at some industry and probably newly married. They are raising a family, and not only to augment their own income but also to help the family business which their father was carrying on and perhaps had carried on over a period of years, they had made it a habit over the years to associate themselves with the parents or brothers and some relative's operation, or even the operation of someone who was not related, to augment their income. Yet this directive came out—I am sure the Attorney General was well aware of it—this directive came out, not too many months ago as I said, and it very definitely told them that they must cease this form of business operation as of a certain given date. Now I would appreciate it, Mr. Chairman, if the Attorney General could give us some information as to why this was done or if it is not being carried on at the present time I would appreciate hearing that.

**Hon. Mr. Wishart:** Mr. Chairman, I am aware, of course, of the policy. The used car dealers branch did find that the part-time salesmen were an unsatisfactory element of the business. They did not give service or follow up to their customers, they were not available or could not be found when wanted. Usually the part-time men were not only part time on certain days but they were only part time on the job, maybe a month, and then they were gone somewhere else. They were very difficult to follow in their activities and were most unsatisfactory.

So the branch brought in a policy, and I believe it was related to the size of the community. It was in a small community, I am not sure whether the population was 5,000, where they were well known to the local people, I think it was permitted. They drew a line, I think, at that population level and said, in larger centres they must devote their full time to the job. I think there was some merit in this, but even with that, I know there were complaints, hardships, and I believe they were dealt with fairly reasonably on the merits of the individual case.

Now there is some merit to the policy and I know that some of those complaints came to my own personal attention and I took it up with the director of the branch and I know that in a number of those cases they were modified. I think I indicated my view that the policy should be one that should be suited, as reasonably as possible, to the hardships or the merits of the case. But it has some merit, because in the larger centres the part-time salesman is just a fly-by-night, in many cases.

**Mr. Freeman:** Mr. Chairman, I can quite agree with the Attorney General in his remarks to a very great extent, but I was glad to hear, at least I hope I heard it right, when I understood him to say that his department and the used car branch, acting under the aegis of his department, is prepared to exercise a certain degree of leniency.

**Hon. Mr. Wishart:** That is right.

**Mr. Freeman:** Depending upon the circumstances in individual cases. May I have the assurance, Mr. Chairman, through you to the Attorney General, may I have your assurance, sir, to the effect that this policy is still in force and that if individual cases arise that have merit, that they can be brought to your department?

**Hon. Mr. Wishart:** Most certainly.

**Mr. Singer:** Mr. Chairman, under The Mortgage Brokers Registration Act, section nine (a) provides that where in the opinion of the registrar any person registered under this Act is making false, misleading or deceptive statements in any advertisement circular, pamphlet or similar material, the registrar may order the immediate cessation of such material.

My first question in this line to the Attorney General is, has this section been used at all since its enactment in the session of 1962-63?

**Hon. Mr. Wishart:** The answer is yes.

**Mr. Singer:** Have there been any prosecutions, or just directions?

**Hon. Mr. Wishart:** I do not think there have been prosecutions.

**Mr. Singer:** Just directions from the registrar? What sort of criteria have been used in making these directions? What are the tests? What is honest advertising and what is dishonest advertising? Have you any general principles or rules?

**Hon. Mr. Wishart:** I really do not think I can answer the hon. member to his satisfaction, Mr. Chairman. The Act, I think, which he has before him, says, it is in the discretion—

**Mr. Singer:** In the opinion.

**Hon. Mr. Wishart:** In the opinion of the director, and he exercises that as a discretion. I think he has acted in a number of cases and stopped the advertising. The penalty, as you know, is cancellation of registration.

**Mr. Singer:** Yes. Well, I have laid the groundwork then for the remarks I want to make, Mr. Chairman. I have before me a page out of the want ads of one of Toronto's papers, and this is the sort of want ad that you can find in any Toronto paper on almost any day of the week. Under the heading, as these ads are classified, of mortgage loans, there are a number of advertisements, and I think it would be reasonably safe to assume that anyone who advertises under that heading of mortgage loans would be a mortgage broker within the meaning of the Act and should be registered.

Now, the thing that bothers me is as you glance through these ads any night you can see such fascinating words as, triple A personal guarantee.

**Mr. D. C. MacDonald** (York South): What is that?

**Mr. Singer:** I do not know. That is my whole point. What is a triple A personal guarantee? You can have a personal guarantee or a lack of a personal guarantee, but how do you proceed from single A to double A to triple A or even to grade Z?

Another typical ad in this paper, "Payments too high?" "Payments cut in half. Come to us and discharge your mortgage." Or another one, "$5,000 down triple A first."

**Hon. Mr. Grossman:** What was the last one?

**Mr. Singer:** I will send the paper over to my friend.

Mr. Chairman, there has been much talk in this House about false, misleading advertising, and I am very concerned in this day and age, when we are trying to protect the consumer and the persons affected, by this kind of advertising. It would seem to me that the registrar of mortgage brokers should glance occasionally through the daily newspapers and see the sort of nonsense that appears here. I do not know if anybody is deluded by this type of wording. I would suspect there are many people who may imagine they are getting some particular kind of benefit, that a triple A first is of greater significance than a single A first. If triple A gets to be good, maybe you can make it quintuple A.

**Hon. Mr. Wishart:** I wonder, Mr. Chairman, if I could ask the hon. member if he has the Act there, if he would read me the definition of a mortgage broker?

**Mr. Singer:** I only have the amending section that puts in section nine (a) in 1962-1963, but as my recollection of it is – and certainly as a lawyer I am hesitant to quote it off the top of my head – it is anyone who deals in mortgages for a profit. This is substantially it. But we can get it.

**Hon. Mr. Wishart:** Well, I think the point is well taken anyway.

**Mr. Singer:** Yes. Well, the advertising here is obviously designed to be false and misleading and to lead the persons to whom these ads are directed to believe they are getting some sort of additional advantage. The mortgage speaks for itself. If they have a mortgage they want to sell at such and such a discount, that is their privilege. But to shout or to puff out of all proportion the supposed benefits that are going to be given, in this type of advertising, I think deliberately flouts the Act and is some indication at least, that whoever is in charge of supervising this advertising, has not really bothered to look at the daily newspapers.

**Mr. Chairman:** Is vote 208 carried?

**Mr. G. Bukator** (Niagara Falls): Mr. Chairman, in regard to advertising in the newspapers, I want to say that maybe the city of Toronto can get away with this type of advertising, I know we cannot down in the Niagara peninsula. I would like to relate my own case to you.

I have a small real estate office and it is a limited company, and I have my name, George Bukator Limited, on an 18-inch by two-foot sign.

**Mr. Sopha:** Do you have a mortgage? I have a mortgage.

**Mr. Bukator:** I have many mortgages on my properties. I could never afford to pay for one outright. However, the sign was made with my telephone number, the village out of which I operate. Your inspectors came about and said you have "George Bukator Limited," and you have "for sale" but you do not tell the people what you are. You happen to be a broker and we want broker on that sign, or realtor.

**Mr. Singer:** Did you have to put Liberal on the sign too?

**Mr. Bukator:** I would have had to later on, but the sign was so designed that when an election rolls around, I will just put vote Bukator, and we will have it.

**Mr. Sopha:** And they will, by thousands, they will. He just tells them he knows Judy LaMarsh.

**Mr. Bukator:** The point I would like to make is that your inspectors are very thorough. They come and inspect my books and I will tell you something, they are not too tolerant if you do not have them handy. They want them immediately, even though they happen to be at the auditors. They check your accounts, they check your money in trust. They go on and check your record of sales.

The only fault I an find with the man that came to my office the last time, and he was a lucky man that I was not there, he has no authority such as an inspector to walk into my office and take a pencil and tick the error on my record of sales. He can tell me it is wrong, he can write me about it, he can prosecute me if he likes, but I do not want him tampering with my records, and it happened on his last visit.

What I am trying to say to this House is that is thorough in some areas. But they had better smarten up in Toronto, because their ads here are many and varied and very, very wrong, because they do not come up to the letter of the law as they expect some of us to do.

**Mr. R. Gisborn** (Wentworth East): Mr. Chairman, I would like to raise a question along the lines raised by my colleague from Fort William.

**Mr. J. R. Knox** (Lambton West): Probably the same one.

**Mr. Gisborn:** No, I would say to my friend from Lambton West it is not the same one.

**Mr. A. E. Reuter** (Waterloo South): How did you think up one all by yourself?

**Mr. Gisborn:** Do you want to make any more smart cracks? I will wait until you get finished.

I think there should be an answer provided. When The Used Car Sales Act was brought in, we all felt it was necessary, but I have run across a problem with it that I felt should be looked into. I understand that not only the manager of the lot or business, but the salesmen must be bonded also. Is that correct?

**Hon. Mr. Wishart:** The salesmen as well as the proprietor.

**Mr. Gisborn:** The case I would like to put before the Minister is that this chap had a small trucking business of his own, but he had a problem with alcohol and subsequently lost his business. Several people made attempts to rehabilitate him. He had never been found to be dishonest in his own business, it was strictly a drinking problem.

In the process of attempting to rehabilitate him, his brother who owned and operated a used car business, offered to give him a steady job, but he ran into the problem of not being able to get bond. I understand that in any sale that is made the contract forms must be signed not only by the salesman making the sale, but also by the manager or the proprietor of the business. If I remember correctly from reading the form, it states that the manager's signature should be on there and it is he who has the sole responsibility of the terms of the sale of agreement.

If this is the case, I wonder why it would be necessary for the full-time salesman to also have to be bonded under the terms of the Act.

**Hon. Mr. Wishart:** Mr. Chairman, I will have to say to the hon. member that I read a moment or so ago that there were 10,000 or 11,000 salesmen. We did not feel in passing the legislation that it was sufficient to simply bond and register the dealer; they must have discipline on their salesmen and there must be some way to register their qualifications and their characters, and so on. While it is true that he has a responsibility, just to let the salesmen go without any requirement of responsibility, I think, would be departing from the tenor and the whole purpose of the Act. It may seem to work a hardship in the case that the hon. member has put, but I do not believe that we could make an exception in that kind of a case.

We felt it wise in passing this Act that a salesman who is going out and persuading a member of the public to go out and buy a used vehicle should have some responsibility. He should be the type of person who can be bonded and I think the bond is $2,000. He either puts it up in cash or gets some organization to bond him, but I do not think that we should depart from that principle.

**Mr. MacDonald:** Mr. Chairman, may I have your guidance? Does that branch of one of the departments that has supervision over money lending and the raising of money for the purposes of lending some here or later, under the office of the superintendent?

**Mr. Chairman:** Under the loan and trust companies? That would come under the superintendent of insurance.

**Hon. Mr. Wishart:** The superintendent of insurance has the loan and trust companies, but not others.

**Mr. MacDonald:** This is with regard to advertising and the operations of companies that are seeking to borrow money for the purposes of lending.

**Hon. Mr. Wishart:** Like the trust companies.

Vote 208 agreed to.

On vote 209:

**Mr. Singer:** Vote 209, Mr. Chairman, covers the securities branch. Now I suppose, having had seven days in the legal bills committee on the new Securities Act, it is unlikely that too many new ideas can be brought forward, but I am going to mention one or two.

First of all, I want to state in very brief summary our disappointment in three particulars with the Act. Number one is the fact that the definition of "insider" and "associate" was not broadened; number two is the fact that the securities commission seems to be too closely aligned to government and not sufficiently independent; and number three was the refusal of the government to accept the most logical and important amendment prohibiting the trading by members of the commission and the staff in the securities which they are supervising. I draw particular attention, as I did in the committee, when I moved that amendment, to the difficulty that the government is presently having in relation to a former official who was acquitted when tried under a certain section of the criminal code.

The case went to appeal so I am not going to mention anything more, but it is less than obvious, just let me say that, that the section of the code that was used in that prosecution is the complete answer to the type of concern that was expressed in the amendment that we put forward. That is all I want to say about the Act.

I want to ask the Attorney General if he has appointed the other two of the five commissioners to the commission or are there still only three?

**Hon. Mr. Wishart:** There are just three: Mr. Willis, Mr. MacFarland and the chairman, Mr. Kimber.

The hon. member is aware, of course, that the administration of the securities branch will move under another department, and I would hope that that Minister might take this into account, too.

**Mr. Singer:** Mr. Chairman, I would hope he would, but we have been talking about securities and the lack of law enforcement for quite some considerable time. Now that we have a new Act, which certainly is a vast improvement over anything this province has heretofore seen—it is far from perfect but it is a vast improvement—and one of the first things one would have thought would have been done by the government would be to bring the securities commission up to full strength. I would think that the securities commission needs the five people that you are allowed to appoint. You have only three, you are two short, and I think you have been negligent in not appointing the other two to fill up that commission.

I think the important thing is a change in governmental attitude, not just a change of departments. There has been an inkling that there has been a change in governmental attitude because, as I say, the bill is certainly an improvement over what existed before. But you can write bills and print them *ad infinitem*. They are not going to mean a thing unless the government is determined to make them work, and to make them work you are going to have to have staff and you are going to have to be prepared to spend money, Mr. Chairman.

When we raised this earlier on, in the second reading of this Securities Act, the Attorney General, late in that debate, told us of the Price Waterhouse study and later furnished us with copies of the study. I specifically recall asking him if there was a recommendation insofar as salaries were concerned, and he said "Yes." Now, I do not recall completely how far I pursued that line of questioning. Certainly what I had in mind —and it may be that my words were not too exact—was there a breakdown, position by position, in the suggested new establishment showing experience and the salaries that should go with it.

It was my impression that, after I had asked that question, the Attorney General said: "Yes." Since then, he did make available to us the Price Waterhouse report and the only reference to salaries at all in that report is at the bottom of page 10 where Price Waterhouse says:

> We estimated that the total annual salaries and consultant's fees of the recommended establishment will aggregate $620,000. The total annual salaries and sultant's fees for complements authorized and budgeted are estimated by the commission at some $400,000 in 1965-66 and $500,000 for 1966-67.

This report bears the date, January 7, so that at that time it would seem that the gentlemen who prepared it had been advised by the Treasury board and the securities commission or by the Attorney General, or by someone in any event, that it was intended to include in this budget the sum of $500,000 for salaries. In fact, there is for salaries in this vote, the sum of $481,000. Somewhere along the line the figure of $19,000 was chopped off from the information given to Price Waterhouse. But the more significant fact, Mr. Chairman, is that, notwithstanding the fact that Price Waterhouse had been told that the estimated budget for this current year, the estimates we are talking about was going to be $500,000. They said the recommended establishment annual salaries and consultant's fees should total $620,000. What we have in these estimates is not $620,000 but in fact $481,000. So that having paid for this report, and I would suspect that Price Waterhouse was paid a substantial fee, they are good accountants and management consultants and they do not work for minimal fees—

Interjection by an hon. member.

**Mr. Singer:** It may well be the difference, as my friend says, the difference between 480 and 620. Having paid for this study, having received the advice, having been assured by the Attorney General that the recommendations in this report are going to be carried out, we look at the amounts asked for in the estimates and we look at the Price Waterhouse recommendation and find that there is $140,000 in difference.

Now, Mr. Chairman, let me emphasize a point that we have made since this bill first came before us. With all the good will in the world, the securities commission, even under its new Act, cannot work unless the personnel are given to it. We made this point and emphasized and re-emphasized it. And one day the Attorney General when talking to us in this House said—Ah, ha! You don't know it, but we had a management study done."

In due course he made available to us the Price Waterhouse report and that was the time when I asked, were there studies about salaries, were there specific recommendations and what are you going to do about it? Either he or the Prime Minister, I have forgotten which, said: "You do not think we pay for studies and then do not follow them?" So we let it go at that until we had the opportunity to compare the report with the words, and then to compare the recommendations in the report with the figures in the estimates.

I cannot help but come to the conclusion that we were misled in this House in reply to the questions that were put, insofar as staff is concerned. We were told—and there is no question of this, I can find the page reference, and I think both the Attorney General and the Prime Minister joined in this exchange—we were told that there were specific recommendations. We were told that the recommendations of Price Waterhouse were going to be carried out. Now, when we look at the estimates there is $140,000 worth of difference. We do know that the commission establishment which calls for five is still only three. We do know that the department advertised for a long period of time for a key counsel at a ridiculously low salary and they were not able to fill it; we do know—

**Hon. Mr. Wishart:** Mr. Chairman, I was going to make this a point of order. If the hon. member—

**Mr. Singer:** It is the only way you will be in order.

**Hon. Mr. Wishart:** I should just say this. It seems quite apparent that the hon. member did not either listen to my remarks when I opened the debate on these estimates, or did not even read the remarks which I—

**Mr. Singer:** I did.

**Hon. Mr. Wishart:** Well, if he did, his memory is very poor.

**Mr. Singer:** That may be.

**Hon. Mr. Wishart:** I would refer him to page 5; there is a good deal on page 5 about the Ontario securities commission, in fact it is all about the Ontario securities commission, and it speaks of the various officials who will be added to its staff. Then we say this at the foot of page 5:

> The revised organization of the Ontario securities commission will require 23 additional persons at a total estimated increased cost of $120,000.

Add that to your 481 and you get at least 600,601. That, I may point out, however, is only for six months, that 120,000. So, if you add another 120,000, or thereabouts, you will exceed the recommendations of the Price Waterhouse report. I went on to say:

> The decision to proceed with this reorganization is dependent upon the acceptance for this Legislature of The Securities Act, 1966.

> For this reason it was considered that the provision for the increased cost should await the deliberations of this House on the proposed legislation. The cost was not, therefore, included in our estimates. But I am assured by the hon. Provincial Treasurer that the funds will be provided to meet the new responsibilities when the legislation is an Act.

I felt it was only proper I should halt the hon. member in the midst of his flight before he conveyed an entirely wrong impression and information.

While I am on my feet may I point out that the Price Waterhouse report does specify and spell out positions—it does not perhaps give in dollars, in cents, the salary or qualifications, but it did give a total salary and we are providing more than needed.

**Mr. Singer:** All right, Mr. Chairman, I have the copy here in my hand of the Attorney General's report. I do not know how closely he was watching me while he was talking, but I did not take my pen out of my pocket. I have the paragraph at the bottom of page 5 marked and underlined, and my comments at the top of page 6 is "How!" with a big exclamation mark.

I will tell you why I put that in, Mr. Chairman. I will tell you exactly why I put that in. This phrase: "The cost is not, therefore, included in our estimates, but I am assured by the hon. Provincial Treasurer that funds will be provided to meet these responsibilities when the legislation is enacted."

What sort of nonsense is that, Mr. Chairman? The government has sat with this report since January of this year. The government with 77 seats has no question in its mind that it can put through any piece of legislation that it wants. The government casts these estimates, prints them and puts the figures in. Now the Attorney General rises in his place and repeats the interesting statement—that is the only way I will phrase it—that he puts in his opening remarks that when the bill is passed, as though there was any real doubt in his mind that the bill would pass, he is assured by the Provincial Treasurer that the figures in this book will be implemented to a further extent.

It is utter nonsense, Mr. Chairman. One of two things is happening, either the government was not sure when it introduced this Act that it was going to proceed with it, and I can hardly believe that. If there was any doubt in their minds, all they had to do was count the numbers and 77 are more than 23 and 8 by anybody's arithmetic, so there could be no doubt in their minds.

Interjection by an hon. member.

Now, just let me finish. Or the government was not prepared to put in its estimates once more the true amounts that they are planning to spend. Now, sir, if the purpose of these debates is to bring before this House the estimates or reasonable estimates of expenditure that various Cabinet Ministers ask approval for, then what kind of sense does that paragraph in his statement make? I say somewhere along the line the government is playing with mirrors—now you see it, now you don't.

Mr. Chairman, the only way that this government is going to convince the people of Ontario that they mean business in the securities field is to get to work and get the staff and get the commission to enforce this Act. They have not done it.

Again, Mr. Chairman, I started to talk—and this is the point where the Attorney General rose on his point of order—they advertised for over a year for a chief counsel at a ridiculously low salary and to no one's surprise, they were not able to find one. Subsequently they have raised that salary. Whether they have found a chief counsel or not, I don't know for sure. But I would imagine if they hired a chief counsel that we would have heard about it in one of the press releases that come forward, or in an announcement in the House.

The government has had this report, as I say, since early January of this year. The government says in a loud voice: "We are going to clean up the securities business." After Windfall and Mr. Justice Kelly and all this long series of scandals we say: "at long last." Mr. Chairman, nobody is going to convince us or the people of Ontario that the government means business unless: One; they ask for the money that they need to do the job, and unless, two; they hire the staff that is necessary to do it. There has been no indication that they are doing either of those things.

**Hon. Mr. Wishart:** It became quite apparent that the hon. member loves to set up straw men so he can knock them down. He would not allow me to interrupt him because he knew that it would take away the virtue of anything that was in his remarks.

**Mr. Singer:** Mr. Chairman, on a point of order, the Minister is attributing motives to me and I ask that he withdraw that under the rules of the House.

**Hon. Mr. Wishart:** If that hurts the hon. member, I will withdraw it.

**Mr. Singer:** I just wanted to keep it in order.

**Hon. Mr. Wishart:** If the hon. member had some experience of the way the government operates—

**Mr. Singer:** I have had too much.

**Hon. Mr. Wishart:** If he had some experience, he would know that it is not possible to ask for moneys for legislation which has not yet been presented even to the House. The estimates for this department were prepared in October of last year. It would be most improper to insert large amounts of money, any amount of money, in the estimates for something which did not even exist.

**Mr. Singer:** Minister after Minister stands up and tells us how we are going to have an expanded programme, that is why they are asking for more money.

**Hon. Mr. Wishart:** Well, the expanded programme is under an existing Act. This would be something that was called for by a new Act. I am quite sure that if it had been in the estimates and the Act had not been available—and it was passed I believe the day before yesterday—I would have heard the hon. member up berating this Minister for asking for money for which he had no authority to get in his estimates—and perhaps saying he would reduce the amount to $1, as he moved earlier this afternoon. I think he may take the statement which was given when these estimates were introduced, and I think if he watches he will see that the funds will be granted and that the organization will be implemented.

**Mr. Singer:** There is nothing in the old Securities Act or in the new Securities Act that indicates how many dollars the Minister can or should ask for insofar as its implementation is concerned. And the Attorney General is dodging the issue and deliberately avoiding it when he says that his asking for sufficient funds depended on the passage of the new Act. There is not one word in the new statute that says, "I am going to hire 75 personnel or 175 personnel or that my expenditures are going to be $75,000 or $9,-075,000." The Attorney General knows full well that had he come to this House and said, "I am determined that we will enforce our securities laws and to do this I want your approval of an extra $200,000 for the securities commission," the House would have gladly voted it to him, all sides of the House. And I say these excuses are phoney and I am not convinced yet that the government really intends to enforce the securities legislation.

Interjections by hon. members.

**Mr. Singer:** We have been waiting for years, 23 years, for new people.

**Mr. Chairman:** Order, please.

**Hon. Mr. Rowntree:** Before the debate goes on, could I ask the operator of the loudspeakers if he would mind turning them down after all the shouting?

**Mr. Singer:** My friend, the Minister of Labour periodically tells me he cannot hear me so that is why I was speaking loud enough to cope with his senility.

**Mr. Renwick:** I would like to commend the Attorney General on The Securities Act which has now been passed by this House and awaits Royal assent. I think he deserves the commendation personally and because of the openness with which he dealt with the committee on the review over a period of some 20 to 25 hours of the detailed provisions of that bill. I think the success of the bill, the margin by which it has been accepted in the community, is due in a very large measure, if not entirely, to the way in which the Attorney General dealt with the bill in the committee of the Legislature.

I say this both for that reason, and wholeheartedly say that, and also because I am concerned about a brief of the Canadian bar association which was received about three months after the second reading of the bill in this House and after the bill was introduced. I believe the bill was introduced on March 16 and was read for the second time at the end of March and the brief was received at the end of the hearings of the legal bills committee some time in the latter part of June. To my surprise, two of the editors, the financial editor of the Toronto *Daily Star* and the financial editor of the *Telegram*, saw fit to comment about that brief and without one single word of approbation of the work which the Attorney General had done, fell for the brief which the Canadian bar association put in at that late date.

And to my surprise today—and I think it is a disservice to the Attorney General—the Toronto *Daily Star* has an editorial which says; "Securities law—the great failure." I would just like to record for myself and for our party here that I think The Securities Act of 1966 is a first-class piece of legislation, that the Attorney General deserves the approbation of the people of this province be-

cause I am certain he was under substantial pressure to delay the passage of this bill beyond this session.

We have a different policy and philosophy as to the relationship between the Ontario securities commission and the Toronto stock exchange. We have argued that out in this House and we cannot assert our view at this time. We also moved three amendments during the time that the bill was in committee of the whole House on matters which we still believe would be substantial improvements to the bill. But to take in a Toronto newpaper a brief, ill-prepared, in haste, at the last minute, of the Canadian bar association and on the basis of that, to call The Securities Act which has been passed by this Legislature the great failure is a disservice and in my view it is irresponsible journalism.

I say this because if any one would read the brief of the Canadian bar association he would find that it deals with two points and two points only. The first point is the definition of the term "associate" which they the Toronto *Daily Star* and others, latched upon as not being broadly enough defined to cure the defect of insider trading. I would point out that that definition appears in section 1 (b) of the bill.

The second point in the brief is about the commission, the kind of commission which the bill establishes and I would point out simply for the record, that provision is section 2 of the bill. I need not, I think, elaborate on it, that the committee of the Canadian bar association that chose to submit that brief at the last minute in fact got no further in its consideration of that bill after it had been available for at least two months, than section 2 of the bill.

I think the record deserves to be perfectly clear before this House, I think each member of the House, certainly of the committee, would asociate himself with me and with our party in saying that The Securities Act, despite the differences that we have had, is a first-class piece of legislation and is a tremendous improvement over the law as it has existed in this province and anywhere else in Canada, and the Attorney General deserves that credit.

Secondly, I would like to point out that I cannot understand how the Canadian bar association, with its knowledge supposedly of the way in which commissions are established and operate under the traditional government of the province of Ontario, could have suggested that there was some merit in establishing a commission which would have been completely independent of the government or of this Legislature and that, in substance, is what they were advocating.

What that branch of the Canadian bar association is apparently unable to comprehend is that I know of no commission which has been established by the Legislature of this province where the power to pass regulations is not the power of the Lieutenant-Governor in council.

This is the traditional method by which the government of this province responsible to this assembly and indirectly thereafter responsible to the people of the province of Ontario in my view properly discharges its obligation when it sets up the commission in the manner in which the Ontario securities commission has been set up.

The section of the Canadian bar association which presented this brief in the name of the Canadian bar association obviously was thinking of a system of establishment of a commission along the lines of the securities and exchange commission of the United States which is independent of the executive government of the United States but responsible to Congress. The Canadian bar association, if no one else, should understand that the responsibility of the securities and exchange commission to Congress is a responsibility which Congress discharges through its committees under a different system of law. Now it may well be that some day the standing committee on government commissions or some other committee of this Legislature will be in a position to discharge to some extent that responsibility. As the House knows the securities commission does come before the standing committtee on government commissions. I have spoken about the inadequacy of that committee but over time I have every hope that it will improve and I simply could not let this occasion pass without pointing out that the financial editors of the *Telegram* and of the Toronto *Daily Star,* saw fit to take, without any real assessment of its worth, that brief of the Canadian bar association. I say this because it was a great disappointment to me and if I am wrong in this I know I will be corrected.

It was a great disappointment to me after all the editorializing about the securities commission and the securities law on the business pages by the financial editors on the editorial pages, to my knowledge there was not one single newspaper in the city of Toronto that saw fit to send a reporter or a person from their financial news section of their papers to sit in on the deliberations of that committee which, over a period of 20 or 25 hours, was in my view a model of how a legislative

committee should operate in the consideration of an important bill.

To my mind it will be very difficult for me in the future to accept criticism on the financial pages of the Toronto newspapers or of the *Financial Post* because of their complete lack of interest in the passage of a fundamental and basic law of this province. Mr. Chairman, I simply conclude my remarks where I began by commending the Attorney General and I think everyone in this House should so do.

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if I may be permitted a word. I am embarrassed, and I think I might say that I am very touched by the overgenerous remarks and the compliments that have been paid to me by the hon. member for Riverdale. I am proud of The Securities Act, but I am indebted to my colleagues in the House, and particularly to the committee, for their great assistance and to those who worked on the bill drafting it beforehand.

I might say with respect to the hon. member for Riverdale, while we have differed on many things, even in that Act, it becomes all the more acceptable to me to hear him make these, what I called "overgenerous" remarks. I would say that I was not hurt so much—the hon. member for Downsview says that I get hurt—I was not hurt by the comments in the financial papers, but I was deeply disappointed, as was the hon. member for Riverdale, to find that comments are made without any real foundation for the criticism that is offered on a piece of legislation such as this. It does seem, I think I would have to join with the hon. member and say that it does seem irresponsible when you find that type of glib comment without any study or appreciation behind it.

I would say one thing more, Mr. Chairman. I became attached to that bill and I shall certainly watch it with interest, although I may not be able to follow it in its administration.

Vote 209 agreed to.

On vote 210:

**Mr. Singer:** On vote 210, Mr. Chairman, I do not think there is any point in reading again from the new volume of letters that I have received about insurance policies, but I do want to ask the Attorney General if in the office of the superintendent of insurance there is going to be any effort made to examine and try to understand, independently of the industry, the basis on which rates are set.

Now, that is not being done and we have established clearly that that is not being done. There are facilities presently in that office to do it, because the whole rate structure in automobile insurance is an enigma, a conundrum to the people of Ontario. They just do not understand it.

They are suspicious because of constant raises. It may be that there are reasonable answers as to why the rates go up and up and up and never appear to come down.

They are suspicious because of cancellations and because of ratings and so on.

Surely, Mr. Chairman, it makes almost basic common sense to say that if we have an office of the superintendent of insurance we should have, from time to time, authoritative statements emanating from that office, on the basis of competent research, that the rate structure on automobile insurance, which is a part of our everyday life, is a reasonable one. I wish that the Attorney General would give us some comment in connection with the functions of that office in regard to this rating structure.

**Hon. Mr. Wishart:** Mr. Chairman, I have not, I must confess, been altogether satisfied with the attention that I have been able, as Minister, to give to this branch of my department. That is one of the reasons, among others, which has led me to recommend that The Department of the Attorney General be relieved from the responsibility of administering certain financial and commercial areas.

I think there are things to be done in the office of the superintendent of insurance. I know that he needs additional staff, I know that he works under difficulties and I know the branch has not been able to receive the attention it deserves. It is, as the hon. member knows, to become a part of the new department now established by legislation. I would hope, and this is perhaps a parting word of advice, that the Minister acquiring that responsibility will be able to fortify and to give better attention than I have been able to give to that department. I am sure he will take those words of advice, whoever he may be.

**Mr. Singer:** To you, Mr. Unnamed Minister, from "tiring hands I throw the torch". Well, let us hope it lands in receptive hands.

**Mr. Young:** Mr. Chairman, another problem that was touched on by the hon. member for Downsview is a pressing one, and I am not going to belabour it tonight at this hour because the House has already heard a great deal about it, and that is the cancellation of

policies. I have in my hand the case of Alfred Griffith, 65 Ascola boulevard in Scarborough, who got his regular letter on April 29:

> We have the pleasure of enclosing your Acadia Insurance honorary renewal covering your 1957 Meteor for a further period of one year, effective date May 10.

They told him that the company would be sending the bill. Acadia sent him a bill on June 12, 1966—$78 for the year. Then on June 27 they get a form letter, the gist of which says:

> We now find that the above policy no longer falls within our underwriting requirements. In your policy there is provision covering the form of cancellation procedure and as required by this provision we herewith advise you that 15 days from the date this letter is received at the above address the policy identified is cancelled.

And then they go on to say:

> We appreciate the opportunity we have had to be of service to you and regret we have found it necessary to discontinue the current protection. The 15 days period before cancellation takes effect should provide you with sufficient time to arrange coverage with another company.

Now, Mr. Chairman, the reason for this cancellation is not given and when I phoned to find out I found that the gentleman concerned had three minor traffic infractions. He had five points against him from the period of February 24, 1964, to December 29, 1965. In addition, he had an accident with a truck he drove on ice which cost $200 to repair. There were no charges laid because it was not felt there was any fault in connection with it.

But because of that, after six months of good driving record, suddenly his policy is cancelled by the Acadia Insurance Company. The agents have told him that they will attempt to get him on assigned risk policy at three or four times the cost of his present insurance.

Now, Mr. Chairman, it just seems that the superintendent of insurance should take cognizance of situations like this. This is an incredible thing where a man with only minor infractions of The Traffic Act in this way, and with one accident which was not in effect his fault and in which no charges were laid, should have this kind of arbitrary action against him. He is now facing, if he is to drive, a very, very expensive insurance, and it just seems that if we are going to have a superintendent of insurance he should see to it that our drivers are protected in some real way against this kind of discrimination.

**Mr. MacDonald:** Mr. Chairman, during the time when the select committee on consumer credit was holding its hearings I became interested, as did all the members, in the efforts of various companies to raise money for subsequent loaning. I took note of advertising in papers and sometimes in various journals, particularly when that advertising was offering interest rates for money that they were seeking to borrow which seemed to be beyond what would likely be within the capacity of the company.

One of them that rather attracted my attention at the time was a company by the name of Hamilton Building Credit Limited; they were offering up to 12 per cent and to make their story as short as it deserves, about a year afterwards it went bankrupt. About three months ago I happened to see in one of the Toronto papers a little one-column ad with three letters standing out rather boldly "FCA" and a little note beneath it to the effect that, if you had any money to loan, here was an opportunity that they were willing to borrow it or to give you a 12 per cent interest rate.

So I sent, just out of curiosity, for copies of their material. I received a letter back. This is the Factors Corporation of America Limited and they are operating, according to their brochure, under what is known as assignment against deed of ownership system. Just out of curiosity I would like to ask the Minister if he has any idea exactly what that means—an assignment against deed of ownership system.

This was on March 21 and for a week or two or three afterwards I was the recipient of quite a regular flow of letters. March 24, for example, three days later:

> We are sure you will be pleased to know that our company now owns a substantial income apartment building on Kingston road in Toronto. Our company is progressing every day. Your faithfully.

April 5, it is getting better all the time:

> You will be interested to know that we can offer you as of this date and for a limited time only, 15 per cent interest on your money. The situation is only temporary and it is caused by the opportunities we have since United States money has become non-existent for borrowers in Canada. Trusting you will take advantage of this opportunity.

They remain—they certainly remain, Mr. Attorney General, I can assure you.

**Hon. Mr. Rowntree:** Did you buy?

**Mr. MacDonald:** I did not buy. I was gathering information for the Attorney General's estimates, to be very frank with you.

Now, Mr. Chairman, my query to the Attorney General is this: what supervision, if any, and what regulations, if any, does the department exercise over that kind of advertising and that kind of operation?

What happened in the instance of the Hamilton Building Credits Limited I think anybody could have foreseen. Now when you have another company coming in, doing business with the public under an assignment against deed of ownership system and offering 12 per cent interest and a few weeks later 15 per cent, I think you would need to be alert in case you are going to get caught.

Yet the public is getting caught and presumably the company is able to operate under the regulations of this department. Does the Attorney General perhaps feel that there is need for more stringent regulations here for the protection of the public, or is this a case of let the sucker beware?

**Hon. Mr. Wishart:** Mr. Chairman, unless such a company fell within the provisions of The Loan and Trust Corporations Act or The Mortgage Brokers Act, with respect to loaning money against real estate on mortgage, I do not believe they fall within our supervision. Possibly under The Public Finance Companies Act, we will get information on them, which was the purpose of that Act, and be able to find out what they are doing and then take further action.

We did pass that new legislation this year to find out what companies were in the field of public finance, but I think regarding the type of situation the hon. member has detailed to us here tonight, I do not believe we have legislation to cover that sort of thing.

**Mr. MacDonald:** If you have it, Mr. Chairman, I would suggest that there is a loophole. My colleague and I, or somebody behind me, looks as if they were going to get in and perhaps they are more fully aware of the details of it. I can recall, Mr. Chairman—

**Hon. Mr. Wishart:** Excuse me, it is suggested, Mr. Chairman, that this would come under the federal Small Loans Act. They are making small loans, they would be under that legislation. I am quite satisfied—

**Mr. MacDonald:** I do not know that they are making small loans. I did not get into their coils—I was just interested in their offer of 12 per cent. I remember a few years ago for a very brief time there was great advertising on an office which is now on the southwest corner of St. Clair and Avenue road offering 15 per cent. I wasn't surprised that the advertising was there for only a few months, but it seems to me that there is a gap in our supervision and our regulations if that kind of company can come into operation with a gimmick.

One could be critical of people falling for it and hoping to get 12 and 15 per cent interest for their money, but I think it is permitting operators to prearrange to fleece the public. I would suggest to the Attorney General that if there is a loophole, there should be some way of filling it.

**Mr. Ben:** I would like to ask the hon. Attorney General a question. In view of the concern of the hon. member for York South that the company of which he has just spoken not go the way of the Hamilton Building Loan Company, and in view of the fact that the letters he has referred to were dated last year, did he bring these letters to the attention of the Attorney General and ask him to investigate this company to determine whether or not it was operating in the same manner as the Hamilton company?

**Hon. Mr. Wishart:** Do you want an answer to that question?

**Mr. Ben:** Yes.

**Hon. Mr. Wishart:** I thought the member had addressed the question to the member for York South, Mr. Chairman. That is where the question was directed.

**Mr. MacDonald:** It is not a new one and, therefore, the government had plenty of opopportunity, I submit, to have acted. I am rather touched by the careful policing of our friend from Bracondale. I guess maybe if he would police himself instead of trying to police others we might be further ahead.

**Mr. Chairman:** Is vote 210 carried?

**Mr. Renwick:** I have two comments on vote 210, Mr. Chairman. Would the Attorney General now let the House into his confidence and let us know why he would not consent to an amendment to the standard conditions of an automobile policy and make provision that the insurer could only cancel unilaterally an automobile policy by giving notice not only to the insured, but to the superintendent of insurance with reasons?

This has been a constant and continuous irritant to many people throughout the province, and I had the sensation when the bill was read the second time, that the Attorney General was seriously going to consider an amendment in committee.

Would he now take us into his confidence and tell us what this hurdle is that it is impossible to overcome, so that people will have at least the advantage of knowing the superintendent of insurance must be given the reasons why automobile insurance policies are cancelled unilaterally?

**Hon. Mr. Wishart:** Mr. Chairman, I think the only reason I could give the hon. member—I think I did indicate the suggestion he put forward in committee was one I thought worthy of consideration; that I would take it under consideration; that I was not able to act further to consider its implications in time for the third reading, or later disposition of the bill was, I have to confess, simply because my time was so fully occupied with other things that I did not get to it. It will have to wait until some of the other changes that may come about in this department are settled for legislation.

**Mr. Renwick:** Mr. Chairman, I hope the Attorney General will put it somewhere near the top of his docket and deal with it, because I do not think—

**Hon. Mr. Wishart:** I may do some more things yet.

**Mr. Renwick:** I would certainly hope so, sir. I hope that we do not have to go through another session of talking about that isolated point.

The second matter, Mr. Chairman, that I want to draw to the attention of the Attorney General is the absolute necessity of getting an amendment into The Loan and Trust Corporations Act that will provide for directors declaring their interest and refraining from voting on matters which come before the boards of trust companies. The Loan and Trust Corporations Act amendments came to this House, and to my surprise, there just is no such provision in The Loan and Trust Corporations Act. It is standard, traditional protection for any company, under any company law of which I know, that if a director has an interest in a transaction coming before the board, he must declare his interest and refrain from voting. Under The Loan and Trust Corporations Act, there is very urgent need that such a provision be contained in the bill, in an amending bill to The Loan and Trust Corporations Act.

The two provisions, which in my view should be in the bill, are a provision that in no case shall a director of a corporation, that is a loan and trust corporation, be present or vote at a meeting of the board during the time loans or advances to himself, or any firm, company or corporation, of which he is a director, are under consideration. That is the first requirement which should be in The Loan and Trust Corporations Act.

And the second one, with the usual ancillary clauses, should provide that every director of a corporation, that is a loan and trust corporation, who is in any way directly or indirectly interested in a proposed contract, or a contract with the corporation, shall declare his interest at a meeting of the directors of the corporation.

Those requirements do not need to await the outcome of the Hughes inquiry or any other inquiry. They should be in The Loan and Trust Corporations Act and I urge the Attorney General to make certain that next year he brings in, or whoever the appropriate Minister is, brings in a bill to make those two simple provisions part of The Loan and Trust Corporations Act.

Vote 210 agreed to.

On vote 211:

**Mr. Singer:** Mr. Chairman, on vote 211, the Ontario law reform commission, I am not very happy with the progress that has been made by the Ontario law reform commission. I have expressed these views before. I think that the government made a serious mistake in charging Mr. Justice McRuer with both the responsibility of the law reform commission and the responsibility of his investigation into civil rights. Either task would be a full-time task for the most capable man in Ontario.

Believe me again, I am not criticizing the ability of Mr. Justice McRuer. I have the greatest respect for his ability, but I do not think that one man can do both jobs and do them adequately. There are so many things that have been referred to both of Mr. Justice McRuer's arms of responsibility. It seems to be the favourite pigeon hole for all of the urgent problems that we have not as yet disposed of. We are waiting either for Mr. Justice McRuer's report as the civil rights commissioner, or for the report of his law reform commission. Now—

**Hon. Mr. Wishart:** Could I speak to that?

**Mr. Singer:** Yes.

**Hon. Mr. Wishart:** I think the hon. member, and I am sure all members of the House

will be glad to know that an arrangement has come about whereby Dean Allan Leal, formerly dean of the Osgoode Hall law school, has been appointed chairman of the law reform commission, effective, I think that was, as of the first of this month.

This will relieve the hon. Mr. McRuer of the onerous duties, which he carried out extremely capably as chairman. His reputation as a boss and one who got a great deal of work out of other members of the commission and his staff, is well known. He achieved a great many things and accomplished a great deal.

We are happy to know that Mr. McRuer will continue his association with the law reform commission as a member, but he is giving up the onerous task of the chairmanship, and that will give him an opportunity to devote himself more, and more of his time, to the civil rights work.

I think his report is coming along, but I look forward to seeing it, too. I think all members of the House will be glad to know of, and I think we are very fortunate to obtain the services of such an eminent lawyer and educator and man of many qualities, as Dean Leal, as the chairman of that law reform commission, which I regard as something which will continue to perform a very great service to this province, and particularly to the Legislature.

**Mr. Chairman:** Is vote 211 carried?

**Mr. Singer:** No, no. We make progress slowly and I compliment the Attorney General for the announcement he has just made.

**Hon. J. Yaremko** (Provincial Secretary): One step ahead of you all the time.

**Mr. Singer:** Oh, no, not one step ahead, five steps behind. If my friend, the hon. Provincial Secretary—through you, Mr. Chairman, I know I cannot address my remarks to him directly—but I wonder, Mr. Chairman, if I could through you suggest to the Provincial Secretary that he examine *Hansard* from the time the law reform commission was first mooted and the bill was first introduced, and the announcement of its first chairman? These criticisms have been made and they have been made in about the same tenor that they were made tonight.

I compliment the Attorney General on having taken some cognizance of the fact. I think Dean Leal is a very able man. Did I understand the Attorney General correctly, is Dean Leal going to devote his full time? I am sorry, I have lost the Attorney General.

**Hon. Mr. Wishart:** I am sorry.

**Mr. Singer:** Is Dean Leal going to devote his full time to being head of the law reform commission? I note that he is severing his connection with Osgoode Hall?

**Hon. Mr. Wishart:** Yes, that is right.

**Mr. Singer:** Well, that is good. Now that we have a chairman of the law reform commission, I suppose we really cannot talk about the civil rights committee under this vote, in any event, let me address some remarks towards the new chairman of the law reform commission.

The work that has been done, and we mentioned it briefly earlier, was the work on the very important, but somewhat obscure field of the law of perpetuities; and the second field is The Mechanics' Lien Act, which has yet to come forward; the medical evidence changes, which are now part of the law, and finally there was the personal property securities.

Again, a somewhat complicated field of law, an important field of law, but one that I might suggest, sir, is somewhat less urgent than several other matters that I would give much higher priority.

I would think that the subject we were talking about this afternoon, the law in real estate registration, certainly demands the urgent attention of the law reform commission. I would think that a study in depth of better methods of dealing with our registry office procedures, could well be directed by the law reform commission.

I would think that great pressure should be brought to bear on—

**Hon. Mr. Wishart:** May I ask the hon. member, does he think there is a great problem in the methods of registration, or just in the procedures, whether we go from registry to land titles? That does not pose us any problem with what needs to be done. This problem we were discussing this afternoon. It is just the physical difficulties, and the financial difficulties of accomplishing it. I do not see any great mysteries about land registration. We have an old system, we are trying to move it into a new system, but I do not see any great problems hidden in that field.

**Mr. Singer:** It may well be that you should go a little further than in the studying of law reform and make it also a procedural reform or a form of management consultant work. I think perhaps it could well be directed by an institution that we were sug-

gesting some time ago, a permanent law research council or foundation, that would have a permanent staff and that sort of thing. But I think in addition to the substantive law—I think there are problems we discussed under land registry this afternoon—there are the procedures and the methods of carrying them out and so on.

My friend, the member for Sudbury mentions—and quite properly so—the whole law of real estate, the rule in Shelley's case and this sort of thing, a real study of the law of real estate and its focusing back to the days of feudal tenure, the protection of the barons, the protection of the property owners. The fact is if you read The Landlord and Tenant Act, Mr. Chairman, that you can recognize immediately when that Act was written, how many centures ago I do not know, when the original bits and pieces of it were assembled, no one had the slightest intention—none of the draftsmen—had the slightest intention of protecting the tenant. They were concerned with protecting the landlord and if you look through those Acts relating to real property in an effort to find protection for tenants and you cannot find them, the law is directed to protecting property rights. This is something that really needs a thorough going over, this is a field that affects our everyday life and this is something to which the law reform commission should certainly direct itself.

I had started to say this family law research project is something, depending on how wide the project is. I notice $18,000 was given to it in 1965 and $50,000 is to be given to it this year. I do not know whether that is enough money or too much money, because I do not really know, other than the term "family law research project," how broad its scope is. That is a very wide and all-embracing term which could mean many things or very few things. Certainly that is a field, which any lawyer or most laymen can understand, needs thorough research. We need new statutes. I started to suggest to the Attorney General that pressure should be exerted to bring in a report on that and let us see which direction they are moving, or an interim report to see if some of the things we are so concerned about are being covered.

I am disturbed—and it may be that the appointment of Dean Leal to the full-time chairmanship of this will make the change—I am disturbed at the slow moving pace with which the law reform commission is proceeding. I would have hoped—and its fields are so vast any one of us could talk for a long time on things that this law reform commission could and should get into and better methods of doing things, but I am disturbed at the comparatively slow progress that this has made in the two or three years that it has been in existence in Ontario.

**Hon. Mr. Wishart:** Mr. Chairman, I think the members of the House deserve some information with respect to the work of the law reform commission and I think I can do it briefly in some of the votes of these estimates. The hon. member mentioned the research which is carried out, in the rule against perpetuities and the legislation put forward. The House will be interested to know, I think, because we have been discussing it in the past few days, that in the report from the law reform commission there are these words:

> At the request of the Attorney General of Ontario the matter of the assignment of wages was considered and a report made on March 3, 1965, with recommendations for amendment.

That was part of the material we used in drafting the legislation which we got forward to a certain point this year, and we had then further representations—

**Mr. Sopha:** That is the legislation of the member for Sudbury.

**Hon. Mr. Wishart:** You might know that happened, and there was the draft, The Personal Property Security Act introduced. The commission reports an intensive and detailed study has been made of The Mechanics' Lien Act.

Before commencing this study the members of the bar, the judiciary, together with organizations that would likely be interested in amendments to the Act, were invited to make their representations. As a result of this invitation many submissions have been received. The legislation of other jurisdictions in Canada and outside Canada have been studied and as a result the commission has prepared its recommendations which will be embodied in a report which will be submitted shortly to the Attorney General. So that is quite a large field, that Mechanics' Lien matter.

On the matter of family law, which is something that has not come to the attention of members of the Legislature yet, I am sure that members will be interested to know what the commission reports under the heading of family law:

> An extensive research study into all aspects of family law has been authorized and has been under way for some months. The following topics, among others, are being considered:

Marriage—that includes the ceremony of marriage, The Marriage Act, proof of foreign marriages, and so on—and legal relationships in the family group, including ownership of property, contracts, agency, tort and other related subjects.

Separation and related problems, including separation contracts, deserted wives, family court proceedings.

Termination of a marriage—

**Mr. Singer:** I am sorry, what was the last one?

**Hon. Mr. Wishart:** Termination of a marriage.

**Mr. Singer:** Termination of a marriage.

**Hon. Mr. Wishart:** To continue:

Maintenance and custody of children. Divorce procedure, jurisdiction of the courts, provincial law related to nullity and termination of marriage by death and the legal aspects of testate and intestate succession.

The law respecting children in relation to all its aspects. The conflict of law as it affects the marriage relationship.

And this note is added:

A very capable research team under the direction of Professor I. F. G. Baxter of the Osgoode Hall law school, with two full-time research fellows, has been set up. Voluntary consultative committees of laymen and lawyers who are interested in different phases of the project, have been organized. This is a project that cannot be completed without very extensive study, which will continue for a considerable length of time.

Then follows a note on the study and research with respect to the limitation of actions which is going on. A research study has been made on exemptions from execution, the law of condominium which I reported in my remarks before these estimates. Of particular interest, I am sure, to the hon. member for Downsview, and perhaps the hon. member for Sudbury as well as others, the heading.

THE LAW OF PROPERTY

A research study on the law of property has been authorized.

These are the things that we authorize through our department:

The commission has under advisement the appointment of a suitable director. This will be a very comprehensive study similar to that undertaken in England, the results of which were incorporated into legislation in 1925.

**Mr. Singer:** We are right up to date, 41 years later.

**Hon. Mr. Wishart:** I anticipated the smile of the hon. member for Sudbury, who has often said we follow, sometimes a long way off, the progress which they make in the old country.

**Mr. Sopha:** About a generation behind.

**Hon. Mr. Wishart:** In any event, I am sure he is glad to know, members will be glad to know, Mr. Chairman, that that very comprehensive study on real property has been authorized and is under way and will be a most comprehensive one.

**Mr. Singer:** Mr. Chairman, I wonder if I could interrupt my friend—

**Hon. Mr. Wishart:** Would the member allow me just to finish the other two notes in the report?

The next item referred to is headed: "Compensation for personal injuries arising out of the operation of motor vehicles."

**Mr. Sopha:** Yes; well, that is high priority with us.

**Hon. Mr. Wishart:** To continue:

The commission has authorized research into the subject of compensation for personal injuries arising in the operation of motor vehicles. Research is continuing and a large amount of material relative to this subject has been collected for study.

Then they refer to the fact that they furnished a report on medical evidence in court cases and the report ends with detail as to the number of meetings they have held, which are very many.

**Mr. Sopha:** How many?

**Hon. Mr. Wishart:** Four and five per month, running from early morning to late in the afternoon. They average, I think, at least four per month. In April I notice there were five, in May there were four and so on. They meet regularly and meet all day on four occasions during a month. Usually the meetings are two-day meetings, like January 4 and 5, February 25 and 26, April 5 and 6 and 7. The chairman is sometimes affectionately called a slave driver by the members of his commission. He gets a lot of work out of them.

That was the report and I thought you might be interested in some of the comments and some of the features of the work of that commission.

**Mr. Singer:** Mr. Chairman, I have the answer to the sessional paper that was tabled this afternoon in reply to a question from the hon. member for Brant about research projects and two or three pages of it deal with research projects under the Attorney General's department.

There were several additions, I suppose, to the answer that was tabled, because some of the information that was given to us tonight is not contained in this sessional paper. The one on real property interests me particularly, that is not included here and I would hope that it would include matters—

**Hon. Mr. Wishart:** Where did you say this report came from?

**Mr. Singer:** This is the tabling of an answer to a question from my colleague, the hon. member for Brant, who asked department by department, for the years 1965 and 1966, of all the research projects and the first two or three pages is the reply that comes from The Department of the Attorney General and most of the research projects are under the law reform commission.

The real estate project is not in this list. I do not know what date you submitted your answer, but I am assuming—oh, the signature of the Deputy Minister is on these three sheets of paper. I do not know what date this was prepared, but the Attorney General apparently has information that was not available to his Deputy when he affixed his signature to these three pages.

I do not know the extent of the study on real estate. I would include studies into matters like The Landlord and Tenant Act and The Short Form of Leases Act, and all of these things because the real estate law was conceived originally in the days when the only desire of lawyers was to protect owners of property; the tenants could take what was coming along and this is the way our statutes read and they have to have a real going over to bring them up to date.

The whole question of dower which my colleague from Sudbury has talked about so ably on so many occasions; so is there any point in continuing dower rights and should The Dower Act be there any longer, and a myraid of other problems in relation to real estate.

I am little disturbed—and perhaps I get disturbed far too easily—by the thought that the law reform commission is now going to have a look as well for compensation for victims of automobile accidents. Did I understand the hon. Minister correctly when he said that?

Mr. Chairman, the ways of this government are certainly a puzzle. We started off with a select committee headed by the Provincial Treasurer and there were several Cabinet Ministers on it. We talked about that select committee report so many times in this House, and that report has been considered for four years now by the Minister of Transport. He was not satisfied with it; his colleagues in government were not satisfied with it; so he retained Professor Lyndon of Osgoode Hall and through Professor Lyndon a myraid of law students to conduct a $50,000—I think that was the figure—statistical study to see if the report really had statistical validity.

The report was submitted, we brought Professor Lyndon's study here and we commented on it. Then in addition to that the Minister set up a departmental investigation committee to advise him—a committee of civil servants—and all of these civil servants came to the conclusion that the select committee recommendations should not be carried out, notwithstanding the Provincial Treasurer and other people who had agreed that this was the way of proceeding, nothwithstanding the insurance industry, and notwithstanding the law society of Upper Canada and so on.

Now, sir, we are going to have another study; we are going to have another study apparently on compensation for victims of automobile accidents. My, my, my! When are we going to get some action?

Mr. Chairman, I did not want to talk about saving the insurance industry again, I have talked about it so many times. But by the time you have finished your fifth, sixth, seventh or fifteenth study there will not be an automobile insurance industry left to worry about. It will be taken into government with the grateful "amens" of all the people of Ontario. You are killing the automobile insurance industry just as certainly as if you brought in a statute that said "Let us do away with it and have government insurance tomorrow morning."

**Mr. Chairman:** Shall vote 211 carry?

**Mr. Sopha:** No, just a moment. Because I like to think that I belong to the party of Mackenzie and Baldwin and Blake and Laurier, I move to make a comment on this matter of law reform. I utterly reject, out of hand, peremptorily, any imputation that the

matter of law reform is beyond the responsibilities of a member of this Legislature, and is a matter that ought to be delegated to a variety of experts who sit in some other place, and are paid out of, the public purse and have the responsibility to look into the matter of, law reform. Then at periodic intervals they bring in a report, give it to us and make suggestions to the lawmakers here about reform.

Of course, to be a full-fledged member of this law-making body is to be constantly interested in the reform of the basic laws of the province out of the public good. When I thought it over, I resented a bit the comment the Attorney General made this afternoon when he seemed to impute the notion that the citizens of Sudbury have to contact the Canadian bar association before they can get an amendment to any of the laws of the province, or any particular law and I felt that that was an innuendo—

**Hon. Mr. Wishart:** A point of order, Mr. Chairman. I did not impute or imply that the citizens of Sudbury had to contact the Canadian bar association. What I said to the hon. member was that his suggestion, which might have some merit, might come with more strength and force and have greater merit if he were to consult his fellow lawyers who make up the law association of Sudbury. I did not suggest that the citizens of Sudbury go there, I simply felt that he might strengthen his hand, and that was the suggestion that I made.

**Mr. Sopha:** The implication is there. If a constituent of mine comes to me and asks me to exercise my best energies to get a reform in the law, then the implication, I think, flows naturally from what the Attorney General said, that I have to tell him that I have to go to the Canadian bar association and get their imprimatur before raising the matter in the Legislature.

When I struggled here for a period of over five years about the plight of a gratuitous passenger, let me tell you I did not get much assistance from the Canadian bar association to stimulate the Minister of Transport to make a change in the section of The Highway Traffic Act. I do not recall that the Canadian bar association ever passed a resolution asking for justice for the gratuitous passenger. I was not even able to persuade the select committee that looked into the matter to make a recommendation in the report. So far as I know, I was the only individual that went to their meetings and presented a brief on behalf of that poor, downtrodden citizen of our society.

However, that is past history now and all I can do is put a notch in the trophy room somewhere about that. But I want now to go on and make this comment about law reform. Here is one place where the Premier of the province and I differ very deeply. I am one that looks with the most profound admiration upon the strides toward the reform of the common law and, indeed, the statutory law made in Great Britain. That is the one thing in which I take pride in the heritage of the British connection. They are a homogeneous society that seems ever willing to seek for means for improvement in the basic laws of the land, and I watch with great interest, as much as I can muster, the steps taken in Great Britain to reform the hoary old and traditional body of the law.

I say to the Attorney General, through you, Mr. Chairman, that it was back in the mid-nineteen thirties that the British reformed the law of real property with The Real Property Act and got rid of all this mumbo-jumbo—

**Mr. Singer:** It was in 1924.

**Mr. Sopha:** I am sorry; it is even longer ago than that. My friend says; it was 1924. They got rid of all the Mau-Mau mumbo-jumbo about the rule in Shelley's case, and all the rest of that nonsense which still hangs its hoary tentacles on the laws of real property in this province. How long do we have to wait until we recognize that the British showed a great ingenuity in getting rid of all these old, useless trappings.

It is a generation ago now that the British took hold of their law of matrimonial causes and reformed it. It is a much shorter time since they tackled the whole question of corporation law and brought it up to date to fit the jet age. I think it might be worthy of mention that some gigantic efforts were employed by the member for St. George who is over on the British sod now to persuade the Premier of the province to have a corporation law committee to travel to Britain to see just what they had done.

But he ran up against a Maginot line in that regard. The Premier apparently laid down some dictum with the force of a papal bull that no committee is to travel outside North America.

I do not care if they go to Britain or not. I can go on my own time and my own money if I want to go and see what the British have done in the field of corporate law. But where the Premier and I really differ is that the traditions of Great Britain that I want to import into this country are those connected with the reform of the body of jurisprudence

under which we live. He is content, apparently, to look to Britain in such a way that he appoints a committee under a statute to to go over and look every three or five years to see if poor old John Graves Simcoe is still in the tomb, that he hasn't escaped from it. He is worried about that kind of thing. It does not concern me at all. So then I say to the Attorney General, forget the—

**Hon. J. P. Robarts** (Prime Minister): That got a rise out of you.

**Mr. Sopha:** The only proof I have got is actions on the books that appears to say that—when are we going to get the first report from the committee that says John Graves is still in the tomb, by the way?

But to get back to my serious matters, now, I want to go on to another comment—

**Hon. Mr. Robarts:** You mean he isn't serious?

**Mr. Sopha:** I begin by saying—Do you want to make a speech?

**Hon. Mr. Robarts:** Yes.

**Mr. Sopha:** Well, I will sit down.

**Hon. Mr. Robarts:** When I am ready, I will make it.

**Mr. Sopha:** I will sit down. I always like to hear you.

I would like to ask the Attorney General, what is going on here? What is really going on when Dean Leal is appointed to the chairmanship of that committee? I have to say I do not like to employ this forum to attack any man personally, and I do not attack him personally, but I think it is fair to comment somewhat on the background behind this.

It is well known to those who pay attention to these things, that when the benchers of the law society finally got caught up with the jet age and decided that a law school should properly be in the university milieu—that that is the place where it should be, where it could be exposed to the humanities and the other disciplines within the context of the broader framework of human nature—when they decided that Osgoode Hall was going up to York University then Dean Leal apparently, from the press, adopted a dog-in-the-manger attitude to it and because he was being—

Interjection by an hon. member.

**Mr. Sopha:** Yes, he is chairman of the law reform commission I am so informed.

**Mr. Chairman:** What is the relevance of your remarks?

**Mr. Sopha:** He is chairman of that commission, I am informed tonight.

**An hon. member:** It does not come under the estimates.

**Mr. Sopha:** Nothing to do with the law reform commission? He is being paid under this estimate, he is being paid by money from the public purse. That arrives at the point where I have indicated that he was not content—and I look at the hon. Minister of Education who knows the background of this—to go to York University because he was being deposed. So I ask him rhetorically: What is being done here? Is a job being provided for him? Is he being provided with a job? Whereas I myself was extremely enthusiastic about the fine able jurisprudential individual who occupied the chairman's role of that commission, to wit, Mr. McRuer. Mr. McRuer, I am saddened in my heart that he has decided to give it up and it is now going to be embroidered with the former dean of the law school of Osgoode Hall, who is out of a job.

Let me tell you the context in which I state it. He was the dean of that law school but resisted sensible reforms for so long that back in my wild unruly days, back in 1952, in order to get a reform in legal education in this province we had to go down and picket the place, we had to picket it. So now I make a confession that when I spoke last night on picketers, I was speaking somewhat from my own experience because I joined those forces down there to picket that institution ten or twelve years ago. And lo! and behold, it was not long after that picketing demonstration that the law society relaxed somewhat their rules and relieved us of the obligation of putting in a number of extra years at the penitential purgatory that was Osgoode Hall, exactly what it was. By the time it came to my class to graduate we only had to attend the infernal place for one year instead of the three that they had imposed before.

**Hon. Mr. Robarts:** What was the year?

**Mr. Sopha:** Oh, yes. Now there is an institution—

**Hon. Mr. Robarts:** What was your year?

**Mr. Sopha:** There is an institution that is in the forefront of reform, really immersed in reform, reform dripping off it—yes. As Dean Wright used to say—back in the dark ages, and he used to criticize; Caesar Cecil

Augustus Wright made no bones about his criticism of Dean Leal. Cecil August Wright, I heard him say one of the leading—

**Hon. W. G. Davis** (Minister of Education): Point of order. Dean Leal was not dean of the law school when this was taking place.

**Mr. Sopha:** When what was taking place?

**Hon. Mr. Davis:** When the debate was going on between Osgoode Hall and the University of Toronto and the benchers of a recognition of the Varsity law school.

With great respect the now dean of Osgoode Hall, as I recall, was a lecturer at Osgoode Hall in land law and one or two other subjects. The dean was one Smalley Baker at that time.

**Mr. Sopha:** It does not detract at all—it does not detract one bit at all. The Minister of Education and I are having a debate.

**Hon. Mr. Robarts:** I can go back to the days of—

Interjection by an hon. member.

**Hon. Mr. Robarts:** We could give you quite a story of my days at Osgoode but I do not think I will bother tonight.

**Mr. Sopha:** Your days were more lengthy than mine. But of course I cannot point or make a moral of my story. I cannot point to you because look at the immense success you have had.

**Mr. Chairman:** Order.

**Mr. Sopha:** But may I say to the Minister of Education it does not detract a bit from the point I make because Dean Wright always maintained the proposition that a law school is only properly a law school when it is in the university atmosphere and the Minister of Education would never, never argue against that proposition.

**Hon. Mr. Davis:** But it is not between Dean Wright and Dean Leal. That is the point I was making.

**Mr. Sopha:** No, in later years when Dean Leal became the dean of that—

Interjection by an hon. member.

**Mr. Sopha:** Yes, I am, I am speaking of the chairman of the law reform commission. When he did become dean and he taught wills and trusts, I heard the great Caesar say that he did not mind the fact that he swiped his notes on wills and trusts but he wished he would not repeat his jokes. He regurgitated even the jokes of Caesar, and as I say in recent years—

Interjections by hon. members.

**Mr. Sopha:** But there is the situation that when they decided to amalgamate their school with York University he took the attitude that this was not a proper step to take and he resigned from the faculty. He resigned the post—but now about Dean Leal, I do not even know his first name—he resigned and now the Attorney General very gratuitously has found him a sinecure where he is going to be paid out of the public funds. I merely relate the lack of enthusiasm I have myself for the progress of law reform in the province when you see a giant of a man, a giant of a man who has been chairman of the law reform commission replaced by a man whose qualifications do not appear to be as respectable as the incumbent who is now leaving the—

**An hon. member:** That is a personal opinion.

**Mr. Sopha:** Yes, that is my personal opinion. In this free country one is entitled to give one's personal opinion. And I just want to make this added point that in the matter of the giving out of projects in law reform there seems to be a great favoritism in this government towards the staff at Osgoode Hall. I am willing to argue at any day or hour of the night, at any time, with the Prime Minister, a graduate of Osgoode Hall, with the Provincial Secretary, another graduate, the Minister of Education, another graduate of that institution, that the outstanding and legal scholars in Canada are across the park, over in the University of Toronto law school. And indeed, did you notice last week—

**Hon. Mr. Yaremko:** What about the Univeristy of Western Ontario?

**An hon. member:** What about F. R. Scott?

**Mr. Sopha:** Yes. Did anyone notice last week that when the Prime Minister was announcing the names of the committee to look into the healing arts, where he went to get one of the members of the committee? To Professor Cleaver of the University of Toronto law school, to take on that important task. To the faculty. Especially when Bora Laskin was on that faculty.

**Mr. Singer:** He was on both faculties.

**Mr. Sopha:** Yes, well in recent years he was on Toronto. He was there in 1950. I am almost finished. I am carrying on a debate with the lawyers over there. We are having a little debate. I could not get them into a debate about labour injunctions, because the side they take was indefensible and they knew better than to get into a debate on that.

**Hon. Mr. Grossman:** Now, now—

**Mr. Sopha:** The legal scholarship in this country, the writings in the legal periodicals emanate from the University of Toronto law school. But I see time and time again that facet is unrecognized and the Attorney General goes down the street to Queen street, and employs the staff of Osgoode Hall. I do not detract from them personally, except to say that in the field of jurisprudence they do not appear to have made their mark, as the people of the university law school have done.

To go back to where I began, Mr. Chairman, I certainly support the comments of my friend from Downsview, who is from Osgoode Hall also.

**Mr. Singer:** And the University of Toronto law school, both.

**Mr. Sopha:** Hear, hear!

**Hon. Mr. Grossman:** He says that Dean Leal—he just praised Dean Leal for about 20 minutes.

**Mr. Sopha:** For all I know, maybe they play bridge together.

**Hon. Mr. Robarts:** I guess you were not here.

**Mr. Sopha:** I certainly support his comments when he draws attention to priorities of law reform, and anyone who looks about the society in which he lives has got to come to the conclusion that in the matter of the terrific carnage on our highways, the damages that are caused, the economic dislocation that is caused to families of people that are injured on our highways, that must have the top priority in any sensible schedule of priorities of law reform. He is entirely justified in making complaint by referring to the report of the select committee that has been bandied about now, it has been tossed hither and yon to various people to look at in a manner that ill-befits any respect for the group that sat on that committee, I believe headed up by no less a person than the Provincial Treasurer himself.

**Mr. Singer:** I think that was the man.

**Mr. Sopha:** Yes; who appended his name to the report that was brought in and which appeared to go a step in the direction of the adoption of a system of compensation without fault.

Surely as a matter of government policy, the hon. Prime Minister of the province could nod his head together with the Attorney General and the Minister of Transport over a cup of coffee sometime and decide whether we are going to take the step in the direction of compensation without fault.

**Hon. Mr. Robarts:** The way you do it in your caucus.

**Mr. Sopha:** It may be a complex question, but you would think they would be able, after this lapse of time, to set aside an hour or two and invite the Minister of Education in, if he could spare any time from opening schools around the province, and the Provincial Secretary, and ask him his opinion, and decide that fundamental question, whether we are going to take a step in that way. Instead of bundling up the report and sending it to another group and saying here you have a look at it; and for heaven sake do not call us, we will call you when we want to know something from you. That is the impression the public of this province have got to get about that.

The chief justice, I can inform the Attorney General and the rest of my lawyer friends, the former chief justice of the high court has for years and years, as long as I can remember, at almost any time he got an opportunity to speak in public called for the adoption of a system of compensation without fault. I have heard that same former chief justice on at least two occasions use the time to deliver to an audience of lawyers before him a plea that lawyers get interested in the subject of law reform. He begged them to so use their efforts that proposals for law reform would emanate from the lawyers. Well, they never have.

It is unfortunate to have to say that apparently they never have and this government, at the urging of various people, has finally set up a law reform commission. That was a very creditable act and I commend them for it, but it is somewhat of an indictment of our profession the fact that the stimulus has to come from government, whereas it should continually, pleas and demands for reform of the law, should be coming from the great body of the legal profession.

My heart is heavy when I look at the brochure for the Canadian bar association meeting in Winnipeg that is to take place early in September, and with the brochure and

the schedule of the events there is a letter over the hand of the president of the Canadian bar association, a Toronto lawyer. I am sure that I paraphrase correctly when I say it, that at the end of the letter he implores all those who get the letter to (a) come to the Canadian bar convention this year, and (b) to so conduct themselves so as to give the impression to the public that lawyers are vitally interested in reform of the law.

To give the impression to the public. I think that it is a terrible indictment of our profession, that the president of the Canadian bar association has to speak in terms like that to the very group that ought to be in the forefront of legal reform. And as the chief justice has said on many occasions, they are not.

To go back now, Mr. Chairman, to where I began, and I will end on this point, I got up here and said that I belong to a party whose whole history is one of reform. I named the persons, Mackenzie and Baldwin, under whom responsible government came to this province, and Edward Blake and Wilfrid Laurier and, of course, Mackenzie King, who was in the forefront.

**An hon. member:** You live in the past.

**Mr. Sopha:** Yes, indeed, I live in the past, conscious of the heritage that we can draw from the past, the wisdom of some of the people in the past; to that extent, I am guilty and I accept it.

If I did not believe in reform, that society could improve, through improvements of the body of the law, then I might as well go over and join that party, the party of the status quo, the party that always looked upon any change as revolutionary, and hesitatingly and grudgingly accepted it. That is the Conservative philosophy and motive, and we see it time and time again in the activities of this government. They only move when they are pushed into it.

**Mr. J. H. White** (London South): On a point of order, sir.

**Mr. Sopha:** I am finished and you may have the floor.

**Mr. White:** May I remind the hon. member for Sudbury of the great credit he paid Sir John A. Macdonald, and I suppose the Conservative Party, for the development of Canada a week or two ago?

**Mr. Sopha:** If you look at him closely, you have got to believe—

**Hon. Mr. Davis:** Mr. Chairman, not to prolong this discussion, but to set the record correct from my standpoint, because the hon. member for Sudbury referred to the fact that I might have some knowledge about the transfer of Osgoode Hall to York University, and just to recall the member for Sudbury's own activities in picketing—I recall it very well, because I was somewhat his junior in those days at the University of Toronto. One could almost, if it were in order, relate some of his activities at the Hart House debates, when I can recall his own political philosophy did not really quite coincide with his existing political philosophy. It would not be in order to relate some occurrences when the then Prime Minister of Canada was appearing at the Hart House debates, the late Louis St. Laurent, and the activities of the member for Sudbury on that occasion—but that would be out of order, Mr. Chairman.

I just want to make one point. I want to make it very clear that I think only one person, and that is the dean of Osgoode Hall himself, could state why he is leaving Osgoode Hall. I would have to state that my impressions, which I suggest, Mr. Chairman, probably are as accurate, if not more so, than the hon. member for Sudbury's on this point, Dean Leal is not leaving Osgoode Hall because of his changed status or his movement to York University. And I want to make this very clear, Mr. Chairman, at least my impression is this.

Vote 211 agreed to.

On vote 212:

**Mr. MacDonald:** Mr. Chairman, I have a point on which I would like to query the Minister briefly. Back some four months ago there was a rather disturbing news story that I queried the Minister on and he said he was going to look into the situation. I am rather surprised that he has made no report on the investigation. This was an allegation by a reputable gentleman from the city of London, a place of great reputation and stability, one Dr. G. W. Kreuter, chairman of the board of education, in which he alleged that in London—and subsequent stories suggested it was wider—that there was a black market in birth control pills at more than twice the drugstore prescription price.

As a practitioner, an obstetrician, he expressed grave misgivings that many of these may have been chemically impure and indicated that they were being used in a widespread fashion among high school students and university coeds. I presume the OPP would be the people who would be put on

that matter. I wonder after four months if the Attorney General can give us a report?

**Hon. Mr. Wishart:** Mr. Chairman, I recall the hon. member did ask me and I did undertake to try to get some further information. I know I have some further information on my desk, in my office; I cannot give it to the member tonight. I do remember he asked the matter to be investigated.

I think the coroner over there was the one who made the report. We asked the coroner to check the matter and there was some report came in on it. I am sorry I did not report it to the hon. member before. Perhaps I would be wise not to try to recall it. I know there was something about a misquotation, there was some further investigation carried out as to the extent of these sales, but I cannot give the member the answer here tonight. I would undertake to get it for him.

Vote 212 agreed to.

On vote 213:

**Mr. Renwick:** Mr. Chairman, before the estimates conclude, the Attorney General had undertaken yesterday to provide the information as to the curriculum in the riot and mob control course at the Ontario police college, the instructors and the places where the instructors had received their training.

**Hon. Mr. Wishart:** I did, Mr. Chairman, and I have it. The information is that the mob and riot control course was based on material contained in a booklet published by the federal bureau of investigation of the United States. In that course, a talk was given on the use of chemical agents, but no demonstrations were put on, no fees were charged by the FBI for their instructors who attended and gave some instruction. The same course had been given to the Metropolitan Toronto police force at Toronto, the arrangements for which were made by the Metropolitan Toronto authorities.

There was a question as to whose idea it was to give this course. The answer is the chief of police of the city of London had made arrangements to put the course on for the benefit of the personnel of his own force. Other chiefs heard of the course and showed considerable interest in having their men participate. As a result of this interest, Chief Carroll of London approached the Ontario police commission and suggested that the course take place at the Ontario police college, and that invitations be extended to other police forces.

The Ontario police commission agreed to the proposal which resulted in some 54 police forces sending candidates. Those municipalities who had representatives attending the course are as follows: There were the Ontario provincial police, Ancaster township, Aurora, Belleville, Bowmanville, Brampton, Brantford, Brighton, Burlington, Cardinal, Chatham, Chinguacousy township, Cornwall, Delhi, Falconbridge, Fort William, Galt, Georgetown.

Guelph, Hamilton, Kincardine, Kingston, Lakefield, Leamington, Listowel, London, Markham township, New Liskeard, Newmarket, Oakville, Oshawa, Ottawa, Peterborough, Pickering township, Port Colborne, Port Credit, Richmond Hill, Riverside, Saltfleet township, Sarnia, Simcoe, Streetsville, Southampton, St. Thomas, Stratford, Sudbury, Thorold town and township, Toronto township, Trenton, Tweed, Waterdown, Whitechurch township, Wiarton, Woodstock and Waterford.

The following topics were discused: Two-day course—the causation factors in civil disorders, an anlysis of recent civil disorders—these are hourly lectures or less; the formation of squad drills; planning and training and the use of necessary force; press relations; liaison with mass media; the Canadian law pertaining to riot control—which was handled by Canadian legal authority; the community relations of the police; formation of squad drills.

Then there was a panel forum. The instructors were Mr. Wilbert of the Ontario police college staff, Mr. Scatfield of the Ontario police college staff; Mr. Weyland Archer, special agent; and Mr. Robert Carter, special agent. The course was held at the Ontario police college at Aylmer, Ontario.

**Mr. Renwick:** What were the last two names the Minister read out and where were they from?

**Hon. Mr. Wishart:** These were members of the FBI, Weyland Archer, Bob Carter, and there was another name, Mr. Chris Kokolakis. These are special agents of the federal bureau of investigation.

**Mr. Renwick:** Mr. Chairman, specifically on the vote of the Ontario provincial police, would the Attorney General tell me whether—apart from the course at the Ontario police college to which he has referred—whether the Ontario provincial police have held its own courses in this same area of so-called mob control?

**Hon. Mr. Wishart:** The chief commissioner informs me that instruction has been given in crowd control.

**Mr. Renwick:** Could the Minister give me particulars of the instruction, how extensive it has been, on what occasions it was given, or is it a special provision which has has been made by the Ontario provincial police?

**Hon. Mr. Wishart:** The commissioner tells me that because the force is deployed, it is given in the field to small groups, and this has extended over a period of some six months.

**Mr. Renwick:** Mr. Chairman, would the Attorney General tell me whether this is an innovation for the Ontario provincial police?

**Hon. Mr. Wishart:** Well I mentioned, Mr. Chairman, that the course had been given over a period of six months.

**Mr. Ben:** Mr. Chairman, would the Attorney General please tell the House whether or not any Christmas cards were sent out by the Ontario provincial police at the expense of the government? If so, to what extent and what cost?

**Hon. Mr. Wishart:** I am informed in response to the question of the hon. member that the Ontario provincial police did have a Christmas card which was sent out. I do not have the amount of expense to the government. I could get it for the hon. member.

**Mr. Ben:** Would the Attorney General also get a list of the names of those to whom these cards were sent, and from whom they were purported to be sent?

Interjections by hon. members.

**Mr. Ben:** I am sure that I will not get the answer until after the House adjourns, Mr. Chairman, but I would like to have that list.

Vote 213 agreed to.

**Mr. Chairman:** This completes the estimates of the fiscal year ending March 31, 1967, of The Department of the Attorney General.

**Some hon. members:** Hear, hear!

Hon. Mr. Robarts moves that the committee rise and report certain resolutions.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions.

Report agreed to.

**Clerk of the House:** Mr. Reilly, from the committee of supply, reports the following resolutions—

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, may I suggest that these be taken as read? These are the estimates that have been passed by the Legislature over these last few days.

Mr. Speaker, tomorrow we will resume the Budget debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.35 o'clock, p.m.

No. 172




ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

Fourth Session of the Twenty-Seventh Legislature

## Friday, July 8, 1966

Speaker: Honourable Donald H. Morrow
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, JULY 8, 1966

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** Petitions.

Presenting reports by committees.

Motions.

Hon. J. P. Robarts (Prime Minister) moves, seconded by Hon. H. L. Rowntree (Minister of Labour), that the select committees on youth, aging, corporation law and conservation authorities be respectively reappointed with the same powers and duties as heretofore, and that changes in the memberships of the said committees be as follows:

Mr. H. J. Price (St. David) to be added the committee on corporation law; Mr. R. Gisborn (Wentworth East) to replace Mr. D. C. MacDonald (York South) on the committee on conservation authorities; Mr. K. Brown (Peterborough) to be retired from the committee on youth, and Mr. R. Smith (Nipissing) to replace the late Mr. Troy on the committee on youth.

Motion agreed to.

Hon. Mr. Robarts moves, seconded by Hon. A. A. Wishart (Attorney General), that a select committee of this House be appointed to review the terms and provisions of the election laws and any related Acts and regulations in the light of modern needs, practices and concepts, for the proper representation of those qualified to vote and to report its findings and recommendations to this assembly, and that the select committee have authority to sit during the interval between sessions and have full power and authority to employ counsel and such other personnel as may be deemed advisable, and to call for persons, papers and things, and and to examine witnesses under oath, and the assembly doth command and compel attendance before the said select committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations for which purpose the hon. the Speaker may issue his warrant or warrants; and the said committee to consist of 13 members, to be composed as follows:

Mr. Bales, chairman. Messrs. Beckett, Brown, Bryden, Demers, Gordon, Hodgson (Victoria), Letherby, Mackenzie, Noden, Rollins, Singer and Sopha.

Motion agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, before the orders of the day, I would like to table answers to questions number 3 and 27 on the order paper.

I might say that this completes the answers to all questions on the order paper, with the exception of question number 29, which was put on the order paper on July 6. It is a rather complex question and I rather doubt that we will be able to provide an answer before the House adjourns.

The following answers to questions were tabled:

Question:

3. *Mr. Bryden*—Inquiry of the Ministry—

1. In the current fiscal year, how many breeders received grants from the government's annual grant made to the Canadian thoroughbred horse society?

2. What breeders received in excess of $1,000 in individual grants, and how much did each of them receive?

Answer by the Provincial Treasurer (Mr. Allan):

1. 157 (1956-66).

2. The Canadian thoroughbred horse society awarded to the following the amounts shown:

Armstrong Bros. Co. Ltd., $2,802.75; Banks, D., $1,910.25; Beasley, Bill, $2,924.75; Conklin Farm Ltd., $1,826.25; Langill, S. J., $1,398.00; Mann, Mrs. C. C., $1,471.75; Martin, V., Jr., $1,140.75; Morrissey Ltd., W. F., $1,384.25; McClelland, D. G., $1,078.75; Pasquale, E. C., $1,267.00; Rosethorn Farm, $1,017.25; Sabiston, J. T., $1,010.50; Sherwood, P. A., $2,058.75; Smythe, C., $1,202.25; Stafford Farm, $1,709.50; Taylor, E. P., $19,514.74.

Question:

27. *Mr. Sopha*—Inquiry of the Ministry—

1. What amount of money was paid out (a) by insurers of Her Majesty the Queen in the right of Ontario, her servants or agents, for liability in tort inclusive of costs during the year 1965, and/or (b) in settlement of suits, actions, claims, or demands, made against Her Majesty the Queen in the right of Ontario, her servants or agents?

2. What was the premium paid by the government for insurance for liability in tort?

Answer by the Prime Minister:

1. (a) $223,586.06.

(b) $115,956.27.

2. $437,425.70.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into the committee on ways and means.

## ON THE BUDGET

**Mr. D. C. MacDonald** (York South): Mr. Speaker, today we are concluding the longest session in the history of the Ontario Legislature, 111 days, so I assume that this — I am corrected by the Clerk — 110 days. I would not like any inaccuracy to creep into my remarks.

This is the time for quiet reflection and assessment of this session. I would like to say at the outset that, with all of the behind-the-scenes discussions with regard to the length of the session and its appropriateness, that in my view its length may be adequate but it certainly is not more than adequate.

Nobody in this Legislature needs to be reminded of the growth in the work load of the Ontario Legislature in recent years. It is certain that this work load is likely to become greater, rather than less and, therefore, the proposition of a five- to six-month session, in my view, is an entirely reasonable proposition. Indeed last year we increased the remuneration for members of the Legislature precisely because it was acknowledged that this was likely to be the case.

However, I return to an old point, not to belabour it, but rather to re-assert it in the hope that I can impress the government. If sessions are to be regularly from five to six months, opening in January, and, therefore, running until June, and conceivably into July, as a regular pattern, then I submit that the splitting of the session, with some six to eight weeks in the fall is preferable to late May, June and July sessions, in the somewhat steambath conditions that inevitably you have in this building.

I recognize that the Prime Minister (Mr. Robarts) has regarded a fall session with pronounced disfavour, but I simply cannot believe that we are the helpless victims of traditional departmental timetabling, so that it is impossible to arrange the work for a six- to an eight-week session in the fall.

In my view, a six- to an eight-week session would make it possible to clear off the Throne speech; conceivably to alter our traditional patterns so that private bills could be received during this period; to provide an opportunity for at least the introduction of important legislation, so that both members of the House, and equally important, members of the public, will have an opportunity to peruse this legislation with care, and, therefore, would have an opportunity to make representations either to standing committees, or to members of the Legislature for consideration at a later stage in the session.

All of this, it seems to me, should be possible, and I hope that we do not have to go through the unnecessary discomforture of June and July sittings, when there is an alternative, for too many more years. I hesitate to put this point too hard because I have had the impression in the past that if the Opposition presses a point unduly that may lead to its dismissal by the government rather than its acceptance. I would quietly suggest to the Prime Minister that, if he canvasses his own government back benchers, he may discover that in view of this year's experience, and the likelihood of it becoming a common pattern, there may be some revisions in thought even there.

Related to this is another point which merits further discussion after the experience of this session. I refer to the lateness with which the government brings down so much of its legislation. One of the arguments brought by the Prime Minister against fall sessions has been that part of the year is required to finalize government business, to work out the estimates, and to have everything ready for a session that begins in the new year. I assure you, sir, that it becomes obvious that the Prime Minister's argument collapses in face of the facts, the facts that we have before us as the result of this session. For the life of me I simply cannot

understand why so much of the government business has to be introduced in the fifth month of a session, and we have witnessed that this year.

As I have suggested before in the House, if we are sitting in July, we are sitting because of the fact that we had to deal with so much government business that was introduced as late as June. Surely it is possible, with obvious exceptions, that everyone will concede in advance to so order the affairs that most of the major business would be introduced early in the session.

In fact, in my view the government this year even balks itself. So much of its legislation was introduced in the concluding weeks that the standing committees of the Legislature were meeting until the concluding week so that the government could not resort to the traditional practice of morning sittings to clear off the session, as has happened rather regularly in the past, until the last couple of days.

However, Mr. Speaker, this brings me to a few comments I would like to make regarding committees. I would like to begin by saying that I frankly felt that the government Whip and his assistants made a very valiant effort this year to revive the terms of reference and the timetabling of our standing committees, so that a more effective job could be done at that level. But I suspect that they might be the first to admit that little if any overall improvement was made. Certainly that is my view. I think it is necessary to examine some of the reasons why.

While I would not like to minimize the importance of any one of the committees, it seems to me that the key committee whose operations we have got to examine once again —we probably have examined it many times in the past and we have not made any progress—is the standing committee on government commissions.

Conceivably, if this committee could be made an effective instrument of review of the great proliferation of boards and commissions in modern governments, the time of this House might be freed for other considerations. This is not possible as long as the standing committee on government commissions is the ineffective committee that it now is.

Members of the House may not be aware of the fact that at our first meeting of that committee this year, my colleague the hon. member for Riverdale (Mr. Renwick), introduced a motion which was passed unanimously by that committee—that the committee should be provided with a staff. In my view, the kind of staff that we are now providing for some of our select committees, the kind of staff that is usually the case with congressional committees in Washington. It would do some of the preparatory work and would assist members in achieving an effective review of the operations of the various boards and commissions.

What happened to that motion? I just do not know. I do not know whether it was passed through from the committee to the government and whether any consideration has been given to it. Indeed if it has not, I would like to specifically raise it and solicit some comment from the Prime Minister.

It is a little ludicrous to expect members who are engaged with all of their other responsibilities to come into a committee without some assistance from committee staff, and be able to do the necessary probing operation with regard to the work of some of the large boards and commissions that we now have in the province of Ontario.

It always strikes me, for example, that the kind of procedure that we have had in the past with the Ontario hydro-electric commission is just a little bit absurd. Here is a commission with a budget that is almost—well it is just as large if not larger than that of the province of Ontario and with operations that have grown to the proportions that they are today. It is dealt with in one morning sitting—a half-hour or three-quarters of an hour introduction and some kind of questioning that no more than begins to scratch the surface.

If you had a staff and the committee then began to work on a schedule of planning over a period of two or three years to cover every one of the boards and commissions that was left to its jurisdiction, then I think you would have a programme of work that could be effective. In fact, I think there is some guidance for the standing committee on government commissions now from the operations of the public accounts committee which is seeking to cover all of the various departments, not in one year, but over a period of two or three years, conceivably over the period of one Legislature.

Now, with regard to the other committees, Mr. Speaker, I want to head directly into an argument that appeared this session contending that the purpose of the standing committees of the Legislature is almost restricted to consideration of bills that are brought into this House, and referred to that committee because they fall under their jurisdiction.

I submit that that has not been traditionally the role of standing committees. It is one of

their important functions, but not the exclusive function. I think, for example, if one were to take the role of the standing committee on government commissions, which is really an impossible one when one reminds one's self that there are 80 to 90 such boards and commissions in the province of Ontario at the present time, and to share them among some of the other committees because some of these boards and commissions really fall within the jurisdiction of some of the other standing committees, that you forget the kind of programme that would permit of more effective work.

But the proposition of using a standing committee to call in experts, either experts from within the government departments or experts from without the government departments, to provide an opportunity for investigation and discussion of some of the important developments of issues that fall within the jurisdiction of the standing committees, is something that was almost completely avoided this year.

For example, the standing committee on education. Surely there never has been a period of the province of Ontario when there were so many important developments taking place with regard to education.

To pick but one example, the new council of regents of the community colleges. To be very frank with you, I think we are working out of pattern of community colleges. I think the council of regents itself has not got any clear blueprint worked out.

I submit it would have been a legitimate function for the council of regents as one of the many bodies in the field of education through some of its top officials, perhaps its chairman and its vice-chairman, to have come before the select committee or the standing committee on education to present their views, to provide an opportunity not only for comment and discussion by members of the Legislature, but conceivably to have solicited the views of others throughout the province of Ontario.

Instead, the standing committee on education this year was virtually inactive. It came into operation only in the concluding weeks of the session to deal with educational bills which were brought in in the concluding weeks of the session.

Another committee whose record is one that we should remind ourselves of, and falls into essentially the same kind of pattern, is that of the standing committee on health. The chairman of that committee very commendably in my view at one point announced that the committee was going to meet to consider an issue of extreme public importance and concern, namely, the conditions in the Hamilton Hospital. Then we saw the committee "euchred" by the political manoeuvring of our own party which was determined to restrict, if not to avoid completely, any serious investigation into the circumstances within that hospital.

Now I just make these comments on the committee—

**Mr. V. M. Singer** (Downsview): Did you not make a mistake there? You said "by the manoeuvring of our own party."

**Mr. MacDonald:** Of their own party—their own party. We were right, and I unhesitatingly state that it was our party that attempted to bring the issue before the committee. Whether you want to call it political manoeuvring or not, I think it was an entirely legitimate move. Manoeuvring of a questionable character took place on the government side to make certain that there was no serious consideration of the issue.

I move from committees, Mr. Speaker, to one other procedure in this House. I want to suggest, Mr. Speaker, through you to the Prime Minister, that one of the important instruments of this House has fallen completely into disuse because of the attitude of the government.

I draw the attention of hon. members to item number 13 on the order paper today which stands in the name of the hon. member for Bracondale (Mr. Ben) and is a motion for return of certain information. Now, if one looks at procedures in the House of Commons and other Legislatures across the Dominion of Canada, you will find that one of the most used procedures is the practice of a motion for return of material that members of the Legislature are entitled to.

It is material that is too complex and too detailed to be put into a question before the orders of the day, or conceivably it is not the kind of material that can be filed in the House in answer to a question that has been put on the order paper.

In fact, in Ottawa there are literally dozens of these motions for return that are put on the order paper and they are dealt with quite expeditiously. Now what has happened in this House is the attitude that I would say in other connections this government has moved away from to some degree, an attitude of almost contempt for action on the Opposition to try to get information to which the public in entitled.

If a motion for order of return of materials is put on the order paper, as I understand

this one was some weeks ago, then I submit there is an obligation on the government to call that motion so that the material can be returned, or alternatively, if in the government view that material cannot or should not be made available to so inform the House. But I suggest to the House leader, who seems to be looking at me in some disapproval at the moment, that to just leave the motion on the order paper so that it dies is the kind of attitude of contempt for action on this side of the House which was characteristic in other areas and from which you have moved. I would earnestly suggest to the government that in the next session they will move away from this.

**Mr. E. W. Sopha** (Sudbury): Give them 15 days for contempt.

**Mr. MacDonald:** Well, they are the leaders; that means they should get two months, not 15 days.

**Mr. Sopha:** They get time off for good behaviour.

**Mr. MacDonald:** Having been rather consistently critical up to this point, Mr. Speaker, I do not want to suggest that the picture is all dark and that there have not been some areas of progress. I would like to acknowledge that this year, for the first time in a consistent way, the government has established the practice of private members' hour on Tuesday and Thursday of each week for the purpose of debating private members' motions and resolutions, a procedure in which not only members of the Opposition, but members on the government side of the House have indulged—or abused.

I do not think, Mr. Speaker, that we have achieved the full promise of the restoration on this as yet. In part it is my view that we have not achieved it because while the government has now permitted an opportunity for the House to debate these items, quite consistently, resolutions that happen to fall within the jurisdiction of a particular Minister are being called when that Minister is not in the House. He is absent when the motion is being debated.

Now, surely, our debates are for some purpose here and surely the Minister is the person who would be most interested in the topic that is being debated by the House. I would submit that attendance, if not participation in that debate, by members of the Cabinet is something that might be considered.

Earlier in the session we had one debate on a couple of resolutions with regard to hate literature which was treated in the fashion that, I submit, we could and should treat all of these resolutions, with the government giving it serious consideration.

Indeed, in that instance they permitted a vote. The government is not always willing to permit votes, but if they are not willing to permit votes then I suggest at least some serious indication of concern and interest on the part of the government in the resolutions that are being debated is something that might be a new pattern for next year's session.

Second, while we have not been able to inaugurate it this session I would like to acknowledge with commendation the fact that the government has now accepted the restoration of a procedure whereby members of the Opposition will periodically have an opportunity to move a want of confidence motion on the topic of their choice by way of amendment on the motion to go into supply. This has been accepted in an all-party meeting and we have had the assurance of the House that it will go into effect next year on the basis of three such motions during the course of the year.

My final word of unqualified appreciation and commendation, Mr. Speaker, must be reserved for the work of yourself and your Deputy Speaker, the chairman of the committee of the whole House. In my view, we have achieved a level of mutual respect and ordering of the business of this House that was sadly lacking in the many years that I have had the privilege of being in this Legislature.

On occasions in the past, we have witnessed scenes that should have been a matter of shame, particularly for members of the Legislature and certainly for the people of the province. They did not occur this year. On rare occasions there were momentary lapses, but perhaps these are understandable and conceivably they are excusable; but again, with some hesitation, I want to suggest that now that we have found two people who have indicated their capacities for the direction of the work of this House in a manner that has received the sincere and wholesome approval of everybody in the House, the government should give some consideration to its past practices of changes in these offices which, I submit, make it almost impossible for the new appointees to be able to do a good job.

We have in the past expressed our suggestion that some consideration might be given in this Legislature to the appointment of a permanent Speaker. I am not going to go into the techniques whereby that might be

achieved, but even more important is the appointment of the chairman of the whole House, because I am sure that everyone in this House would acknowledge that, difficult though your task may be on many occasions, Mr. Speaker, if anything the task of the chairman of the whole House during committee operations is more difficult because of a more free-wheeling debate during which it is very difficult to interpret and apply rules.

This year, certainly, we had the kind of direction from the hon. member for Eglinton (Mr. Reilly) that everybody in the House has been extremely pleased with. I would urgently plead with the government that they forsake the practice of a different appointment every year, making it virtually impossible, no matter how worthy the individual is, that he should be able to acquaint himself with the rules and to build up that body of experience in a short time to be able to do a good job.

We have found a man who has both the qualities of mind and that Irish humour to be able to cope with some of the passions aroused in the House. Having found the man who can do that kind of job, I would plead with the Prime Minister that we do not return to the old practice of saying you have done a good job, now you are out to pasture, and bring somebody else in who has to try to learn all over again.

Mr. Speaker, I now turn from the consideration of the procedures in the House to some reflections in general terms on the overall achievements of this session of the Legislature.

I suggest at the outset, sir, that this session of the Legislature has to be judged in the context of the times in which we live.

By any standards its achievements have been seriously inadequate. There are deep undercurrents of concern troubling the people of the province today. Internationally, along with everybody else, these concerns flow from the total tragedy which the atom bomb threatens for the human race and the gnawing worry that the western world, willy-nilly, is committed to a course in Vietnam which was disastrously conceived and is perhaps even more disastrously being executed.

Nationally, these concerns are reflected in the malaise that blights the prospects of our centennial year. The conduct of public life, centred in the House of Commons, has so degenerated that it has created a mood, on occasion, of national shame and certainly dangerous disillusionment. Five elections in eight years have merely underlined the nation's incapacity, at least for the moment, to rescue itself from the grips of this malaise.

But provincially there are growing signs of the same kind of widespread concern. Farmers are in more open revolt than they have been at any time since World War I. Industrial workers are having a tougher time to win their fair share of the rising corporate income profits and they are rightly indignant when governments frequently tolerate defiance of the law by management and then go to such lengths to bolster the image of unions as lawless in coping, for example, with the injustice involved in the abuse of injunctions at the present time.

Pensioners on a fixed income, housewives who have to do the family shopping—indeed, everybody in varying degrees—are feeling the pinch of rising prices and costs and taxes. There is a growing feeling that governments can do more than stand idly by while the general populace is victimized by these economic forces.

In a population where half will soon be under 25 years of age, the traditional revolt of the rising generation, which has never been greater than it is today, creates a ferment for change. The essentially Victorian values of our society are being challenged, perhaps more basically than at any time throughout modern history.

And it is in this context, Mr. Speaker, that the Robarts government appears increasingly inadequate. These are stirring times; the Robarts government is dull and stolid. These are challenging times when our people yearn for leadership to realize the promise of the technological age; the Robarts government invariably blunts the challenge by doing as little as possible, and then only after an unconscionable amount of public pressure. These are bold times, Mr. Speaker, the Robarts government is almost invariably timid and cautious.

The best that can be said of the Robarts government is that it is a hangover from the Eisenhower era of the '50s when governments drifted in the smug belief that theirs was the best of all possible worlds. The times have swept by this government. It is both unwilling and incapable of meeting the challenge of our day.

The Tory party has spent millions of dollars, obtained incidentally by means that they are not willing to expose to the light of day, to build an image of the Robarts' government that is safe and sound and reliable. But, Mr. Speaker, it has now become more and more obvious that this apparent safeness, soundness and reliability is merely the image makers' coverup for vacillation, timidity and inability to provide real leadership.

The administration is dominated by a Cabinet that is old and weary, even by testimony of the government's friends. Most of its members are a carryover from bygone days. Their incapacity to recognize the needs of our day is bolstered in too many instances by an incompetence that would be a burden in any day. Gone is the kind of dynamic leadership which Robert Macaulay gave this government, before he gave up because he could not stand the frustrations of its stodginess any longer.

This government does not lead. It is simply pushed along by events. Most of its so-called new policies are out of date before they are implemented. It spends most of its time running to try to catch up with the parade, and when it does catch up it spends all of its remaining energy preening itself over its inadequate accomplishments while the province and its needs move on.

Mr. Speaker, in my view this session is replete with examples which justify this assessment of the government; but I am going to pick perhaps one of the oldest examples that is considered to be a bit old straw but it is still a current issue, because the government has still not faced up to it and will have to during the coming year, and that is the question of medical insurance.

There is no question at all the Canada must at long last get into step with the times and establish a public, universal, comprehensive medical insurance programme through federal-provincial co-operation. The report of the Royal commission headed by Mr. Justice Emmett Hall settled that argument once and for all. But what has the record of the Ontario government been? On this issue, where it should have been giving leadership, it has been a brake on the wheel of progress.

In the session of the Legislature immediately preceding the last provincial election the government realized that it could no longer neglect the issue, so it passed a bill which was nothing more than a gimmick enabling it to go before the people contending that Medicare was "Done," when actually nothing had been done at all.

When the election was over the people expected results, so the government set up the Hagey commission to study Medicare. The government chose the personnel of that committee to get the answer it wanted, and in December of 1964 the committee dutifully gave the government that answer. Leave Medicare in the hands of the private insurance companies, it said, and use public funds to subsidize some of the people who simply cannot afford the exorbitant rates of private companies.

But events have passed this government by; the people were simply not willing to tolerate the use of public funds to subsidize private insurance companies.

So in the session of 1965 the government brought in a new bill. There was still to be an open season for private carriers on the people of the province, but the government was now prepared to provide coverage for the subsidized groups through a public agency. This was the first feeble, halting step toward the inevitable, namely a public plan.

But that bill, Mr. Speaker, never did come into effect in the form in which it was enacted because, once again, the government was left behind by events. The substantial number of people who were neither in group plans nor eligible for subsidy were going to be abandoned to the private carriers with their rates of $200 or more a year for something less than full coverage. As soon as the public realized what was going on it revolted and the government dipsy-doodled once again.

Early in the current session of the Legislature it brought in still another bill which moved beyond the 1965 Act. Under the new setup everybody who is not in a group plan can apply to be covered by the public agency. So we have still another feeble, halting step toward the inevitable, a public plan.

The government has poured nearly three-quarters of a million dollars of the people's money down the drain in a hysterical, high-pressure campaign to cajole the people into this half-baked plan and has come out with, at best, limited success.

This, I submit to you Mr. Speaker, is the Robarts style of leadership. The 1963 bill added up to precisely nothing. The 1964 Hagey committee contributed something less than nothing, it was a waste of time. The 1965 bill amounted to nothing more than a halting step in the right direction. The 1966 bill is, in the Prime Minister's terms, a great step forward; it finally represents a partial acceptance of the principle of public insurance while denying its overall implementation.

But once again, Mr. Speaker, the government has been left behind by events. After having been pressured and badgered for literally two generations, the federal government has finally agreed to play its part in establishing public, universal and comprehensive Medicare in Canada.

Under proposals to which Ottawa is now committed, Ontario could qualify for federal subsidies of well over $100 million a year. But Ontario's plan does not qualify and

cannot qualify if Ottawa stands firm on the principles which it has enunciated. The people of this province simply will not permit this government to forego a huge federal subsidy which would not only bring Medicare within the reach of everybody, but do so at about one-third of the premium rates that are now being charged.

Undoubtedly, Mr. Speaker, during the coming year, once again, the government will bow to events. You will see this government scrap its 1966 bill, as it scrapped the 1963 bill, the 1964 Hagey report, the 1965 bill. What it will substitute will probably be still another plan, changed enough to qualify for the federal subsidy, but undoubtedly clinging as much as possible to its outmoded and inefficient kind of approach.

Well, Mr. Speaker, why should Ontario have to put up with this kind of stumbling and bumbling and fumbling? Ontario is Canada's largest province. It ought to give leadership to the rest of the country, in Medicare, as in everything else. But the present government is incapable of leadership. It writhes in agonies of indecisions for weeks, months, years, until at long last it has simply no option but to move forward. The hon. Prime Minister may laugh, but there are too many cases to document the kind of writhing.

**Hon. J. P. Robarts** (Prime Minister): Who wrote this?

**Mr. MacDonald:** I wrote it. I do not have to get other people to write my speeches.

Interjection by an hon. member.

**Mr. MacDonald:** You may be right, but I have prepared it for the people beyond, who are going to have the decision. We have given up on trying to persuade you, it is a lost cause.

**Hon. Mr. Robarts:** Send copies into the press gallery!

**Mr. Sopha:** They are beyond.

**Mr. MacDonald:** If the hon. member for Sudbury is a little disturbed, the press gallery has got it.

An increasing number of people are coming to realize this.

**An hon. member:** What are they going to do with it; that is what I want to know.

**Mr. MacDonald:** The question of what they are going to do with it is their decision. You are right.

The mood of our times is for progress and change. The unrest which is manifest on every side in the province of Ontario today instinctively calls for leadership, for boldness. Instead, this government is guilty of cautious, aimless drift. While Medicare is the best example, there are dozens of other examples in the record of this government, notably in this session.

Two years ago, the Prime Minister grappled with this one. In recollection, the government's handling of the police state legislation was so inept as to be positively dangerous. But this year the government's handling of the pension issue was equally inept, a classic in governmental indecision.

Having announced its policy by the Prime Minister himself last September, it took the Cabinet three months to achieve a common interpretation among its leading spokesmen. By that time it had drifted close to the deadline for integration with the Canada pension plan, and the Minister of Municipal Affairs was threatening that either unions and municipalities would accept the government's dictate on policy, or else legislation would be introduced to force them retroactively to do so.

**Hon. J. W. Spooner** (Minister of Municipal Affairs): I never threatened anyone—

**Mr. MacDonald:** Well, I shall leave it to those who read his words in the paper as to whether it constituted a threat. I know he is as meek and mild as a lamb this morning, but oh, he was like a mad bull back last November, December and January, as he was trying to cope with the issue.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. MacDonald:** The public outcry, I submit, Mr. Speaker, was such that the government halted fearfully in its tracks and drifted for another five months. Meanwhile, the Lane arbitration award in Etobicoke served as a reminder to Tories, of all people, who make such a profession of this, that the sanctity of a contract, albeit a union contract, should not be such that it can be breached by the arbitrary decisions at Queen's Park. So the government finally faced the inevitable and it worked out a law which respected local autonomy to meet the variety of circumstances across the province, and did not force everybody into a common mould, conceived here at Queen's Park.

But, Mr. Speaker, why do the people have to fight, to organize a confrontation of the government such as for example, the Canadian union of public employees had to do,

in order to protect pension rights that have been built up over the years, or in order to assure the freedom of choice which is the hallmark of a democratic society? The public is entitled to expect that governments will be their willing partner in achieving objectives such as these, and not their stubborn opponent of such objectives.

Power has corrupted this government to the point that it can no longer readily recognize the rights of individuals in a free society.

**Hon. Mr. Robarts:** I would not say that.

**Mr. MacDonald:** Now let the Prime Minister laugh about that, because it is the kind of cavalier laughing that is typical of an arrogant Tory government.

Mr. Speaker, even when events do force this government to act, their answer is more often than not a half-measure which fails to meet the problem, certainly to meet it fully. Thus, after years of neglect, we have amendments to the securities legislation which we acknowledge in the House make it much better than ever before, but in many respects are comparable to the kind of thing that were done in other jurisdictions 30 years ago.

**Hon. J. Yaremko** (Provincial Secretary): That is not so.

**Mr. MacDonald:** As the Attorney General (Mr. Wishart) said yesterday with regard to other aspects that are now being studied by the law reform commission, they were studied in Britain—was it 1925?

**Mr. Singer:** 1924.

**Mr. MacDonald:** We are now getting around to it.

Thus, after long recognition of the inadequacies and injustices involved in categorical aid in the welfare field, the government pays lip-service to the necessity of replacing the means test with a needs test, but hedges its legislation so as to perpetuate the means test.

Thus, after acknowledging for years the need for establishing equality before the law, the government finally brings in a legal aid plan whose administrative arrangements will, in fact, deny that equality to many people in the province of Ontario. Examples could be multiplied by the dozenfold, I am not going to take the time of the House at this late stage of the session to do so, where progress is slow and halting. We have a shadow, rather than the substance, of any real achievement.

But while this government has been badgered and pressured for an unconscionable time to get action in some instances, it is interesting to note in this session, that this session has produced a range of legislative measures which indicate not only its lack of firm purpose, but the ease with which powerful forces in the business world can shape government policy, indeed alter it completely.

Thus, for example, Mr. Speaker, the Attorney General first announced that the consumer credit protection legislation would be introduced, but not proceeded with this year, because of the continuing difficulties in working out the acceptable procedures with the trade. Then under public pressure, which got reflected in his own caucus, he reversed his decision, and he proceeded with it. Not a particularly edifying kind of example of decision and purpose and direction on the part of government.

Thus the Attorney General introduced long-needed amendments to The Real Estate and Business Brokers Act and then revealed that the government's convictions on this issue were so waffling that once again the Cabinet reversed its position and announced that the bill would be held over for another year. The government bowed so quickly on this issue, Mr. Speaker, that its position had been reversed even before the letters of protest from the Toronto real estate board were able to reach the members of the House.

Now, sometimes we have an unconscionable length of time and a battle to get them to change their minds, but sometimes it happens so quickly that we cannot even get our mail before we find out the reason why they changed their mind.

**Hon. G. C. Wardrope** (Minister of Mines): That is fast action.

**Mr. MacDonald:** I wish we could get that fast action on some things that affect the interests of the people in a very direct and widespread way.

On the first working day of this session, the Minister of Lands and Forests rushed in with a bill to remove some of the unwarranted tax exemptions enjoyed for years by Algoma central railway, and then the government permitted itself to be lobbied to a dead halt for four months. The bill has now been passed, but subject to an uncompleted agreement with the ACR, which will become part of the law. In effect, it is going to become part of the law without any knowledge of this House and without the approval of the Legislature. I suggest, as I said earlier, Mr. Speaker, an absolutely unprecedented kind of thing in this House.

**Hon. A. K. Roberts** (Minister of Lands and Forests): Will my friend allow me to say without any question that there is no such agreement at all, that that bill has been passed in accordance with its terms and it has no tag attached to it whatever.

**Mr. MacDonald:** Well, I can go back to the record which is there for everybody to see, including the Minister who just rose and spoke, wherein he said that the bill will be passed, but it will be reframed after you have completed your agreement.

They are changing their mind again. How can we keep up with the unexpected changes? We were operating on what you told the House.

**Hon. Mr. Roberts:** There is nothing on the record, to my knowledge, saying anything about after completion of an agreement.

**Mr. MacDonald:** Well, we will go back in the quietness of the summer, and conceivably even before that, to discover how the Minister has forgotten what he stated in the House.

**Mr. R. Gisborn** (Wentworth East): Retroactive legislation.

**Mr. MacDonald:** When one contrasts, Mr. Speaker, the ease with which private powerful interests are protected by this government with the blood, sweat and tears that must be expended to establish the needs of the public, one is driven to the conclusion that this Legislature, dominated as it is by 77 Tories, is not a forum for all of the people, but a businessman's club in which the interests of the farmer, labourer and the consumer get short shrift.

Well, there is another election coming.

For a time, Mr. Speaker, the Robarts government was able to present itself as progressive and efficient, but its record shows that it is often inefficient, sometimes indescribably so to the point of incompetence, beneath the thin façade of progressiveness. More and more frequently there appears this tough-fisted reaction threatening the voice of protest raised from so many sources, whether it be in labour or farm fields.

Management can defy the law with relative impunity, but let organized citizens exercise their basic right of peaceful assembly on behalf of a cause they believe to be worthy and they find themselves charged by the Attorney General in such a manner that they are denied their right of trial by jury. When convicted by the courts they are sent off with stiff jail sentences which are sought by the Attorney General's counsel.

Let farmers exercise their basic right to demonstrate over long unresolved problems, and they are bluntly warned that their actions are not going to impress this government and that they may think differently when they find themselves pulled off their tractors.

Here is the iron fist of reaction breaking through the velvet glove of the image maker. Backed by the courts in the enforcement of bad laws for which the responsibility rests with this government, the coercive power of the state is used to threaten and to silence the voice of protest in this province. And they expect they can get away with it.

No wonder, Mr. Speaker, that for the first time in over 20 years more and more, observers are suggesting that this Tory government is in real trouble. That being the case, Mr. Speaker, I suggest that it becomes pertinent to ask where the voice of protest is going to find effective expression and on that, too, I submit this session offers eloquent testimony.

Few things have become more obvious than that the Liberal Party is bankrupt of leadership and policy. It speaks with conflicting voices that are often more intent on settling party differences than exposing the deficiencies of the government. Its record of attendance in this House, where the first responsibility of an elected member lies, is little short of a disgrace.

Many of its members sit as passive spectators in the legislative struggle that goes on, day in and day out, between the government and the NDP. The Liberal Party is so convinced of its lack of ability to challenge and replace this government, Mr. Speaker, that many of its leading spokesmen in recent years are publicly talking of retirement.

The plight of the Liberal Party, Mr. Speaker, was rarely more succinctly put than in a recent article by one who is intimately familiar with it from the inside. I refer to an analysis which was published in the Montreal *Star* on May 10 following the annual meeting of the Liberal Party, by Harold Greer who, as most members of the Legislature will know, was executive assistant of the leader of the party and a key figure in the 1963 campaign.

**Hon. Mr. Robarts:** He is the White River Greer?

**Mr. MacDonald:** Well, Mr. Speaker, I am going to quote from Mr. Greer's comments because obviously not everybody, but particularly the Liberals, would dismiss anything I have to say. Perhaps it would be interesting to the public and to them to listen to what one of their own intimates of just yesterday has to say:

After reviewing the hullabaloo involved in the Liberal Party's first annual convention in three years, Mr. Greer commented:

> But none of this will materially improve the chances of electing a Liberal government in Ontario which one might assume is the prime point and purpose of the Ontario Liberal Party.
>
> Or is it? The Ontario Liberal Party is not the Liberal Party of Ontario, nor is it the Liberal Party in Ontario. It is both, and therein lies a case of political schizophrenia which has persisted for 23 years. Until a cure is found, the Liberals are going nowhere in Ontario and have nowhere to go.
>
> Mr. Gordon's appearance before the convention last week was an illustration of the problem. Mr. Gordon has no interest in provincial affairs; he is concerned entirely with national policies and with the need, as he sees it, for the federal Liberal Party to move left of centre—so concerned, indeed, that he thought nothing of bolstering his argument by pointing out that if the federal Conservatives should choose Ontario Premier John Robarts as their next national leader, they could be very hard to beat indeed.
>
> Just how this witless acknowledgment of Mr. Robarts' competency is supposed to help the provincial Liberals, Mr. Gordon did not stop to explain.

Interjection by an hon. member.

**Mr. MacDonald:** I am interested in the interjection from the hon. member for Sudbury; he is publicly moving over into the other field.

**Mr. Sopha:** He is my third choice. Judy LaMarsh.

**Mr. MacDonald:** I continue the quotation, Mr. Speaker.

> The hard fact is that Liberalism in Ontario today is in much the same state as Liberalism in Quebec during the last years of Duplessisism. Faced with the difficulty of dislodging Mr. Duplessis and his machine at the polls, the Quebec Liberal Party naturally became federally-orientated and federally-dominated; inevitably, provincial interest and objectives were relegated to second place.
>
> After 23 years of Tory rule, the same thing has happened to the Ontario Liberal Party. The result has been that in the last several provincial elections the Liberals have lacked all or most of the ingredients any party needs to be a serious contender for political power; a leader, a programme or more accurately an idea, an organization and money.
>
> The last time these elements all came together was in the regime of Mitchell Hepburn, a flamboyant provincialist whose death left a vacuum which revengeful federalists were quick to fill. For all practical purposes, the Ontario Liberal Party has been a federal party ever since.
>
> The only significant surge of—

It is interesting, Mr. Speaker, to discover that the Minister of Mines (Mr. Wardrope) finally sensed that the comments of a Liberal are not in the category of circumlocution. I pick up from the quotation:

> The only significant surge of provincial concern came in 1958 when delegates revolted against federal efforts to foist Walter Harris, defeated in the 1957 national debacle, on to the party as provincial leader, and elected John Wintermeyer, a prominent member of the Legislature, instead. But Mr. Wintermeyer was never accepted by the federalists and paid dearly for their lack of support. After his defeat in 1963, the party turned regular again and named Andrew Thompson, one-time assistant to Prime Minister Pearson and a close colleague of Mr. Gordon.
>
> Mr. Thompson, since his nomination—

Interjections by hon. members.

**Mr. MacDonald:** They are damning with faint praise from the government side.

> Mr. Thompson, since his nomination, has been one of the most easily overlooked men in the Legislature, and if he has a programme for the party, few people have heard of it. It is said his aspirations really lie in Ottawa.

Now, sir, that was an interesting bit of information.

> Meanwhile the control of party affairs by the federalists continues unabated, as witness Mr. Gordon's use of the party convention last week.

**Hon. Mr. Robarts:** What date was that?

**Mr. MacDonald:** That was—the Prime Minister wants it for his files, does he? I think the Prime Minister will find it in the record, but just in case I did not put it in, it is May 10, 1966, in the Montreal *Star*.

**An hon. member:** Have you got a copy?

**Mr. MacDonald:** Now, Mr. Speaker, to put all this in a nutshell, there is really no Ontario Liberal Party. There has never been one since the early 40s. There is merely a captive wing of the federal Liberal Party, and never was its state of captivity more complete than at the moment, with a leader who was elected by the Ottawa machine, with party pronouncements that are often an echo of the Walter Gordon forces in their power struggle in the federal party, and with its annual meetings turned over as a platform for Walter Gordon in his bid for national leadership. As Mr. Greer put it—

**Hon. Mr. Robarts:** What else is new?

**Mr. MacDonald:** Nothing else is new. Plus ça change; plus ce le même chose, Mr. Speaker. As Mr. Greer put it, Mr. Speaker: "The Liberals are going nowhere in Ontario, and have nowhere to go"—a Liberal speaking.

In short, the Liberal Party is neither free nor able to fulfil its historic role of providing an alternative to the Tory government in Ontario. Sometimes, Mr. Speaker, its gestures in this direction assume ludicrous proportions.

For example, the *Globe and Mail* reported an incident during the Opposition leader's recent tour of northwestern Ontario. I quote from the June 11 edition:

> "In Dryden, Mr. Thompson suggested party workers organize a study group, and he described a proposed procedure for them: "Let's sit here and imagine we're in the Legislature and we're looking across at old Roberts—

By way of clarification, the *Globe and Mail* put "Kelso" in brackets:

> —and we're looking across at old (Kelso) Roberts as he makes his presentation. Try to think of the questions you'd ask. You'll come up with some—particularly after you've had a few drinks."

Now that episode, Mr. Speaker, I suggest is symbolic of the Liberal Party's approach—in so many ways. Its attack on the government is marshalled from picayune points of parochial concern.

**Mr. F. R. Oliver** (Grey South): Oh, go drown yourself!

**Mr. MacDonald:** The hon. member will have a chance to speak in a moment.

**Mr. Oliver:** The hon. member does not know where we are going but I know where he is going.

**Mr. MacDonald:** I will say to the hon. member for Grey South, so do we know where we are going. With the Liberal Party, Mr. Speaker, there is no underlying philosophy, there is no cohesion in policy nor solidarity in the ranks of those who present it. They have little that is positive to offer, other than a negative "agin' the government" attitude, and therefore lack the sense of direction and sustained determination necessary to replace this administration.

And heaven knows, this administration needs replacing.

As one long-term observer of Queen's Park has stated, the Opposition leader is a political butterfly, flitting from place to place, from issue to issue, showing neither force, a good grasp of provincial affairs nor positive beliefs towards them.

Mr. Speaker, I note the sort of cavalier arrogance of the Liberals, who think they are destined to hallow the place in history when they have failed to fulfil it, a counterpart of the Tory arrogance.

Interjections by hon. members.

**Mr. MacDonald:** The Ontario New Democratic Party has attempted once again in this session to provide, within the limitations of our numbers, the Opposition that this government desperately needs to protect itself from its own inadequacies and arrogance. What is more, we are confident that we can provide an alternative to this government at the next election.

**An hon. member:** One wild leap, eh?

**Mr. MacDonald:** The C. D. Howes and the Lesages, they all haw-hawed that they were solid—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. MacDonald:** During this session we have subjected government policies, administration and expenditure to the scrutiny which they deserve. To the extent that time and opportunity permitted, we have broken new ground with policies that meet the needs of our times.

The inadequacies of education policy have been revealed and alternative lines offered.

The tragedy of tens of thousands of young children whose lives are crippled by emotional disturbance, has been revealed, evoking a response of proportions rarely seen in this province.

We have forced this government, albeit ineffectively as yet, to face up to safety measures which would reduce the appalling slaughter on our highways.

We have revealed how this government stands idly by while the consumer is unnecessarily victimized, whether by the Bell Telephone Company or the private insurance companies. We have taken the battle for low-cost car insurance to the point where the Liberals stand with the Tories in blocking final achievement of success on that problem.

We have exposed the inadequacies of economic development by a government which talks of planning while loudly professing its opposition to it and its commitment to free enterprise. We have lifted the curtain on the manner in which election funds are extracted from the liquor interests and exposed the length to which this government will go in hiding this corruption of public life.

I could go on and on, but I am not going to prolong it at this stage of the session and labour the point with the House. We shall do so elsewhere where the voices of protest across this province indicate that there is a growing mood for change.

All across this country, provincially as well as federally—as the Prince Edward Island, Quebec and Manitoba elections have shown—the voters have indicated that they have lost confidence in the old parties. They simply refuse to give an unqualified mandate to parties whose records have proven them incapable of meeting the challenge of our times.

The New Democratic Party has presented an alternative in this House. We have gathered the resources and we are building the organization to provide the people of Ontario with an alternative at the next election, something which they have needed for years.

This session, more than any over the past 20 years, has proven that the Tory government has outlived its usefulness. One day the people of Ontario will have a chance to express their view. That day might as well be sooner rather than later. It is time we had a Legislature which more accurately reflected the will of the people of Ontario than we have at the present time.

I challenge this government to face the voters with their sorry record. After 23 years, Ontario needs nothing more than a new government here at Queen's Park.

Having stated my case, the rules of House leave me, Mr. Speaker, with no other alternative but to support a rather feeble protest of confidence, vote of non-confidence, in the House, since it is the only vote of non-confidence that is before the House. Notwithstanding our reservations on it and the different ways we would have liked to prepare it, we shall support it because this government has lost the confidence of the people of Ontario.

**Mr. F. R. Oliver** (Grey South): Mr. Speaker, I have only a few words to say before this Budget debate concludes and I want them to be related to measures that have been passed during this session of the Legislature and other matters that we think should have been given more mature consideration.

But I want to first of all refer to the hysterical speech of my hon. friend, the member for York South. I heard a few days ago that they brought a new writer down from Ottawa and sent the other one off to Vancouver. I was thinking that perhaps they had better send the one they got from Ottawa to Vancouver and bring the one back from Vancouver to Toronto.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, on a point of order, I would just like to say —

Interjections by hon. members.

**Mr. MacDonald:** The gentleman to whom the hon. member referred will be joining our staff on September 1.

**Mr. Oliver:** Well he must have written this ahead.

In rejoinder to what my hon. friend has said, he stood before us today not as the MacDonald of old but a new man. He was not a tiger with sharpened claws, but the would-be statesman with a new view on things.

Now I want to say that a leopard cannot change his spots successfully, nor can my hon. friend change the old vintage and make the new one go over. My hon. friend today talked as though he were a statesman. Up until now he has come before us with fire and brimstone playing in all directions at one and the same time, and now he is the subdued leader of his party, and he says that —

**Mr. K. Bryden** (Woodbine): He is not subdued to me; he has the hon. member worried.

**Mr. Oliver:** Worried? I was never worried —

**Some hon. members:** Hear, hear!

**Mr. Oliver:** The one segment of the population that I would not worry about is that little group, and I will tell the House why in a moment.

My hon. friend spent a good deal of his time — the only part of his time when there was any fire at all was in the first part of his speech, and it was so mundane that the only time there was any sparkle in it was when he left the written script and said something of his own which revealed the man that he was rather than the man he pretends to be.

He spent a good deal of time ridiculing the official Opposition without basis and without any solid ground.

Then he says that they are the alternative — God forbid! If that is the only alternative there is to the present government, I would not say what is on my lips to say —

**Some hon. members:** Hear, hear!

**Mr. Oliver:** If that is the only alternative there is — it is not the only alternative — but if it is — mind, if it is — then I suggest to him that history will have the habit of repeating itself in this province.

I have watched my hon. friend's party in operation in this House for many years and when they get the bit in their teeth and they say to the people, "We are the ones to take over," then the people rise in their righteous wrath and say, "You are not the ones to take over"; and they smite them and cut them down to size.

The only difficulty now is that if they repeat the experiment of old, they have not much size to cut down. But in the days when they had 30 members in the House and when they went before the people, as my hon. friend says now, as the alternative to the present government, the people of the province, recognizing their socialist viewpoints, and feeling that they did not want them in government nor anywhere near government, cut them down from 30 to — I do not know what it was — four or five, I think.

If they are cut down this time from the eight that they have, it will mean that there will be only two. Now my hon. friend can go along pretending as he likes that his party is the alternative to government. I hope that he continues to say that, and if the people get any ideas and do as they have done before, they will cut them down to their proper dimensions.

**Some hon. members:** Hear, hear!

**Mr. Oliver:** I have always spoken in these debates in measured tones and in moderate language — unlike my hon. friend — until today. I want now to discuss some matters that I am sure are of interest to the House, and certainly to the people of the province.

First of all, referring to my hon. friend's suggestion that the length of this session was unduly long, I am not prepared to say that the House has sat longer than it should have done to discharge the obligations that it has upon it to scrutinize carefully the legislation that comes before it, but I am prepared to say that some way must be found either to shorten the length of the session or to have a fall session so that we may not be here in the month of July. I do not think that that should happen again.

There is a point to be remembered in the remarks of the hon. member for York South about a fall session. I have never been fully persuaded as to the merits of a fall session. I have gone along with it, and with others. I have sat through it, but it has been my feeling that there is, when the session resumes after the Christmas holidays, that there is a measure of repetition that seems to creep into the debates that have already taken place in large measure in the fall. I do not know what we can do about it, but I would be prepared to sit down and see what could be done.

The length of this session has been 110 days. Now that is, of course, the longest session on record. It does not require any great deal of imagination to look into the future and see if we progress in lengthening the time that we sit in this House, we will be sitting all year inside of three or four years. The time allotted to the session's work increases so much every year, and I believe the session's length can be dictated somewhat if we have rules of procedure in the House that are modern in concept and that have an application to present-day needs.

I think we could, for instance, have an estimate committee. I think there could be various ways of delegating some of the work that we do on the floor of the House to committees, and then when it comes back from the committee it will not require, nor do I think it would get, a great deal of discussion in the House.

I think therefore that one of the great needs that we have, insofar as the procedures in the House are concerned, is to have a committee—and I have said this 100 times—to devise rules for this Legislature and to devise ways of procedure in carrying on the work of the Legislature.

The hon. member for York South has said that we have this year made some gains in that direction. We have a private members' hour restored to its rightful place on the order paper. I do not know that that was a victory; it was simply a restoration of what always should have been the right of the members of the Legislature. We had as well an agreement with the government leader that we would have an opportunity to move votes of confidence at times during which they are now forbidden.

Now this sort of an *ad hoc* arrangement seems to me to be wholly inadequate toward a complete overhauling of the rules and procedures of this House. I do not see how we can complete that job to our own satisfaction and for the good of the people generally, unless we go over the whole book of rules and unless we devise procedures that are made, in our judgment, to fit our needs in this Legislature.

There is no doubt in my mind that if we do not do that, instead of the sessions becoming shorter or holding their present duration they will become more lengthy, until it becomes unbearable—and quite unnecessary if we took it in our hands and if we made up our minds to have procedures that fit our needs. Toward that end I wish that the government would, even at this late hour, set up a committee to revise the rules and procedures of this Legislature.

Now I want to say two or three things, and in a way I will be saying somewhat the same things as the hon. member for York South. For that I do not apologize, because in many respects our views are somewhat related insofar as our attitude toward this government is concerned.

I would say at once, Mr. Speaker, that as this session draws to an end we have the spectacle of a strong, numerically strong, government looking for friends. I put that to the House, Mr. Speaker, and to the province. We have a government looking for friends. Their enemies, of course, are around the gates, their voices are becoming louder and their actions more menacing.

But when one starts to look for friends at a time like this, and in conditions such as we are in now, it is a sign indeed that the government is in trouble and that they have gone beyond their usefulness insofar as government is concerned.

When I said that the government was looking for friends, I want to point out that there are large segments of our population who were, in a measure at least, the friends of the government in the days gone by. The government have now alienated that friendship, by their actions on the one hand and by their failure to act on the other.

These segments of the population can be roughly broken down into three or four categories. In the first place there is the whole population that is saddled with the most impressive list of taxation increases that we have ever known in this province. The taxation increases that touch the invalid in his chair, that touch the very poor with the equal force that they touch the man who has millions. Everybody has felt the impost, the weight, the burden, the oppressive nature of the wide-scale imposition of taxes levied by the government this year.

I am going to say more about that in a moment, but the people as a whole are sick and tired, and are discouraged and are angry, are resentful, about this tremendous increase in taxes in one single year.

Then we have the farmer, and I am not going to go into that argument again except to agree, I think, with my hon. friend from York South, that not since 1919, when the farmers revolted against another Tory government in this province, and when they revolted in such numbers that they and their labour colleagues who were elected at that time had sufficient numbers to form a government, back in 1919, and there is no reason why, unless this government does something to stop the onward march of the discontent among rural people, and among labouring people, that unless they do that, we are going to have a repetition, a restating of history, as we had it back in 1919. There is no question about that in my mind.

Labour, of course, is full of anxiety and worry and unrest. One issue, of course, that is prominent, is the question of injunctions, and I hope when the hon. Prime Minister (Mr. Robarts) speaks this afternoon, or this morning, or whenever it is—it is afternoon now—I hope when he speaks he does discuss this question of injunctions.

I had a very vivid recollection that when my hon. friend met the labour people a few days ago, he told them in no uncertain words that he would investigate in depth this whole question of injunctions. We want to know, we have a right to know, I trust, before this House adjourns, what my hon. friend intends

to do, how he intends to investigate it, who are going to do the investigation, and what is to be the depth of that investigation?

Not only the taxpayer generally, and the farmer and the labour man, but now the policemen even, have their backs up against this government. When you get the policemen on the side of reform, then you have got an added weight that is going to tip the scales in favour of justice being done.

Then, of course, the Opposition in this House, who represent half the people of the province. They feel, of course, too, that this government has outlived its usefulness. Certainly we do here, and in moments of frankness I believe that even my friend from York South feels that same way, even though it is difficult at times to know which way he is going, whether he is attacking the government, or the ones he fears the most, in the role of the Opposition in this House.

I was struck by something my hon. friend said, it is not often I am, but in this instance I was. He said that the government seemed incapable of mounting a counter-attack to the unrest that is so prevalent in this province.

Of course, the reason for that is very clear indeed. This government for 20 years has ruled in this province by meeting each crisis as it has come along with political weapons. Not trying to put the fire out completely, but to put it down so that it would not bother them any. Never seeking to find out what were the root causes of the discontent or the unrest, but using that political soothing syrup that it must have bought by the barrel, to ease the people's mind, to throw a few crumbs from the table, or a bone with little meat on it, just enough to keep the populace quiet and allow the government to carry on in its programme.

There is, of course, the reason—that is the reason why the government is now quite incapable of meeting the challenge that is before it.

I want to deal with education for a moment. The Minister of Education (Mr. Davis) is not here, but I think he knows my views on it, at any rate.

There are none of us here that begrudge the money that we spend on education. But the programme of education in this province, over the past 10 or 15 years, has been a vivid demonstration of this government's inability to face up to problems in time, and to deal with them adequately.

We had in this province, the first crisis in respect to education. It was in regard to teachers and those of us who are older members of the House recall that very clearly. Teachers were not to be had, even though a government which had its ear to the ground, which could sense in any respect what was coming up in education, should have had preparations made. Yet they got to the position where we had to bring in any person that could read or write, almost, and put them before a class of youngsters.

Gradually, and belatedly, they got over that problem, simply by practising the old art, that they have been so good at practising. Then we come to the problem of school construction.

This last year or two we have gone into school construction, secondary, primary and universities, as my hon. friend from Windsor is wont to say, as if they were going out of style. We are building another place. I agree with what my leader has said earlier in the session, that there never was a time in the history of this province when it was more expensive to build educational institutions, than it is right now. This government, had it any knowledge, or inkling of what was going to happen, should have had many of these schools built when costs of construction were but a fraction of what they are now. The whole policy of The Department of Education leaves much to be wished for, and I give this as an example.

It was only, I think, last year or the year before that the Minister of Education got enough courage up to say, you shall have a township school board in the townships in this province. My heavens, Mr. Speaker, talk about running ahead of public opinion, they were ten years behind.

They are making that move, ten years after they should have done it. The Minister of Education said everybody shall have a township school board. Well, we pretty near all had it by that time. That is not leadership, that is following behind, and I am taking it one step further.

In that period of time when we did know or they should have known that education was going to require new buildings and new concepts, the Minister of Education and the government allowed new school buildings to be built that, Mr. Speaker, were almost obsolete before the mortar was dry. There was no plan, no leadership to this whole business of educational construction in this province. As a result, the costs of education are much higher than they need to be or need to have been.

Then I was going to say something about agriculture, but I do not want to say anything more. However, I do want to touch for a few minutes on finance.

Never having suffered from a great amount of finance, I feel quite adequate to discuss this matter in depth. I said a few moments ago that the people of this province were burdened with new taxation this year, wide in variety and very heavy in its impost and its application. I think the figures roughly are that the new taxes will bring in some $200 million of new taxes. Then we borrowed another hundred million besides that.

Now, just as in education, I say to this government and to the people of Ontario this afternoon, this government has suffered today because of their political manipulation of finances in this province for the last 20 years. We have had 20 or more cooked budgets in this province, none true reflections of the finances of the province, budgets which sought to convey to the people that we had a small surplus and that we handled judiciously your money; we do all these things for you and we are able still to have a small surplus.

They never had a surplus at all and they knew it. What they had was a thumping big deficit. But because they had their dual bookkeeping, their two lines of doing things, they were able through the years to fool the people by persuading them that all was well financially; that they had a small surplus and that taxes were not being increased and everything was going fine.

I say this afternoon, this terrific impost of taxation in this province this year would not have been necessary if the government of this province had met their responsibilities down through the years. The government of Ontario for the last 20 years should have been paying its own way. It should have provided normal moderate adequate taxation to meet the needs of the people down through the years. But they did not do that and all these things are now caught up with it. The chickens have come home to roost. The sins of omission and commission are visited upon you at this time and weigh heavily upon the people of Ontario through the medium of increased taxation.

It may have been necessary under ordinary circumstances to have increased taxation this year, but by no stretch of the imagination can it be argued that, if the government through the years had pursued a sound financial policy, the impost this year would simply have been a moderate increase in keeping with the other years that have gone before it. Instead of that, we have this whopping increase.

The people of Ontario are not going to take this easily. They are going to remember it. They are going to visit their anger and their disgust and their dissent upon you when the opportunity presents itself. I have been through the years, as is well known, an advocate of meeting our responsibilities financially as they came along. The government chose the other way. Today, events have caught up with us and they are forced to spend huge amounts of money gained through taxation that need not have been as onerous as it is at the present time.

Another point in regard to this great impost of taxation is this. You put, what, $300 million, $200 million taxation and $100 million borrowing on the people of the province and what do they get for it? What do they get for it that they were not getting before? The real test of taxation, the test that people will understand, is if they will receive in return for increased taxation, increased benefits.

Tell me this afternoon if there are people who are paying less educational tax than they were a year ago, are they paying less highway tax? Indeed their taxes are increased across the board and the services that they receive for that increased taxation is either static or it has deteriorated.

I suggest to you that is a charge that can be substantiated, and it is one that nullifies any suggestion of the Provincial Treasurer (Mr. Allan) that the taxation he has put upon us was justified.

Now, I want to speak just for a moment or two about another subject entirely. That is the question of regional government. If there ever has been an issue that the government has been here and there and everywhere on, it is regional government.

I remember a speech that the Premier made, in London I think, when he came right to the precipice, when he stood on the brink almost, and when he seemed to be saying to the people of Ontario: "Regional government you have to have, be prepared for it."

Then the Minister of Highways (Mr. MacNaughton), always close to the pulse of the people, made a speech that seemed to be in direct contradiction to the Prime Minister's utterance when he said that the Tory government was good government and were going to keep that kind of government and strengthen it, rather than weaken it by the suggestion of the Prime Minister in his speech at London.

That is past history, but up to date we have, I suppose, what could be called a white paper on regional government delivered in solemn tones by the Prime Minister. I am not very good at deducting what white papers mean, especially when they come from this government, but I took this white paper on

regional government to mean that the retreat from Moscow was under way, and that the government was preparing by a devious route to abandon any real conception of regional government in this province.

Now I say to the House and to the Premier there is a form of regional government that we should pay subscription to and that we should give attention to, and that is the sort of regional government that comes from this government tidying up its own household and putting its own house in order.

When I say that I mean this, that we have in government departments, as many geographic administrative units of government departments as there are government departments themselves. These administrative units vary in size, vary in description, vary in the way they carry out their duties. The first thing we should do towards meeting the challenge and the need for regional government is for the government to get their administrative units in a box of equal size and divide it into regions in this province so that each administrative unit of government will deal with that particular region, and so will all other administrative units of government.

You cannot expect counties or townships to be enamoured of any idea of regional government while you, from the fountainhead of power in this province, have failed completely to put your own house in order.

When you regionalize, effectively regionalize your own administrative departments of government in this province, then you will be able to sit down with the county councils and with the township councils and I think you can talk earnestly and perhaps fruitfully with them about the aims of regional government. But until you do something yourself in your own house, you cannot expect them to have great joy when anyone suggests that they should go into a system of regional government.

There are two more matters that I want to discuss briefly and those are ARDA and conservation.

In respect to conservation, I want to say at once—and the hon. member for Oxford (Mr. Pittock), is in his seat—that I was amazed the other day, or a few days or weeks ago; one loses track of time in 110 days—when my. hon. friend said that there was a lack of leadership emanating from the director of the conservation branch.

I agree and have said so many times that there is a lack of leadership insofar as conservation is concerned. But it ill behooves my hon. friend from Oxford to lay the blame for this lack of leadership on the director of the branch. The blame for lack of leadership falls inevitably on the shoulders of the Minister of the department, not on the branch man, surely, who cannot be here to defend himself or to say anything in refutation of the charges that have been made.

Then in regard to ARDA, I think that we have dragged our feet in this province on the ARDA operation ever since its inception. I was not impressed by the Minister of Agriculture (Mr. Stewart), when he told us about the "new vision" as he saw it for ARDA in this province. If we are to judge the future progress of ARDA upon the achievements of the past, then we are not going to have very much forward movement in respect of that great venture in government.

I want to say directly to the Premier that I do not believe that either conservation or ARDA can come to their full fruition in this province with the kind of joint leadership it has at the present time. I believe that we have to have under the office of the Prime Minister, a man who has the Prime Minister's blessing to bring these different departments together, to cut out the overlapping competition and the jealousies, and to say this and that must be done in the interests of ARDA and in the interests of conservation.

**Some hon. members:** Hear, hear.

**Mr. Oliver:** I do not think that divided authority ever has worked and it never will. The Minister of Agriculture is not a strong enough Minister to say: "This is going to be done and that is going to be done and we have to deal with all the departments of government." The same is true of conservation. We should have an authority that is above a Cabinet Minister and is able to bring an authoritative tone to the whole discussion.

One could go on at length, but I just want to say, Mr. Speaker, that what I said would give some indication that I have little or no confidence in this administration, and I ask you, therefore, to vote for an amendment and end it all.

**Some hon. members:** Hear, hear.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, I was going to suggest that perhaps I could ask the indulgence of the House if we were to go beyond the usual adjournment time for the lunch interval of 12.30. For the first time I see some indication from the Opposition that they are prepared to agree, and I find it incredible because this is the time that they do not have an oppor-

tunity to speak. It is so easy for them to agree when their long efforts and many words are at last complete.

Mr. Speaker, I would mention first your role in this House which has been mentioned by the leader of the New Democratic Party (Mr. MacDonald). Certainly in the years that I have had the privilege and the honour of leading the government in this House, it has been my endeavour and that of my colleagues to strengthen the function and the role of the Legislature in our governmental system. I might say some of my desire in this regard has been motivated by events that we have seen on the national scene and in the House of Commons, and I have hoped that we would be able to reach procedures here that would permit this Legislature to function in its traditional style.

Your role, sir, has certainly helped in the basic endeavours that we have all been striving for, and I would like to congratulate you on the manner in which you conduct the affairs of this House and to assure you once again that you have the complete confidence of the government and members that support the government in your decisions, whatever they may be, and they are not by any means 100 per cent acceptable to this side of the House in the normal day-to-day manoeuvring and tactical plays that we may make. On the other hand, they are fair and honest and we accept them.

I am interested in the comments that have been made both by the leader of the New Democratic Party and by the hon. member for Grey South (Mr. Oliver) with regard to this session. I was a little bit disappointed, I might say, in the remarks of the hon. member for York South who is a man for whom I have respect, a man who has a degree of intellectual honesty which I admire. I was, I must admit, disappointed when he trotted out the same trite remarks about the conduct of business in this House that I have heard every year that I have stood in this place.

Perhaps he does not choose to recognize the fact that we planned the government's programme this year in order to keep a constant flow of legislation before this House.

Perhaps he forgot, sir, that in March we disposed of the Ontario medical services insurance bill, the bill that established that plan. This was done back in March, and yet he stands in his place today and says that we brought in all the important legislation at the end of the session.

**Mr. V. M. Singer** (Downsview): He did not say that at all!

Interjection by an hon. member.

**Hon. Mr. Robarts:** Well, then if you did not, this was the suggestion that I got from your remarks.

Interjections by hon. members.

**Hon. Mr. Robarts:** When did we dispose of, for instance, the bill dealing with Metropolitan Toronto? It was so long ago that I think most of you have forgotten.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Robarts:** I just say to you that that comment simply is not true. The legislation brought before this House in this particular session has been well-spaced; it has sat on the order paper in time for hon. members to examine it carefully, and all I ask is recognition of this fact. I have a feeling that these remarks are going to be made every year regardless of what programme the government may choose to introduce. I can draw no other conclusion.

Now then, I want to take a look at the question of committees, and the hon. member for Grey South suggests for instance that we have a committee, if my notes are correct, suggested a committee on estimates. Well, let me point this out. I have totalled up the number of committee meetings that have been held since this session started, they number 69. I have the attendance figures of those meetings here. I am not going to burden the House with the complete statistical detail, but 69 meetings.

Yet time after time we find that things are debated completely in committee, motions are made in committee, and defeated in committee, and then we come into the House and we have the same debate all over again. If we are to do as was suggested by the member for Grey South, attempt to introduce a committee system that is going to relieve any of the burden that happens in this House, I would suggest that the Opposition are going to have to live with the idea that they can make their objections once or twice, but not as many as four times, if there is to be any limitation on the hours that we sit.

Now, it does not really matter to me when someone says, as the member for Grey South, that we do not want to be here in June or July. I find June and July just as

pleasant months to be in this House and doing the business of this government as I find February and March to be. I see no difference. I think if there is any real desire on the part of the Opposition not to lengthen the sittings of this Legislature, that some care and attention might be paid to the arguments that are produced.

I mean, when we sit and listen to a member quoting from *Hansard* to get it on the record, and quoting from what he said last year, so as to put last year's *Hansard* in this year's *Hansard*. This is the type of thing I think takes up the time of this House, which might be much better spent in dealing in a somewhat less verbose fashion with the business of the people of the province.

So do not look always to the government to introduce new rules and new changes in the procedures of the House when really the length of these sessions lies entirely in the hands of the members of the Opposition if they will simply control their own time of the House that they take up making the same arguments time after time after time.

It may be that we will have to look at the whole question of estimates, because I have been aware that in my view in any event much of the discussion on estimates has been completely out of order. We have had discussions going on on the estimates that do not belong there, speeches that might well have been made, for instance, in the Budget debate. The estimates presently are used for a wide variety of reasons.

Of course, when we are in the committee stage, we are not bound by rules of debate and the procedure is completely informal. It is very easy to bring whatever you want to say on whatever subject it may be, within those very elastic rules. That obtains when we are in committee of the whole House and I watched this happen many times. It may be that this is one of the matters that we might very well look at.

In regard to the examination of boards and commissions, this was raised by the leader of the New Democratic Party. I was interested to note, for instance, some reference to Hydro, and when the item in the estimates dealing with Hydro were before this House, they went through with no comments from anybody.

Sir, I would think that in looking at the function of committees, we might very well think of whether we can use our committees to remove some of the burden from the Legislature. But if we are to follow the present procedure, where everything that is discussed in committee, every amendment that is made in committee, every argument that is put in committee, simply comes back and it is repeated in this House, then of course we will destroy the whole function and the whole purpose of the committees.

Interjections by hon. members.

**Hon. Mr. Robarts:** In the last four or five days, we have had amendments brought in here in exactly the same form in which they were presented in committee. Why bother to go to committee? I would much rather debate it here in the first place and let all the members hear the comments, Mr. Speaker.

**Mr. Singer:** Would the hon. Prime Minister rather not let the public have a word about it, as they can in committee, is that what he is getting at?

**Hon. Mr. Robarts:** Mr. Speaker, we put the legislation on the books, we leave it there for people to examine, and I might say that the question of the long session has been raised by both the Opposition parties and not by the government. We do not care how long the session is, we will stay here until the business is completed.

Mr. Speaker, I was very interested in the comments that the leader of the New Democratic Party made. He was affable and he made jokes and I thought what a change from the days when he was the real hatchet man, and when he used to come in here and really go after us in all respects. I was interested though—

Interjection by an hon. member.

**Hon. Mr. Robarts:** —now that is just the kind of remark by the hon. member for Woodbine (Mr. Bryden) that is going to prompt my next remark. The leader of the New Democratic Party has now put upon himself a mantle of smiling ease and graciousness and the good old knife is safely tucked away where no one can see it. But who has he turned it over to from behind his back? The member for Woodbine has taken it and says, "Of course." But you have not heard it all, because the member for Woodbine said, "Of course, I am not going to run again." I notice the shift in roles here where in years gone by—

**Mr. MacDonald:** It is part of the team.

**Hon. Mr. Robarts:** It is a good team and you have turned it all over to him. He is your hatchet man and he says: "Well, of course, I am not going to run again."

The other thing I rather enjoy is watching the interplay between our friends across the

floor, because we sit here and, of course, we are in most instances the target for all the attacks. We are always wrong, but now we find the Opposition jousting between themselves. Who is going to get farthest to the left, this is what I seem to detect.

And our dear friends in the middle are saying: "Do not come near us, do not come near us, we want this position to ourselves." But here we have a party that is really wandering in the wilderness, does not know quite where to go, cannot come with us because we are the government and we do not want them anyway, cannot quite make it to the left because we have the socialist party sitting there saying: "We do not want you, we want this field to ourselves, don't you come encroaching on our preserves, we want this full area of a socialist approach to government, we want it all for ourselves."

So here we have this dilemma, and I have no answer. All I can say is, I enjoy sitting here watching it.

**Mr. MacDonald:** You will just be talking to yourself.

**Hon. Mr. Robarts:** Well, I do not know. I remember in this House when the hon. member who makes that interjection was a member of what was then known as the CCF Party, and I just quote from a book called, *Douglas in Saskatchewan,* and that was part of the—

Interjection by an hon. member.

**Hon. Mr. Robarts:** You see! Anything we do not agree with is a gross misrepresentation. This is entitled *Tommy-land in trouble.* You have changed the name from CCF to New Democratic, but you did not change the spots. They remain exactly the same. You are the socialist party of our country, and always will remain so.

This is a quote from page 208 of *Douglas in Saskatchewan,* and Mr. Douglas, I may explain, for the information of the members of the House, is the leader of the New Democratic Party in the government of Canada, and this book was written by a man who observed the scene in Saskatchewan during the whole period of Mr. Douglas' tenure of office. And it is page on 208, he says:

> Looking at the pattern of CCF government as it unfolded over the past 17 years it becomes apparent that the course set by the socialists inevitably had to bring this form of government into collision with a traditional way of Canadian life.

Interjections by hon. members.

**Mr. MacDonald:** If you had something to deal with while—

**Mr. Speaker:** Order!

**Hon. Mr. Robarts:** This is the quote I rather like. This one says, page 211:

> The 17-year record of the Douglas administration in Saskatchewan, as a document of progress, would not make a very effective advertisement for selling the New Democratic Party to Canadians.

I just draw this to the attention of my hon. friends opposite, so that they may really understand what they are sidling up to, just what they are sidling up to, and when you—

Interjection by an hon. member.

**Hon. Mr. Robarts:** Well the hon. member has had his chance. I sat and listened to him make his speech, but I do hope that he is well aware of where he is going when he moves over there.

**Mr. K. Bryden** (Woodbine): It is getting crowded over there!

**Hon. Mr. Robarts:** There may come a time when he will welcome it.

Mr. Speaker, during the course of the last few days and the last few weeks there has been a good deal of discussion on the matter of injunctions, and I think I should say a word about this.

**Mr. E. W. Sopha** (Sudbury): The Prime Minister has been talking to the press.

**Hon. Mr. Robarts:** I have been talking to the press. As a matter of fact, Mr. Speaker, I was rather surprised at my hon. friends who are usually so free with questions—I guess they did not want an answer—because nobody asked me what happened at the meeting. There was no question asked in this House. They did not want, as you say, to be confused by the facts. There are very few meetings that take place in my office that somebody does not say: What happened? But on this one, I did not get such a request.

In any event, I met with the leaders of the labour movement in response to their request and at that meeting we discussed matters of current interest and I told them what the position of the government was. As I said during a speech made by the hon. member for Sudbury, whose speeches I enjoy up to a point, but with which I do not necessarily agree.

**Mr. Singer:** Up to a point.

**Hon. Mr. Robarts:** And in some cases which I do not necessarily even understand, up to a point.

As a matter of fact, I have rather missed it this year, because ordinarily it falls to my duty, not that I did not enjoy the remarks of my hon. friend from Grey South, but over the years it has become almost traditional that the member for Sudbury has wound up this debate on behalf of the official Opposition. I missed it this year.

On the other hand, I heard the same speech last night anyway, so the only difference is I did not have a chance to respond to it last night. I thought his speech was a very good address to a jury. The only problem is we are not a jury, and we examined it pretty carefully. It was a magnificent speech, except it just was not right; that was all that was wrong.

However, I will get back to the meeting that I had. We discussed injunctions and what led me into my discussion of the remarks of my hon. friend for Sudbury was that when he was speaking I mentioned that I had told the leaders of the labour movement in Ontario back in March when they submitted a brief to the Cabinet, that we would go into and examine very carefully the whole question of injunctions.

At that time they submitted to the government two briefs. One dealt with various matters of general interest which we dealt with in the normal fashion. It was divided up into the sections that concerned various departments and each section was sent to the department which it concerned.

They submitted to us at the same time a separate brief, dealing entirely with injunctions. We undertook at that time to institute an examination and a review of the position put by the labour movement, by the union movement, in that brief. This of course we did, and as I pointed out in my interjection to my hon. friend's speech, that review has been going on for some considerable time. The hon. member seemed to take offence at the fact that we had some law students doing some investigation, but really in fact we are analyzing every case in which an injunction has been asked for or granted. We must go to the courts and search the records if we are to have accurate information on what information and what evidence was used in the application and so on. In other words, we want a complete and factual examination of the use of the injunction in order that we may know what we are talking about.

During that discussion with the men in my office, I told them as well that we receive many representations regarding laws, various questions of government policy and so on. We consider it to be our duty to accept representations made and to examine them, and this I undertook to do. I pointed out to these men that the point of view they were putting was not necessarily one that was held unanimously by all our society and all our people. In fact the words I used to them were that in the seats in which you are sitting when you put this position to me will, I am quite certain, in due course be occupied by someone who will put an entirely different point of view. I am quite certain that this will in fact happen, because I have had a request from other groups of people to make their point of view in regard to this whole matter.

Now I give the House this background, because I also told that group that the government would be prepared, and would consider it the proper thing to do, to examine the whole question of injunctions. I said that in addition we did not believe that we could examine only injunctions. We felt that the whole question of injunctions was part of a broader picture, which includes strikes, lockouts and picketing, injunctions, the rights of a member of a union to respect another picket line of a union to which he does not belong; all these things. In fact it perhaps could be put that what we need to do is look at the whole area of the procedures that are used presently to settle industrial disputes. I also said that in the meantime the law as it is must be obeyed.

Now Mr. Speaker, I can tell the House today that it is the intent of the government to appoint a Royal commission to go into this matter. It follows the comments I made on Wednesday, June 29, when I said that I felt this was a matter of such public interest that it would have to be dealt with in a forum in which all citizens and all groups of citizens may put their point of view; and a forum in which the public may understand the points of view that are being put, even though they may not be involved in the issues on one side or the other.

The question as to who will constitute the Royal commission has yet to be decided, as well as the terms of reference; I can only assure the House that as soon as these decisions are made, they will be announced and perhaps if we were to be here a few more days I would be able to tell the House that. In any event, at the moment these decisions are not made and therefore I am not in a position to tell hon. members who will serve as the commission.

**Mr. Sopha:** Did the labour people say who would be suitable to them? Did they mention two names?

**Hon. Mr. Robarts:** Well, Mr. Speaker, I believe the name of Mr. Justice Laskin was mentioned, but I would say to my hon. friend from Sudbury, after his attack on the judiciary in this House the other night, he makes it almost impossible to name a member of the judiciary to carry out this function.

**Mr. Sopha:** I did not attack the judiciary, but I criticized it as is my democratic right.

**Hon. Mr. Robarts:** All right. You will quibble about words. You will say you did not attack them, but you say you criticized them. You brought into question the impartiality of the judiciary in dealing with labour matters, and this is something that this government must consider when it comes to the point of deciding who is to do this investigation.

Interjections by hon. members.

**Hon. Mr. Robarts:** Well, the hon. member for Sudbury decided what he wanted to say, and we listened to him, but I can tell you he has posed certain difficulties by the position that he has stated publicly. This position, of course, has been completely endorsed by the Liberal Party, because the leader of the Opposition (Mr. Thompson) stood up and said: "I endorse everything the member from Sudbury has said."

Well, Mr. Speaker, we have many problems. We will deal with this one and we will deal with it in a way which we think will serve all the people who are interested.

I was very interested, too, in the remarks of the hon. member from Sudbury when he spoke and said: "Of course I am a labour lawyer."

Mr. Speaker, on this side of the House, and in this party that I represent, we stand for all the people. We will conduct this investigation so the first parties to the immediate dispute may have a place to speak, and we will look after one other thing, too, and that is the interests of the public. This has been the position of this party for many years and I have been very interested in the last few days to watch the efforts of the New Democratic Party who are carrying this politically as far as they can—as far as they can.

They are trying to jam this party that I have the honour to represent into a position where they can say: "You represent only management." What nonsense! We represent the people of this province; we have for many, many years, and we will continue to do so. And we will ensure that every group of our citizens have their rights protected and their position protected and they will have an opportunity to put their points of view. I do not minimize the difficulty in this whole situation, not for one second do I minimize it.

Interjection by an hon. member.

**Hon. Mr. Robarts:** There are a few things in that select committee report that the hon. member signed that he does not agree with. Let me tell him that.

However, I am not going to debate that this afternoon. I am just going to make the point that this government will recognize the difficulties of the decisions involved in this whole matter. It will not be easy, but we will not shirk our responsibility and we will look after the interests of the people of this province.

Mr. Speaker, my hon. friend from Riverdale (Mr. Renwick) has been running on for about three weeks and we have sat quietly and listened. Now we just ask him to sit quietly and listen for about another 20 minutes to half an hour. If he would just do that we would be all right.

Now, sir, there are various matters in the Budget that I think warrant a little discussion, and—

**Mr. Sopha:** Put the death watch over it.

**Hon. Mr. Robarts:** Mr. Speaker, I have been taking asides from my hon. friend from Sudbury and the rougher the going the more frequent the asides are. I might say also the more inaudible they become, so that they are just a noise rather than anything that one can deal with.

I am just going to speak for a few moments to a question of federal-provincial fiscal relations. One of my favourite stories is that about 2 o'clock one morning my phone rang and a friend said to me: "John, I would like to come down and discuss federal-provincial fiscal arrangements with you." And I said: "Good Lord man, it is 2 o'clock in the morning, why don't you come into my office at 9 o'clock tomorrow morning?" He said: "Nine o'clock tomorrow morning I won't give a damn."

Federal-provincial fiscal arrangements are matters of some complexity and there have been, since the last time that I spoke in this House on this matter—I think it was in the Throne debate—there have been certain

changes which I think make the changes on the national scene in regard to the agreements which should be consummated and put into law by March 31, 1967 or April 1.

Of course, I think the major element that has been added is the result of the election in the province of Quebec, because we have over a period of time established certain relationships which were, for better or for worse, working themselves out. Then a new element was put into the equation.

We were to meet in Victoria in June to deal with the participation by the federal government in the field of higher education and, incidentally, to support Mr. Bennett's own particular centennial celebration. He is celebrating 1967 in 1966, because that is the hundredth anniversary of the junction of the island and the mainland.

He is having a pre-Confederation celebration and as well as dealing with provincial matters we were going to take part in that celebration. I believe that the Minister of Lands and Forests (Mr. Roberts), has been to British Columbia recently and had a close personal view of the celebration that is taking place.

In any event, that conference was cancelled because of the fact that there really was no government in Prince Edward Island at the particular time, and the election in Quebec had not yet been held but was imminent. In addition, there was an election imminent in the province of Manitoba, but I want to make this point very clear that the position that this government takes in regard to our arrangements with the federal government has not changed due to these events.

We are going to ask in these debates which will take place, for a greater share of the revenue of this country. I want to make it very clear that as a government we are not going to Ottawa in any respect asking for any handout, but I would hope that in these debates as they take place, certain elements will be kept very, very clear, and that while there are needs for constitutional change in our country which we recognize and are prepared to face, I think we must also recognize that there is a great need for change in the fiscal arrangements throughout our country as a whole.

That is why I say that we will not approach the federal government on the basis that we are asking for a handout. We will approach the federal government on the basis that any analysis that is made of expenditure requirements and responsibilities, and then matched with the revenue potential of the various tax fields, will indicate that the provinces—and I am not only speaking for Ontario—and the municipalities, need a larger share of the tax revenues of the country, if they are to discharge their constitutional responsibilities.

**Some hon. members:** Hear, hear.

**Hon. Mr. Robarts:** I want to make it very clear that there is no question of going down to Ottawa and asking for a handout just so that we do not have to impose new taxes. This government, in this Budget which we are debating today, was faced with the necessity of increasing taxes in this province, and we faced our responsibility, unpopular as it may be. All of us know that imposing taxes is a very unpopular move for any government to take. On the other hand, if we are to meet our requirements in education and in health and in the development of our province, we simply had to increase taxes.

Now, I would point out this, Mr. Speaker: The surplus enjoyed by the federal government is just about equivalent to the deficits of all the provinces and all the municipalities in this country put together.

**Some hon. members:** Hear, hear.

**Hon. Mr. Robarts:** I use that figure to illustrate the imbalance—and the necessity for expenditure and the revenue to meet that expenditure.

**An hon. member:** What surplus?

Interjections by hon. members.

**Hon. Mr. Robarts:** If you will accept my word for it, I will send you the figures as produced by the men of this government whom I consider to be competent.

Now, I think and I worry and this is my great worry. With buoyant revenues federally, I am worried that the federal government may choose to move into certain areas of expenditure which will not permit them to assist the provinces and the municipalities in the work that they must do. Once that money disappears into a new programme it is going to be very difficult to get the readjustments that I am seeking.

Interjections by hon. members.

**Hon. Mr. Robarts:** If you will look at the submission made by this government to the Senate-Commons committee that considered the Canada pension plan, you will see that we presented the only commonsense position in which this could have been done, and it was completely disregarded by the federal government.

**Some hon. members:** Hear, hear.

**Hon. Mr. Robarts:** To me it made sense. How far did we get? No place. Now, of course, we are into this present kefuffle about which I have nothing to say. But we presented a position where this whole problem could have been dealt with and should have been dealt with. It was postponed for a year. In any event, that is yesterday.

I am today and tomorrow, and I worry and I express this worry to the members of this House. I do not want to see any additional federal spending programmes initiated until we are able to sort this question out, and it is not a question of handouts; it is a question of redistributing the revenue of our country, of the whole country, of every province and of every municipality so that we can relieve this onerous burden of taxation that is falling upon our people, and to which they are objecting as indicated in the results in Quebec and the results in Manitoba and perhaps, to a lesser degree, the results in Prince Edward Island.

I would just point that out to you as we enter into this period of discussion. I might say that there is nothing new in what I have said this afternoon. I put this position several times before, but I just wanted to make it very clear where we stand—

Interjection by an hon. member.

**Hon. Mr. Robarts:** Well, I am delighted with that, because as I said earlier in my remarks, I have a very high regard for the mental capacity of the hon. member for Sudbury, even though I may disagree with him from time to time.

There are other things I would like to deal with. There were comments made during the estimates of The Department of Economics and Development concerning the committee on confederation—the advisory committee on confederation. As a matter of fact, on May 25 this discussion took place, but unfortunately I was not here. I had planned on being here to deal with any comments there might have been concerning this committee because, frankly, it is a committee that is rather personal to myself. I must say that I was very sorry indeed, when reading *Hansard*, that the members of the Opposition thought so little of this committee that they voted to eliminate the appropriation set aside for it.

I thought that this was a great insult to some great Canadians. I thought it was a very great insult to some very great Canadians. I have read that portion of *Hansard*. The Minister of Economics and Development (Mr. Randall) said that the committee had done much useful work in the past.

Now, the area which seems to create the confusion and the difficulty perhaps is the question as to whether the reports of the committees should be published. The hon. leader of the Opposition made some comments which I am sure he did not mean, and I am sure today he probably regrets, at least I would hope that he regrets them. He said: "Knowing the calibre of some of the people I can feel just how strongly they resent this blanket of conservatism that is covering them and suffocating them."

Half of them are not Conservatives at all. I do not know what their politics are. I do not know the politics of a single man in that group.

Can you tell me the politics of, for instance, Eugene Forsey? I cannot. I do not know. How does he vote? Where does he vote? A perfectly delightful colossal man.

Half of them are not Conservatives at all, and "they have been sucked into an approach"—oh, it is wonderful language. "They have been sucked into an approach where they are having to advise a government which cannot think up ideas for itself and they resent it. What is more, they resent the secrecy with which they have to shroud themselves."

**Mr. A. E. Thompson** (Leader of the Opposition): They resent, Mr. Speaker, keeping this thing hidden. No one knows what they are doing.

**Hon. Mr. Robarts:** Well Mr. Speaker, they read these comments too; they read them in the press and I would challenge the hon. member's statement. I would challenge the statement he made in this House on May 25.

I might point out to him that when this committee was established it was on the basis that it would be a body established for the sole purpose of advising myself and the government on matters affecting Ontario's position constitutionally. There is nothing in the terms of reference which have revealed in this House, nothing in the terms of reference which implied any kind of public role, nor even any commitment to work towards the production of a report for publication.

I meet with the committee occasionally; the last time we met was on May 20, five days prior to the discussion here in this House. At that meeting on May 20, not while I was there but after I left the committee, the committee unanimously passed a resolution to

the effect that it did not believe it desirable for any of the committee's work to be made public at this time. Now that is the opinion of the committee and the resolution they passed when I was not present.

**Mr. Thompson:** Mr. Speaker, may I put a question to the Prime Minister?

**Hon. Mr. Robarts:** Yes indeed.

**Mr. Thompson:** I ask the Prime Minister: He had said that he would table their work in the House last year when we were debating this question?

**Hon. Mr. Robarts:** Mr. Speaker, I doubt very much that I said I would table it. I think I said I would consider it, because I know in talking to these men – after all it was necessary to speak to each one of them before he undertook to serve on this committee – and in speaking to them this was one of their worries, whether opinions were going to be attributed to them that they perhaps did not necessarily hold. In a group like this – and I will now forget about anything that has been said and discuss the matter on its merits – it is very difficult to get a consensus among a group such as this because they just simply are not the kind of people who necessarily agree.

Interjection by an hon. member.

**Hon. Mr. Robarts:** This is precisely it, and as far as they are concerned there are no restrictions, nor have there been, on any one of them expressing his own personal opinion on any point that they may be working on.

Interjection by an hon. member.

**Hon. Mr. Robarts:** Well they are free to do it, but I am not the man who tells them what to do. This is up to them.

I mean if Paul Fox wants to publish his opinion and have this as a report from this Dr. Donald Creighton; I read his reports in various periodicals. They are all free to speak their own piece. They do not want themselves to be put in a position where they have to necessarily all come to one opinion and have this as a report from this committee. They are completely free as individuals to publish anything they like, dealing with any matter that they are examining on behalf of the government.

What I would propose we might consider doing – well, before I get to that, I would tell the House what they have done. They have divided themselves into three committees. One is dealing with constitutional matters, one is dealing with economic matters; and one is dealing with cultural matters; and they are preparing various papers among themselves.

I have had only one what might be termed a report from them, and that was a report dealing with the question of cultural exchanges with the province of Quebec. It was indicated in the Speech from the Throne that we would implement the recommendation of that portion of the committee, and we were in the process of doing so when matters in Quebec brought that situation to at least a temporary halt.

Mr. Speaker, I think what we might do, we might follow a procedure that was followed in the days when we were dealing with portable pensions – and we have not a dissimilar situation here – when we had a group of experts to advise the government on the whole question of the portability of pensions. These men did not necessarily agree with one another, but they did examine the subject very thoroughly. At that time we arranged meetings where they could meet the members of the Legislature who could then put questions to them, dealing with portable pensions in order to find out what they thought.

Perhaps when we are here together again, whenever that may be, we might arrange similar meetings. I am quite certain that the committee itself would find it stimulating to find out the kind of questions to which we want answers. Perhaps they would be interested in hearing what hon. members might like. I would be quite happy to arrange this if it is agreeable with the committee.

But I must point out to hon. members once and for all that these men are not under the control of this government. They are brought here to advise us; their opinions are free and if they do not want to do it, they do not have to do it. If they do not want to tell the House what they think, they do not have to. If they do, they are free to tell hon. members any time, any place, anywhere, anything they want. But they do not feel themselves that it would be either wise or even truthful for them to attempt to arrive at some concensus of opinion and say: "Here is what this committee thinks," because I doubt very much, knowing them, that there would ever be that degree of agreement.

There is one point I would like to make to the House in reference to this Budget, which perhaps I might have mentioned when I was discussing federal-provincial

fiscal arrangements, and that is the present situation as far as the Carter commission is concerned, and the Smith committee in this province. There has been criticism of the Smith committee because they have not reported yet.

Frankly, it is my opinion that much as we would like to hurry this matter and much as we are brushing against this deadline of April 1, 1967, we would be very unwise to enter into any agreements in the fiscal field until we have examined the reports of these two committees very carefully, because unless I am mistaken they will bring forward some pretty radical and pretty dramatic ideas for change. Let us not lock ourselves into a position where we cannot implement these changes and look at them.

Nothing would suit this government more than to have the opinion of the Smith committee today, or yesterday, or last January, but it just is not that simple. The Carter commission has had various deadlines and each one has been extended, and my understanding now is that the Carter commission may not report until the fall.

I am going to read into the record a letter that I have from Lancelot J. Smith, the chairman of the select committee, in order that there can be no doubts about this whole matter:

> Dear Mr. Prime Minister:
>
> I have your letter of June 3 in which you request that I comment on the progress which the Ontario committee on taxation has made and forecast a date of termination. You observe that it has been intimated to you that we will not be able to complete our work until the Carter commission reports.

Because in my letter to Mr. Smith I asked him if this was a factor in the delay of getting this report, which we could be working on right now if we had it.

> Our committee would like to include in its report at least a short analysis as to the implications for Ontario of the Carter report and the extent to which our own recommendations might be affected in the light of that report.

Now that makes a lot of sense, but it does mean delay.

> However, we will not be reporting before the Carter commission not so much because of our desire to await their recommendations as from the magnitude of our own work. As you know our terms of reference require us to inquire into, report upon and make recommendations concerning the taxation and revenue system of the province of Ontario and its municipalities and school boards in relation to their expenditures, the tax and revenue services available to them and their debt and other financial obligations.

Those are broad terms of reference, but how else could you examine this thing without broad terms of reference?

> We interpreted our task to require an examination in depth of all aspects of these matters referred to us. In this connection we have completed our hearings and research studies and have made some considerable progress in drafting our report, although it is some months away from completion.
>
> We are fully aware that there is crucial need for reporting at the earliest possible moment. Our objective is to have our report completed and in the hands of the printers by August 31, but as this time-consuming part of our work must necessarily be confined to relatively few persons there is a possibility that we would be misleading you if we indicated now that we are certain to meet our objective. I have no hesitation however in assuring you that the commissioners and staff will do their utmost to do so.

So there is the situation, for the information of the members concerning this.

I would say this, that even though we are pressing against this deadline of March 31, 1967, and even though the Carter commission report is going to be delayed, and even though we have not yet got the Smith committee report, in my view there is a great deal that can be done. We have a tax structure committee functioning, and it has been the function of this committee to examine nationally all the tax structures in the province. I feel that there is a great deal of work that we can do in the time in which we are awaiting these reports.

This work is going on presently and I would hope that the tax structure committee will be meeting sometime in August to continue the work that it is able to do even though it has not the information contained in these two reports.

Now Mr. Speaker, I probably am going on a little longer than I should. On the other hand, there have been so many matters of great interest raised by the Opposition during the course of this debate that I feel I would like to comment on some of them.

This is one that has not been necessarily mentioned, and I will mention it very briefly, but I think it is of great interest to the

members of this House. I am of course referring to the endeavours of this government to have the Canadian General Electric Corporation locate its heavy water plant in northern Ontario. As hon. members no doubt know and have noted, the decision has been made to locate the $65 million plant in Cape Breton in Nova Scotia.

I would like to point out to the House that this decision was a disappointment to this government. The hon. Minister of Economics and Development had worked very hard indeed. We saw it as a rather unique—and I mean unique in its truest sense—opportunity to provide for the economic development of a part of northeastern Ontario because in this area there is —now I am out of my depth technically—but it is referred to as lignite and it is a form of coal which could be strip mined. We felt that we could offer a strip mining proposition to supply the heat that would manufacture this heavy water.

Indeed from an economic point of view we were quite able to compete, except for one thing. That thing was the designation by the federal government of areas where there are capital cost allowances made and certain allowances made to industry. As I understand it, and I do not think I stand to be corrected, that we could compete economically except Cape Breton is a designated area and northern Ontario is not.

Now let me go back to a federal-provincial conference held just about a year ago, July 19, 1965, in Ottawa. I am going to read a few paragraphs. This document has been distributed. No doubt all hon. members have it. It was the statement that the delegation from the province of Ontario made to that conference, and on page 23 of that statement we said to the federal government:

> In this light we view the recent suggestions of the federal government with regard to designated areas as raising three major issues. First, the programme involves regional economic development within Ontario and yet was developed without the extensive consultation and consent of the Ontario government.

And we think that we know, and should know, and have to know, more about what is necessary in Ontario than the federal government.

> Second, we in Ontario are not convinced of the economic rationale of the designated area proposals; and third, there is a serious conflict with sound national development that has not received adequate attention.

But to get to the point about northern Ontario, I am reading from page 24:

> The development of northern parts of the provinces is based to a large extent on the exploitation of natural resources, in this case a lot of lignite. Since these are fixed, the industry must locate wherever the natural resource occurs. We think it is also a fair statement that the northern parts of the provinces are in an equal state of development and it cannot be said that the northern part of one province should be assisted through incentives over the northern part of another province. Under the designated area programme parts of northern Quebec, parts of northern Manitoba in particular, qualify for assistance grants. Because the industry is tied to the natural resources and because they would develop these resources where they are located in any event, the assistance given under the designated area programme is simply a windfall which gives an advantage over competitors who have rights in other provinces or in areas that are not designated. This is certainly not the intention of the programme and in this instance can only work against the logical economic development of our resources in Canada.
>
> To sum up, while parts of northern Canada are primarily dependent upon resource exploitation for their economic development, in this respect all parts of Canada are equal, and if some regions qualify for assistance while others do not qualify, it is an unjustified advantage to those firms which happened to hold mineral rights or timber rights in designated areas. The result is that since no northern regions are designated in Ontario, firms located in other provinces have an unfair advantage and receive an unnecessary benefit.

So went the heavy water plant.

Now I do not say that that is the only factor, because I am not sufficiently skilled or knowledgable about all the factors, but I can assure hon. members that it was a very major factor.

I want the people of northern Ontario to know this. I want them to know also that Hydro was prepared to co-operate, The Department of Highways was prepared to build roads. Hydro agreed to instal steam generating equipment, the Ontario Northland Railway is sitting there for this type of development. It is just a question of doing it, but we were unable to do it.

I would not want the people of northern Ontario to think that this thing slipped through our fingers through any fault of this government, because it did not. I want the people of northern Ontario to know this as

well: Having explored this thing as far as we have, we are not prepared to let it rest where it is now.

This is where we were going, this has gone; as I said a few minutes ago, that was yesterday. Now we want to know what is for tomorrow.

Mr. Speaker, I think I have gone far enough. There are many other things that could be discussed, and of course, this is exactly the phrase that has been used by both the previous speakers.

I would only say in reference to this session, I recognize, of course, the Opposition being the Opposition has the role to oppose, but I think I will say in fairness and honesty it has been well done.

We have not, on this side of the House, attempted in any way to stultify the Opposition, to cut off discussion. I think hon. members will have to agree that we have used the rules of this House to produce the result that we all want.

I would hope that we will all remember as we sit in this House, and this is expressed periodically by various members, but I personally consider it the greatest privilege of my life to sit in this House. I can only tell you that as long as I am here, I will do everything in my power to uphold the dignity of the House itself, to have a proper role for every man who sits here regardless of what party he may represent or what riding he may represent, because he sits here with exactly the same privilege I have, and it is one we all share.

If we can approach our problems in this way, despite the slips and lapses and bad temper and sometimes a little viciousness creeping in, but if we are reasonable, rational, tolerant men, I think we will forgive one another.

I recall very well travelling with one committee of this Legislature and we were in Harrisburg, Pennsylvania, Harrisburg is the state capital and they have rather a remarkable legal system because if you want to practise law in the state capital, you have to be a Harisburg lawyer, and if you come from Philadelphia or Pittsburgh, you hire an agent in Harrisburg, if you are dealing in the state capital. There is a magnificent courthouse. In one section is a dining room which the lawyers use, Mr. Speaker, and there is a huge stone fireplace and right over it carved in stone are these words: "Strive mightily, eat and drink as friends."

Mr. Speaker, I would ask—and I am not going to refer to the, may I say, two pusillanimous and innocuous amendments to the motion—I would ask you just to simply disregard them and vote for this motion.

**Mr. Speaker:** Hon. J. N. Allan (Provincial Treasurer) moves that the Speaker do now leave the Chair and the House resolve itself into committee on ways and means.

Mr. A. E. Thompson (Leader of the Opposition) moves, seconded by Mr. F. R. Oliver (Grey South), that the motion that Mr. Speaker do now leave the Chair and the House resolve itself into the committee on ways and means be amended by adding thereto the following words:

That this House regrets:

1. That the government by its many years of neglect, inefficiency, misleading accounting and lack of plans has brought Ontario to the position where further taxation has been forced upon it;

2. Further regrets the decision of the government to levy oppressive unplanned taxation that will greatly increase the heavy burden already carried by the wage earner and farmer;

3. Further regrets that the government has failed to include action on the realignment of municipal taxing obligation in order to relieve the already overburdened homeowner from oppressive and inequitable and increasing local taxes.

The House will vote first on the amendment to the motion moved by Mr. Thompson.

All those in favour of the amendment, please say "aye"; all those opposed will please say "nay."

In my opinion, the "nays" have it.

Call in the members.

All those in favour of the amendment, will please rise.

All those opposed, please rise.

| Ayes | Nays |
|---|---|
| Ben | Allan |
| Braithwaite | Apps |
| Bryden | Bales |
| Bukator | Beckett |
| Gisborn | Boyer |
| Lewis | Carruthers |
| (Scarborough West) | Carton |
| MacDonald | Cecile |
| Newman | Connell |
| Nixon | Davis |
| Oliver | Demers |
| Racine | Downer |
| Renwick | Dunlop |
| Singer | Dymond |

| Ayes | Nays |
|---|---|
| Sopha | Eagleson |
| Spence | Edwards |
| Thompson | Evans |
| Worton | Gomme |
| Young—19. | Grossman |
| | Hamilton |
| | Harris |
| | Haskett |
| | Henderson |
| | Hodgson (Scarborough East) |
| | Hodgson (Victoria) |
| | Kerr |
| | Knox |
| | Lawrence (Russell) |
| | Lewis (Humber) |
| | Mackenzie |
| | MacNaughton |
| | Morningstar |
| | McKeough |
| | McNeil |
| | Olde |
| | Pittock |
| | Price |
| | Randall |
| | Reilly |
| | Reuter |
| | Robarts |
| | Roberts |
| | Rollins |
| | Root |
| | Rowe |
| | Rowntree |
| | Simonett |
| | Spooner |
| | Thrasher |
| | Villeneuve |
| | Walker |
| | Wardrope |
| | Wells |
| | White |
| | Whitney |
| | Wishart |
| | Yaremko—57. |

**Clerk of the House:** Mr. Speaker, the "ayes" are 19, the "nays," 57.

**Mr. Speaker:** I declare the amendment lost.

All those in favour of the motion that the Speaker do now leave the chair and the House resolve itself into the committee of ways and means, will please say "aye." All those opposed, will please say "nay."

In my opinion, the "ayes" have it. I declare the motion carried on the same division reversed.

The House resolved itself into the committee on ways and means; Mr. L. M. Reilly in the chair.

**Clerk of the House:**

Resolved,

That there be granted out of the consolidated revenue fund of this province a sum not exceeding $1,846,063,100 to meet the supply to that extent granted to Her Majesty.

Resolution concurred in.

**Mr. E. W. Sopha** (Sudbury): That is a lot of dough.

Hon. J. P. Robarts (Prime Minister) moves that the committee on ways and means rise and report that it has come to a certain resolution.

Motion agreed to. The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee on ways and means begs to report it has come to a certain resolution.

Report agreed to.

## ACT GRANTING CERTAIN SUMS OF MONEY

Hon. J. N. Allan (Provincial Treasurer) moves first reading of a bill intituled, An Act for granting to Her Majesty certain sums of money for the public service for the fiscal year ending March 31, 1966, and March 31, 1967.

Motion agreed to; first reading of the bill.

Hon. Mr. Allan moves second reading of the bill.

Motion agreed to; second reading of the bill.

Hon. Mr. Allan moves third reading of the bill.

Motion agreed to; third reading of the bill.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, with your permission, I will now leave the House and wait upon His Honour the Lieutenant-Governor.

The Honourable the Lieutenant-Governor of Ontario entered the Chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. Earl Rowe** (Lieutenant-Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed several bills to which, in the name and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 2, An Act to amend The Algoma Central and Hudson Bay Railway Company Act, 1941.

Bill 4, An Act to amend The Railway Fire Charge Act.

Bill 45, An Act to provide for the licensing and regulation of nursing homes.

Bill 52, An Act to amend The Charitable Institutions Act, 1962-1963.

Bill 53, An Act to amend The Public Health Act.

Bill 65, An Act to amend The Corporations Act.

Bill 66, The Securities Act, 1966.

Bill 67, An Act to amend The Corporations Information Act.

Bill 78, The Mental Health Act, 1966.

Bill 79, An Act to amend The Mental Hospitals Act.

Bill 82, An Act to amend The Income Tax Act, 1961-1962.

Bill 83, An Act to amend The Corporations Tax Act.

Bill 84, An Act to amend The Public Hospitals Act.

Bill 85, An Act to amend The Medical Act.

Bill 86, An Act to amend The Loan and Trust Corporations Act.

Bill 88, An Act to amend The Game and Fish Act, 1961-1962.

Bill 92, The Representation Act, 1966.

Bill 94, An Act to amend The Judicature Act.

Bill 97, An Act to amend The Registry Act.

Bill 99, An Act to amend The Police Act.

Bill 101, An Act to provide for the protection of buyers of consumer goods and for the fair disclosure of the cost of credit.

Bill 105, An Act to amend The Territorial Divisions Act.

Bill 106, An Act to provide for the registration of and disclosure by public finance companies that hold shares in private loan companies.

Bill 111, An Act to amend The Private Sanitaria Act.

Bill 112, An Act to provide for crop insurance.

Bill 113, An Act to amend The Department of Agriculture Act.

Bill 114, An Act to amend The Edible Oil Products Act.

Bill 115, An Act respecting abandoned orchards.

Bill 117, An Act to amend The Marriage Act.

Bill 118, An Act to amend The Artificial Insemination of Cattle Act, 1962-1963.

Bill 119, An Act to amend The Plant Diseases Act.

Bill 120, An Act to amend The Weed Control Act.

Bill 121, An Act to amend The Highways Traffic Act.

Bill 122, An Act to amend The Ontario Institute for Studies in Education Act, 1965.

Bill 123, An Act to amend The Ryerson Polytechnical Institute Act, 1962-1963.

Bill 124, An Act to amend The Municipal Unconditional Grants Act.

Bill 125, An Act to amend The Municipal Franchises Act.

Bill 126, An Act to amend The Local Improvement Act.

Bill 127, An Act to amend The Ontario Municipal Board Act.

Bill 128, An Act to amend The Confederation Centennial Act, 1962-1963.

Bill 129, An Act to amend The Department of Municipal Affairs Act.

Bill 130, An Act respecting legal aid.

Bill 131, An Act to modify the rule against perpetuities.

Bill 132, An Act to amend The Accumulations Act.

Bill 133, An Act to amend The Trustee Act.

Bill 134, An Act to amend The Conveyancing and Law of Property Act.

Bill 135, An Act to amend The Parks Assistance Act.

Bill 136, An Act to amend The Housing Development Act.

Bill 137, An Act to promote ambulance services and improve their standards.

Bill 138, An Act to amend The Cemeteries Act.

Bill 139, An Act to amend The Air Pollution Control Act.

Bill 140, An Act to amend The Ontario Mental Health Foundation Act, 1960-1961.

Bill 141, An Act to amend The Psychiatric Hospitals Act.

Bill 142, An Act to amend the Expropriation Procedures Act, 1962-1963.

Bill 144, An Act to amend The Public Utilities Act.

Bill 145, An Act respecting the village of Beachville.

Bill 147, An Act to amend The Charitable Institutions Act, 1962-1963.

Bill 148, The Vocational Rehabilitation Services Act, 1966.

Bill 149, An Act to amend The Homes for the Aged Act.

Bill 150, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 151, An Act to amend The Schools Administration Act.

Bill 152, An Act to amend The Separate Schools Act.

Bill 153, An Act to amend The Department of Education Act.

Bill 154, An Act to amend The Public Schools Act.

Bill 155, The Public Libraries Act, 1966.

Bill 156, An Act to amend The Pharmacy Act.

Bill 157, An Act to amend The Dentistry Act.

Bill 158, An Act to amend The Pesticides Act.

Bill 159, An Act to amend The Ontario Water Resources Commission Act.

Bill 160, An Act to amend The Commuter Services Act, 1965.

Bill 161, The Pawnbrokers Act, 1966.

Bill 162, An Act to amend The Insurance Act.

Bill 163, An Act to authorize the raising of money on the credit of the consolidated revenue fund.

Bill 164, An Act to amend The Agricultural Development Act.

Bill 165, An Act to amend The Public Services Act, 1961-1962.

Bill 166, An Act to amend The Children's Institutions Act, 1962-1963.

Bill 167, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Bill 168, An Act to revise The Homes for Retarded Children Act, 1962-1963 and to extend its scope.

Bill 169, An Act to amend The Planning Act.

Bill 170, An Act to amend The Negligence Act.

Bill 171, An Act to amend The Farm Loans Act.

Bill 172, An Act to amend The Tile Drainage Act.

Bill 173, An Act to amend The Financial Administration Act.

Bill 175, An Act to provide for the establishment of the Moosonee development area board.

Bill 176, An Act to amend The Department of Public Welfare Act.

Bill 177, The Day Nurseries Act, 1966.

Bill 178, The Elderly Persons Centres Act, 1966.

Bill 179, An Act to provide benefits to persons and families in need.

Bill 180, An Act to amend The Child Welfare Act, 1965.

Bill 182, An Act to amend The Drainage Act, 1962-63.

Bill 183, An Act to amend The Assessment Act.

Bill 184, An Act to amend The County Judges Act.

Bill 185, An Act to amend The Public Service Superannuation Act.

Bill 186, An Act to amend The Teachers' Superannuation Act.

Bill 187, An Act to provide for the relocation of the Mulholland cairn.

Bill 188, An Act to amend The Ontario Municipal Employees Retirement System Act, 1961-1962.

Bill 192, An Act to amend The Municipal Act.

Bill 193, An Act respecting the art gallery of Toronto.

Bill 194, An Act to incorporate Sunnybrook hospital.

To these Acts the Royal assent was announced by the Clerk of the legislative assembly in the following words:

**Clerk of the House:** In her Majesty's name, the Honourable the Lieutenant-Governor doth assent to these bills.

**Mr. Speaker:** May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the legislative assembly of the province of Ontario, in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government and humbly beg to present for Your Honour's acceptance a bill intituled, An Act granting to Her Majesty certain sums of money for the public service for the fiscal years ending March 31, 1966 and March 31, 1967.

To this Act the Royal assent was announced by the Clerk of the legislative assembly in the following words:

**Clerk of the House:** The Honourable the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

The Honourable the Lieutenant-Governor of the province was then pleased to deliver the following gracious speech.

**Hon. W. Earl Rowe** (Lieutenant-Governor):

Mr. Speaker and members of the legislative assembly of Ontario:

As this fourth session of the 27th Parliament concludes its labours, I voice appreciation of your zeal and energy in dealing with the heavy legislative programme initiated by the executive council of Ontario for your consideration.

During this session, of the 37 private bills also presented, 30 received Royal assent. Notice was given of 34 private members' resolutions of which 32 were debated at length. One hundred and ninety-five public bills were introduced. Government measures accounted for 170 and, of these, 165 received Royal assent.

Originating in 19 departments, the legislation to which you have given careful consideration and approval has covered a wide range of subject and scope. The extensive nature and importance of these enactments arose from their involvement with the health, well-being and rights, as well as the responsibilities, of the people of this province. They also encompassed many phases of governmental administration and activity.

The importance, in our economy, of the industry of agriculture was emphasized beyond all doubt in the bills introduced affecting the agricultural community and in the ministerial statements made during the House proceedings. The Crop Insurance Act, 1966, was an important advance in providing protection for the farmer against perils to crops. My government will continue to represent the interests of the members of the farming community of Ontario, and to preserve all rights to which they are entitled, both in the area of provincial and federal jurisdiction, and to that end will continue to co-operate with the appropriate authorities in arriving at solutions for problems of mutual concern.

The government's planned programme for the improvement of many areas within the community has resulted in the passage of a number of bills, chief among which are The Consumer Protection Act, 1966, The Securities Act, 1966, The Legal Aid Act, 1966, The Public Finance Companies' Investment Act, 1966, and The Corporations Amendment Act, 1966.

Regional development councils have been established, and the Ontario development corporation was created, by legislation which was approved.

In the field of education, necessary amendments to several Acts were made. The Public Libraries Act was completely reorganized with new provisions for regional library development and the appointment of an Ontario provincial library council.

The Ontario education capital aid corporation has been established as part of a programme to assure to municipalities and school boards a dependable source of funds at a moderate rate of interest through the purchase of their debentures issued for the construction of schools. These funds are also available through the Ontario universities capital aid corporation for the purchase of debentures from universities.

Provision was made for tightened control by the Ontario water resources commission over water management in Ontario.

Legislation of far-reaching importance in various fields of health was enacted during this session. The medical services insurance plan is now in operation. The first groups to benefit were those in receipt of social assistance who have been deriving the benefits of the programme since April 1.

This year is observed the 50th anniversary of the proclamation in 1916 of the Act which established The Department of Highways in Ontario. One year later an Act was passed to provide for a provincial highway system which has expanded far beyond the dreams of the planners of those days and has promoted the growth and development of Ontario, the province of opportunity.

In the area of labour relations, extensive revisions have been made to existing legislation to meet current needs. Section 89 of The Labour Relations Act was repealed.

The passage of The Woodlands Improvement Act, 1966, will permit entering into agreements with the owners of private lands for the purpose of conducting forestry management and was one of the highlights of the legislative proposals of The Department of Lands and Forests. The introduction of the tubed-seedling programme will be of additional strength to the reforestation programme of the province.

The report of the select committee on mining has been presented to the Legislature, and my Ministers are reviewing the recommendations which will be of assistance to the industry and The Department of Mines.

Important and far-reaching amendments to The Municipality of Metropolitan Toronto Act were introduced and adopted.

Amendments to The Municipal Act and The Ontario Municipal Employees Retirement System Act have provided the municipalities and their employees with the opportunity for improvements in pensions and other fringe benefits.

In its citizenship programme, The Department of the Provincial Secretary and Citizenship this year is also extending to Hamilton its summer course for teachers in teaching English as a second language combined with a concentrated programme of evening language classes for newcomers. Special features of the language training programme in Hamilton are daytime classes for shift workers. Experimental projects will also be conducted for immigrant children in co-operation with the Toronto and Hamilton school boards.

Public welfare legislation has been submitted and approved in anticipation of meshing with federal enactments. The province will thus share in a wide range of welfare services and allow the development of welfare programmes which will permit more flexibility in their operations. Under these Acts the municipalities will also benefit from increased financial aid to serve the cases for which they are responsible.

Amendments have been made to The Parole Act, and to certain other Acts within the purview of The Department of Reform Institutions to bring such legislation into conformity with practices in other departments.

Legislation was passed to provide for the registration of rates by tourist establishment operators at the time of application for a licence. Provision has also been made for the establishment of regulations which would require information centres to be licensed by The Department of Tourism and Information.

Amendments to The Highway Traffic Act have provided for the setting of safety standards for tires, and for the requirement of safety devices on motor vehicles.

Legislation has been submitted and approved concerning members of the public service of Ontario whose dedication of purpose, and efficient service, merit our recognition and commendation which I now extend.

With the affairs of the province in excellent condition, and its sound financial position having had the thorough scrutiny of hon. members, approval has been given to provide supply to defray the expenditures for the requirements of the departments of the government as in their estimates submitted. In Her Majesty's name I thank you.

May Divine Providence guide and protect you.

**Hon. J. Yaremko** (Provincial Secretary): Mr. Speaker and hon. members of the legislative assembly, it is the will and pleasure of the Honourable the Lieutenant-Governor that this legislative assembly be prorogued and this legislative assembly is accordingly prorogued.

The Honourable the Lieutenant-Governor was pleased to retire from the Chamber.

The House prorogued at 2.15 o'clock, p.m.

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